

**'IT WAS DO OR DIE' – HOW A WOMAN'S EXPERIENCE OF DOMESTIC  
ABUSE CAN INFLUENCE HER INVOLVEMENT IN CRIME: A QUALITATIVE  
INVESTIGATION OF THE EXPERIENCES OF COMMUNITY-BASED FEMALE  
OFFENDERS**

**Thesis submitted for the degree of  
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**by**

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# **‘It was do or die’ – How a woman’s experience of domestic abuse can influence her involvement in crime: A qualitative investigation of the experiences of community-based female offenders.**

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## **Abstract**

Female offenders are far more likely to have experienced domestic abuse than the general female population. Yet despite wide acknowledgement of a relationship between domestic abuse and female offending there is a lack of research seeking to explore *how* this relationship operates. Therefore the central premise of this research was to examine ways in which a woman’s experience of domestic abuse may influence her involvement in crime. By focusing upon how women cope with their experiences of domestic abuse this research explored how women’s actions and reactions, in response to the abuse they experience, affected their offending.

The study was approached from a combined feminist and symbolic interactionist perspective, drawing upon interviews with 25 community-based female offenders who had experienced domestic abuse, placing the women’s own voices and perspectives at the very centre of the discourse. A supplementary sample of 15 probation service practitioners were also interviewed to draw upon their experiences of supervising female offenders.

The research findings reveal how women’s situated, subjective and individualised experiences within, and responses to, their abusive relationships can directly or indirectly influence their offending. Consequently, this research demonstrates that women’s criminal offences can occur in a much wider context than has previously been understood when examining the relationship between domestic abuse and women’s offending. Rather than women offending against, or with, an abuse perpetrator, or being forced or coerced by an abuse perpetrator to commit crime, this research illustrates the broader and longitudinal effects of domestic abuse. Significantly, women’s offences occur without their abuser present, after the relationship has ended, or even years after the abuse has ceased, yet their actions can still be attributed to their experience of domestic abuse. The findings have significant implications for criminal justice policy and practice including magistrates’ training, completion of pre-sentence reports and sentence compliance.

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## **List of abbreviations**

**ABH** – Actual Bodily Harm

**ACPO** – Association of Chief Police Officers

**APV** – Adolescent to Parent Violence

**BME** – Black and Minority Ethnic

**BWS** – Battered Woman Syndrome

**CJS** – Criminal Justice System

**CPS** – Crown Prosecution Service

**CRC** – Community Rehabilitation Company

**CSEW** – Crime Survey for England and Wales

**DASH** – Domestic Abuse, Stalking and Harassment

**DWP** – Department of Work and Pensions

**HMCIP** – Her Majesty’s Chief Inspector of Prisons

**HMCPsi** – Her Majesty’s Crown Prosecution Service Inspectorate

**HMIC** – Her Majesty’s Inspectorate of Constabulary

**HMIP** – Her Majesty’s Inspectorate of Prisons

**IOM** – Integrated Offender Management

**IPV** – Intimate Partner Violence

**LDU** – Local Delivery Unit

**MARAC** – Multi-Agency Risk Assessment Conference

**MOJ** – Ministry of Justice

**MP** – Member of Parliament

**NACVW** – National Advisory Council on Violence Against Women

**NOMS** – National Offender Management Service

**NPS** – National Probation Service

**OASys** – Offender Assessment System

**ONS** – Office for National Statistics

**PrO** – Probation Officer

**PrSO** – Probation Services Officer

**PSO** – Prison Service Order

**PTSD** – Post Traumatic Stress Disorder

**SAR** – Specified Activity Requirement

**UN** – United Nations

**UNODC** – United Nations Office on Drugs and Crime

**WHO** – World Health Organisation

## List of publications and conference papers

### Publications

Roberts, J., (forthcoming) *IOM Cymru Women's Pathfinder Wales Research Report: Identification of Community Based Female Offenders as Victims of Domestic Abuse*, Cardiff: IOM Cymru Women's Pathfinder Project.

Robinson, A., Tregidga, J., Rees, A., & Roberts, J., (2010), *Final Evaluation on the HomeSafe Project*, Cardiff: Cardiff University.

Amnesty International Wales & National Union of Students Wales Women's Campaign, (2008), *Violence against Women: The Perspectives of Students in Wales*, Cardiff: Amnesty International Wales.

### Conference Papers

Roberts, J. (2015) *'It was do or die' – How a Woman's Experience of Domestic Abuse Can Influence Her Involvement in Crime*. Paper presented at the European Conference on Domestic Violence, Belfast, UK, 6<sup>th</sup> – 9<sup>th</sup> September, 2015.

Roberts, J. (2014) *Gendered Justice? From Victim to Offender: How a Woman's Experience of Domestic Violence Can Influence Her Involvement in Crime*. Paper presented at the University of Leicester Interdisciplinary Perspectives on Gender and Justice Conference, Leicester, UK, 14<sup>th</sup> July, 2014.

Roberts, J. (2013) *When Victims Become Offenders – How Domestic Violence Can Influence Female Offending: Subordination, Subversion and Survival*. Paper presented at The Howard League for Penal Reform: What is Justice? Conference, Oxford, UK, 1<sup>st</sup> – 2<sup>nd</sup> October, 2013.

Roberts, J. (2013). *'Blurred Boundaries' – When Victims Become Offenders: The Effect of Domestic Abuse on Female Offending*. Paper presented at the British Society of Criminology Conference, Wolverhampton, UK, 2<sup>nd</sup> – 4<sup>th</sup> July, 2013.

## CHAPTER ONE: INTRODUCTION

### 1.1 Context

*Women account for a minority of all those coming into contact with criminal justice agencies, and their specific circumstances and needs are often overlooked or misunderstood by a system which has largely developed in response to men's offending profile and behaviour. Most women who enter custody under sentence serve short prison sentences for petty but sometimes persistent offending, and many have themselves been victims of domestic violence and sexual abuse (Earle, Nadin and Jacobson, 2014: 1).*

In 2014 the Prison Reform Trust and Pilgrim Trust highlighted the differences between men and women who offend, specifically acknowledging the social and economic context of women's involvement in crime. Their report *Brighter Futures* stated that large numbers of female offenders are themselves victims of crime, specifically domestic and/or sexual violence. As a consequence they stated that women's offending, in contrast to men's, is more likely to be connected with relationship problems (Earle *et al.*, 2014). The prevalence of experience of domestic abuse within the backgrounds or histories of female offenders was also recognised by the Ministry of Justice (MOJ) (2013b). The MOJ (2013b) stated that the proportion of incarcerated female offenders who had reported experience of abuse in their lifetimes was double that of their male counterparts. Significantly, a wealth of literature, both academic and policy-centred, testifies to a relationship between domestic abuse and women's offending (see for example: Roberts, forthcoming; Prison Reform Trust, 2014a; Bloom, Owen and Covington, 2014; Women's Aid, 2011). Importantly, the UK literature is consistent with international literature that also acknowledges this relationship (United Nations 2013; Segrave and Carlton, 2010; Ferraro, 2006; Comack, 2000; Richie, 1996). Despite such acknowledgement, very little consideration has been given as to *how* the relationship between domestic abuse and women's offending operates and,

more specifically, how women's experiences of domestic abuse may help explain or contextualise their involvement in crime.

This thesis comprises one of the first studies in the UK to explore ways in which a woman's experience of domestic abuse may influence or affect her involvement in crime. This doctoral research contributes to an area of criminological research which has merited increased attention in recent years, particularly as a result of the findings of the Corston report in 2007 and its follow up report in 2011 (All Parliamentary Group on Women in the Penal System, 2011). Significantly, Baroness Corston's (2007) report noted that women with histories of abuse are dramatically over-represented within the Criminal Justice System (CJS) and that women's pathways to crime are often strongly interconnected with the relationship problems they experience (Corston, 2007). This report also found that the probation service's diversionary pathways did not adequately address the particular needs of female offenders when attempting to prevent re-offending, and therefore two additional pathways were recommended including 'Pathway 8: support for women who have been abused, raped or who have experienced domestic violence' (Corston, 2007: 46). This recommendation demonstrates the pivotal nature of women's experiences of domestic abuse and its potential influence on women's re-offending.

In the years following the first Corston report, women's offending, and in particular female offenders' disproportionate experience of multiple forms of abuse, has garnered increased attention within criminal justice policy-focused literature in the UK (Earle *et al.*, 2014; Prison Reform Trust, 2014a; National Offender Management Service or NOMS, 2013; Women's Aid, 2011). In 2008 NOMS produced a National Service Framework – which outlined the Government's strategic aims regarding how they proposed to meet the needs of women offenders - in which domestic abuse, and the effects such experiences may have on female offenders, were mentioned multiple times. In that same year Prison Service Order (PSO) 4800 was published (HM Prison service, 2008) which included some guidance for supporting women prisoners who had



experienced domestic violence. In 2011 Women's Aid, in collaboration with NOMS, produced guidance on supporting female offenders who have experienced domestic and/or sexual violence. Women's Aid assert that compared to the general female population, female offenders are far more likely to have experienced domestic abuse. They gave an estimate that between 50 and 80 per cent of women in prison have been victims of domestic and/or sexual abuse. Notably they also suggested that high numbers of community-based female offenders have backgrounds or histories of domestic abuse, and that some women may continue to experience domestic abuse whilst serving their sentences in the community (Women's Aid, 2011). Furthermore, the relationship between abuse and women's offending was also recognised by Justice Minister Jeremy Wright MP in the House of Commons on the 14th January 2014:

*The experience of female offenders is different in a number of ways, whether that concerns the abuse that they might have suffered before committing offences or the rate at which anxiety and depression are suffered (Earle et al., 2014: 3).*

Although not an exhaustive list of the literature acknowledging the relationship between domestic abuse and women's offending, the aforementioned publications highlight the pivotal nature of this relationship within UK-based policy addressing female offenders. Therefore not only will this research provide a significant contribution to the existing academic literature, its findings will also have substantial implications for criminal justice policy and practice.

The unique contribution of this doctoral research to the existing literature will now be explicitly outlined. Unlike the vast majority of existing studies that have focused upon women in prison (Ferraro, 2006; Comack, 2000; Richie, 1996) this study explored the relationship between domestic abuse and women's offending within a community-based female offender population. The majority of female offenders do not serve

custodial sentences therefore a community-based sample is far more representative of the overall female offending demographic. Therefore this study addresses a prominent gap within current research. Furthermore, unlike much of the existing research, which has primarily focused on women's more serious forms of offending such as murder and serious violent offences (Ferraro 2006; Richie, 1996; Browne, 1987; Walker, 1984), as a consequence of studying community-based female offenders this research predominantly focuses upon crimes far more reflective of women's typical offending behaviour.

In addition, in the UK there is a marked absence of academic literature addressing this topic and as a consequence the relationship between domestic abuse and female offending is instead far more prominently referenced within policy-based literature, arguably resulting in the under-theorisation of this relationship. Therefore, to expand upon the existing literature, this research examined the relationship between domestic abuse and women's offending in a far broader context than has previously been understood. The existing research has principally concentrated on crimes committed by victims of domestic abuse with, against, or for, their abuse perpetrator, mainly focusing upon women's immediate responses to the domestic abuse they experience. In contrast to the above mentioned approach, this thesis primarily examines crimes committed by women without their abuser present; after the women had exited their abusive relationship or situation, and crimes committed by women years after their abuse had ceased. Therefore, the research examines the relationship between domestic abuse and women's offending in a far broader and longitudinal context than previous literature. Furthermore, this thesis will contribute to an international discourse where research has hitherto been predominantly concentrated in America (Ferraro, 2006; Richie, 1996), Canada (Comack, 2000) and Australia (Segrave and Carlton, 2010). Therefore this doctoral research provides an important contribution to UK-based and international criminological research.

Finally, this research not only makes a new contribution to criminological literature but, as has also been illustrated throughout this introduction, it is politically relevant and timely. Importantly, this research presents a range of implications for criminal justice policy and practice at a time when female offenders and their specific needs have garnered increased attention. Traditionally, institutional responses to domestic abuse have focused upon supporting women as victims of domestic abuse and have not incorporated the consequences that a woman's experience of domestic abuse may have upon her wider behaviour and actions. In particular institutional responses have rarely recognised the ways in which domestic abuse may cause, influence or affect a woman's involvement in offending. Therefore this research will explore how women's experience of domestic abuse can have a wide-ranging impact upon their lives and behaviour, which can extend to bringing women into contact with the CJS as both victim *and* offender. As has been widely acknowledged within this introduction, female offenders are far more likely to experience domestic abuse than the general female population, hence it is imperative to acknowledge and explore women's experiences of domestic abuse to examine how they may influence their offending behaviour.

## **1.2 Structure of the thesis**

The thesis begins with a review of the literature in Chapter Two, providing an overview and analysis of existing studies in this area. Establishing a foundation to the research undertaken for this doctorate, it details key contributions made by existing studies, draws attention to the gaps present and subsequently outlines the research questions that this study sought to answer. The literature review also provides the definition of domestic abuse that is employed throughout the thesis. The literature review, although not exhaustive, intends to provide a detailed and in-depth contextualisation of this doctoral research, addressing how the relationship between domestic abuse and women's involvement in crime is described and presented within the existing literature. Subsequently how this doctoral research uniquely contributes to both criminological and policy-focused literature will be made apparent.

Chapter Three provides an account of the methodology, outlining the research positioning and design. This chapter explains in detail the theoretical approach adopted for this research, combining a feminist and symbolic interactionist perspective. It further details the research methods that were chosen to complement and reinforce the theoretical standpoint. Describing the qualitative methods employed throughout the research this chapter also discusses the practical processes involved in how the research was conducted. This includes issues surrounding the interview design and process, sampling, recruitment of research participants and data analysis. It also presents the rationale for all choices made in relation to the practical aspects of the research. A significant part of the methodological chapter is dedicated to the ethical considerations evoked by the research processes, resultant from the particular sensitivities associated with researching victims of domestic abuse and female offenders. The ethical challenges involved in this research, and how they were overcome, are therefore described in detail during this chapter.

The research findings are presented in Chapters Four and Five, which have their foundations in the women's own accounts and descriptions of how they perceived their experiences of domestic abuse as having affected their involvement in crime. The women's narratives included in these chapters reflect and describe how their involvement in crime occurred as a consequence of the multifaceted means of coping that they employed in response to the domestic abuse they were experiencing or had experienced. Significantly both chapters address the immediate and longitudinal effects of domestic abuse victimisation and the impact this may have upon women's behaviour, therefore examining both the direct and indirect ways in which a woman's experience of abuse may influence her involvement in crime.

Chapter Four begins by establishing the overarching theme of women's means of coping with, or responding to, their experiences of domestic abuse, which were

identified as influencing the women's involvement in crime. The chapter then introduces the four subthemes that were established through interviewing; exploring the different manifestations of women's coping with domestic abuse and how the mechanisms they employed affected their involvement in crime. The first two subthemes are explored in detail in this chapter, demonstrating the particular limitations imposed upon women's means of coping and the consequences this had for their behaviour and actions.

Chapter Five continues the presentation of the findings by exploring the final two subthemes which illustrate women's more active forms of responding to the domestic abuse they experienced and how these actions influenced their involvement in crime. This includes some discussions regarding the dynamic nature of women's coping mechanisms illustrating the fluid nature of women's actions within abusive relationships. It concludes with acknowledgment of additional factors that may have influenced women's involvement in crime, outside of their experiences of domestic abuse.

Chapter Six concludes the thesis through outlining, and reflecting upon, the specific range of contributions made by this research. In this final chapter the findings of the research are summarised and are accompanied by a range of recommendations for both policy and practice that have arisen from the research. This chapter will also acknowledge and evaluate the limitations of the research itself, and discuss potential areas of future research.

## CHAPTER TWO: LITERATURE REVIEW

### 2.1 Introduction

As the previous chapter briefly highlighted, a range of literature testifies to an overlap between the populations of female victims and offenders (Chesney-Lind and Pasko, 2013; Women's Aid, 2011; Segrave and Carlton, 2010; Corston, 2007; DeHart, 2004). Although some literature also suggests that some male offenders have histories of abuse (Hollin and Palmer, 2006; Hubbard and Pratt, 2002), evidence indicates that female offenders have disproportionately experienced domestic or sexual abuse (MOJ, 2013b, 2012a; Women's Aid, 2011; NOMS, 2008; Corston, 2007). The examination of female offenders' disproportionate experience of domestic abuse has, however, mainly been confined to either quantitative research, or has only been referenced within the policy-based literature (see for example: MOJ 2013b, 2012a; NOMS, 2008; Corston, 2007). This has led to an often one-dimensional understanding of the relationship between domestic abuse and women's offending, with little attention given to exploration of *how* a woman's experience of domestic abuse may affect her involvement in crime. To contextualise and situate the research that was undertaken for this thesis, this chapter will provide an introduction, analysis and critique of the existing studies which have sought to examine the relationship between domestic abuse and women's involvement in crime. It will draw attention to the most prominent studies in this area, highlighting the significant contributions which have already been made, but will also identify the gaps which remain and, finally, will establish a series of research questions for exploration within this research.

The chapter will begin by introducing and defining domestic abuse and will evidence the gendered nature of domestic abuse victimisation, as this provides an important foundation upon which the research was built. The literature review will progress by contextualising women's involvement in crime, introducing the different forms of women's offending. The gender gap in offending will then be briefly discussed, demonstrating the differences between women and men's involvement in crime and consequently the need to situate women's criminal activities within a gender-specific

context will be emphasised. This will highlight the importance of acknowledging the affect of domestic abuse on women's offending, as it is a form of gender-based violence, and a form of abuse disproportionately affecting female offenders. The third section of the literature review will focus upon the overlap of the female victim and offender populations culminating in a review and analysis of the existing qualitative literature which has sought to examine, in detail, the relationship between domestic abuse and female offending and, in particular, will examine and critique the theoretical interpretations that have sought to explain this relationship. The final section of the literature review will therefore clearly outline the gap that exists within current research and, the chapter will conclude by presenting the research questions that this thesis sought to answer subsequently defining the purpose of the study and the contributions it will make to the existing literature.

## **2.2 Domestic abuse**

### **a. Definition of domestic abuse**

The definition of domestic abuse employed throughout this thesis was firstly informed by the Home Office's (2013) definition, though notably this changed during the course of this research when, as of March 2013, Stark's (2007) concept of coercive control was incorporated. This definition states that domestic abuse is:

*any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members regardless of gender or sexuality. The abuse can encompass, but is not limited to: psychological, physical, sexual, financial, emotional... (Home Office, 2013: n.p.).*

The importance and relevance of this definition is threefold. First it demonstrates that domestic abuse is not limited to physical abuse alone but instead encompasses a broad range of tactics employed by domestic abuse perpetrators. Second it identifies the range of perpetrators who can commit domestic abuse, which is not simply limited to intimate partners (and instead can include immediate or more distant family members). Third it recognises both controlling and coercive behaviour as an integral dynamic of the perpetration of domestic abuse. This particular aspect of the definition draws upon Stark's (2007) concept of 'coercive control'. Stark's concept of coercive control describes a model of abusive behaviour that encompasses a range of strategies and tactics that are employed, predominantly by men, to dominate women within their personal lives. This model interweaves repeated physical violence (although this is not always present) with tactics of sexual degradation, intimidation, isolation and control. Importantly, he points to the origins of coercive control as founded in the micro processes of relationships and within the dynamics of everyday existence. Stark also acknowledges, however, the impact of macro structures which reinforce and sustain women's subordination at both a societal and individual level. Therefore coercive control, as Stark describes it, constitutes an extremely personal form of abuse that is reinforced by, and originally derives from, a background of patriarchal society's sexual discrimination and female subordination. Stark's theories of coercive control and the recognition of how both macro and micro processes combine to facilitate a woman's experience of abuse provided an important foundation to the theoretical and methodological positioning of this research, influencing the way in which the research was approached and conducted, which will be discussed in the next chapter.

Stark (2007) has compared the experience of coercive control to the experiences of prisoners of war or hostage victims. Stark, however, notes the exception of one aspect that sets coercive control apart from any other form of oppression:

*Its particularity lies in its aim – to usurp and master a partner's subjectivity – in its scope of its deployment, its individualised and*



*personal dimensions, and its focus on imposing sex stereotypes in everyday life. The result is a condition of unfreedom...that is 'gendered' in its construction, delivery and consequence (Stark, 2007: 205).*

From this perspective the specific dynamics of coercive control constitute the personal nature of the abuse perpetrated. This is facilitated by the individual knowledge that the perpetrator will have relating to the victim's day-to-day activities as well as their entire existence (such as routine, behaviour, personal fears and medical problems, as just some examples). Coercive control is therefore not only based on the extremely personal knowledge that the perpetrator has of the victim but also the privileged access that he has to them (Stark 2007). Coercive control allows abuse perpetrators to approach the abuse and control of their victims through permeating their victims' entire existence. Perpetrators employ deeply personal knowledge of the victim as part of the abuse, within a private and often unmonitored sphere, leaving the victim with no room for manoeuvre or escape. This concept of coercive control has greatly informed the approach of this research. Its focus upon how the specific dynamics of domestic abuse - its nuances and subjective nature - may influence women's behaviour and actions, and subsequently their involvement in crime, has proven to be particularly useful for the framing of this research.

In addition it is important, however, to recognise that other factors, such as class, ethnicity, sexuality, religion, immigration status, mental health and income/poverty may also significantly contribute to, or exacerbate, a woman's experience of domestic abuse or coercive control. In particular these factors, or forms of social identity, can be employed by abuse perpetrators as a further means of exerting control over their victim: for example, in a same-sex relationship an abuse perpetrator threatening to 'out' their victim, where their sexuality is not already known by family or friends, could be employed as a very effective means of controlling them. Therefore the multiple and intersecting social identities that women hold can not only affect the types of

abuse they experience, but drawing directly upon the marginalisation they may experience as a result those identities can also increase the barriers women face when attempting to access support for their victimisation. All of which demonstrates the multiple barriers, and targeted dynamics, of coercive control that women of particular backgrounds or social identities can experience. Consequently as Stark (2007: 391) states:

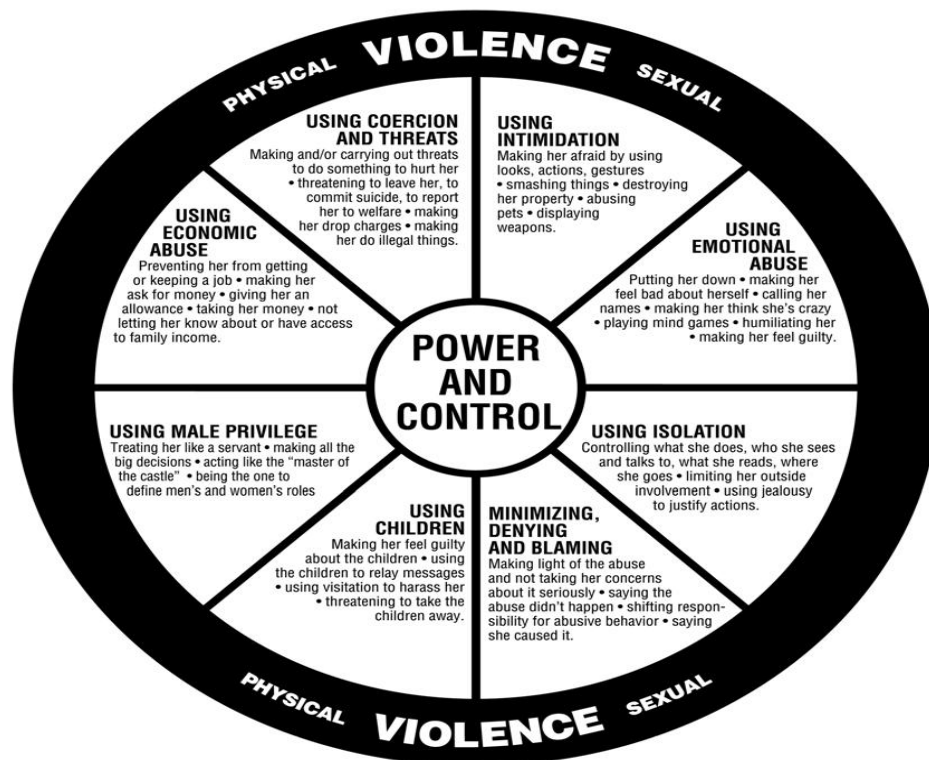
*In the real world discrimination often targets persons with multiple stigmatized identities and for varying combinations of causes and motives, the pattern law professor Kimberly Crenshaw calls 'intersectionality'. Battered women of colour, battered lesbians, and many other marginalized groups experience animus as a multilayered phenomena rather than as a bias directed against a single trait.*

The final source that will also be referenced throughout this thesis is the Duluth Power and Control Wheel (Domestic Abuse Intervention Programs, 2011). The wheel was incorporated in this research as it demonstrates common strategies employed to control and intimidate including the use of threats, isolation, undermining of autonomy and tactics involving victims' children. Such actions are thus much broader than physical violence alone and, perhaps most importantly, the wheel has also been employed in this thesis as it depicts abuse as '...part of a *pattern* of behaviors rather than isolated incidents of abuse<sup>1</sup> or cyclical explosions of pent-up anger, frustration, or painful feelings' (Domestic Violence Information Manual, 1993: n.p., emphasis added). It is, however, important to recognise the limitations of this resource. The Power and Control model is fundamentally based on Western cultural understandings of domestic abuse and does not (and is not meant) to provide a definitive or exhaustive list of behaviours that can be employed within domestic abuse situations (Harne and Radford, 2008).

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<sup>1</sup> Hence there is also some crossover with Stark's coercive control with regards to this aspect of the Duluth definition.

**Figure 1: The Duluth Power and Control Wheel**



DOMESTIC ABUSE INTERVENTION PROJECT  
202 East Superior Street  
Duluth, Minnesota 55802  
216-722-2781  
www.duluth-model.org

Domestic Abuse Intervention Programs, (2011).

Significantly, all definitions that have been referenced within this thesis have placed the experiences of women at their centre, and thus situate domestic abuse firmly as a form of gender-based victimisation. Despite variation across countries and cultures regarding the form domestic abuse may take (Krug Dahlberg, Mercy, Zwi and Lozano, 2002), one clear pattern emerges: the gendered nature of domestic abuse. It is well understood that women are disproportionately the victims of domestic abuse and that men are overwhelmingly the perpetrators (Office for National Statistics or ONS, 2015b; Her Majesty's Inspectorate of Constabulary or HMIC, 2014; Refuge, 2014; Chaplin, Flately and Smith, 2011). This recognition led the World Health Organisation (WHO)

(2002), the United Nations (UN) (United Nations Declaration on the Elimination of Violence against Women, 1993), the Council of Europe (2011) and the UK Government (HM Government, 2010b) to define domestic abuse as a gender-based phenomenon. Employing an understanding of domestic abuse that derives directly from women's own experiences, drawn from female-focused studies or policy, ensures that the research has established suitable foundations from which an analysis of women's experiences of domestic abuse can be based. This is also especially important as this thesis was approached from a feminist perspective, which, as defined by Heidensohn (1996: 145), should comprise research '...on, by and for women.' Thus, the central focus of this research was women and their own experiences, accounts and interpretations of their domestic abuse victimisation and how this related, if at all, to their offending. The next section will further justify the feminist approach taken by this research by elaborating upon and evidencing the gendered nature of domestic abuse.

#### **b. The gendered nature of domestic abuse**

Being female is the single most significant risk factor for domestic abuse victimisation (ONS, 2015b, 2013; HMIC, 2014; Walby and Allen, 2004) and consequently of the crimes where women are predominantly the victims, domestic abuse is the most prevalent (ONS, 2015b; HMIC, 2014; Chaplin *et al.*, 2011; HM Government, 2010b). This is evidenced by the ONS (2015b) who estimate that in 2013/14, 1.4 million women were victims of domestic abuse compared to 700,000 male victims<sup>2</sup>. Furthermore, data available from the Crown Prosecution Service (CPS) (2014) for domestic violence prosecutions demonstrates that in 2014 over 70 per cent of the victims were women and just over 13 per cent were men<sup>3</sup>. Women are not only most likely to be the

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<sup>2</sup> It is important to briefly note recent critique of the figures produced by the Crime Survey for England and Wales (CSEW), which reflect the definition of domestic violence employed by them which depicts domestic abuse as *incident-based* and does not necessarily indicate more systematic patterns of abuse, including coercive control. This would also therefore explain the number of male victims, a figure which appears quite high, as this may reflect the incident-based definition which contrasts with definitions that are more widely employed that emphasise the consistent *patterns* of controlling and coercive behaviour and the repetitive nature of domestic abuse victimisation which women rarely perpetrate (Women's Aid, 2015).

<sup>3</sup> The gender of the remaining almost 17 per cent was categorised as 'unknown' (CPS, 2014).

victims of domestic abuse, they are also more likely to experience the most severe forms of domestic abuse and be defined as the highest risk victims (HMIC, 2014). This assertion is supported by Multi-Agency Risk Assessment Conference (MARAC)<sup>4</sup> figures which indicate that in 2012/13 96 per cent of victims referred to the MARAC were women. In addition, data also demonstrates the high levels of risk victims of domestic abuse are subjected to as women are far more likely than men to be killed by their partner or ex-partner; in 2013/14, 46 per cent of female victims of homicide were killed by their partner or ex-partner, compared with only seven per cent of male victims (ONS, 2015a)<sup>5</sup>. It is, however, important to reference the range of problems that are associated with the production of domestic abuse statistics including; its limited visibility within recorded crime statistics (Maguire, 2007), general underreporting of domestic abuse across all data sources (Dutton, 2006; Gracia, 2004; Walby and Allen, 2004; Felson, Messner, Hoskin and Deane, 2002), and the legal positioning of domestic abuse as an offence category. Although domestic abuse is a crime, there is an absence of a discrete offence of 'domestic abuse' within the law which causes difficulties when attempting to acquire domestic abuse data from recorded crime sources as the categorisations of offences will generally reflect the legal definitions (Thompson, 2010). Despite the problems associated with the reliability of domestic abuse statistics, all available data demonstrate that large numbers of women are affected by domestic abuse, that domestic abuse is prevalent across England and Wales, and that it is gendered in its nature.

In summary, the gendered nature of domestic abuse victimisation, demonstrated by the data referenced throughout this section, explicitly informed the theoretical approach adopted and methods employed for this research. In particular, the need to place women's voices at the very centre of the discourse underpinned the methodological as well as the conceptual framework, as is discussed in the next

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<sup>4</sup> 'MARAC (Multi-Agency-Risk-Assessment-Conference) is a meeting where information is shared on the highest risk domestic abuse cases between representatives of local police, health, child protection, housing practitioners, Independent Domestic Violence Advisors (IDVAs) and other specialists from the statutory and voluntary sectors' (Standing Together, 2015).

<sup>5</sup> To contextualise these figures; in 2013/14 there were 343 male victims of homicide compared to 183 female victims (ONS, 2015a).

chapter. This approach was further influenced by the gendered nature of women's offending, which will now be discussed briefly, before the existing literature exploring the relationship between domestic abuse and women's offending is reviewed.

## **2.3 Women's involvement in crime**

As the previous section demonstrated, women are often involved in crime as the victim of an offence, and are far more likely to be victims than offenders. Prior to investigating ways in which a woman's experience of domestic abuse may influence her involvement in crime, it is important to briefly establish an understanding of what constitutes women's offending. This is specifically relevant to this doctorate as much of the existing literature examining the relationship between domestic abuse and female offending has focused upon crimes often unreflective of the types of crimes that women typically commit (Ferraro, 2006; Comack, 2000; Walker, 1984); this will be discussed further when the qualitative studies are introduced and critiqued.

### **a. The extent, nature and seriousness of women's crime**

Women commit far less crime than men (MOJ, 2014c; Heidensohn and Gelsthorpe, 2007; McIvor, 2007). Statistics demonstrate that, in England and Wales, of the 1,132,148 people convicted in 2013 only 25 per cent were women (MOJ, 2014c). Additionally, when examining arrest rates by gender; in 2012/13 of a total 1,072,068 arrests made men comprised 85 per cent (910,148) and women comprised 15 per cent (161,920) of those arrested (Home Office, 2014), again demonstrating men's disproportionate involvement in criminal activity. Notably, women and men's offending patterns do not only differ in the amount of crime committed but also in the seriousness and types of offences committed (Earle *et al.*, 2014; Liddell and Martinovic, 2013; Heidensohn and Gelsthorpe, 2007; Gelsthorpe, 2004). Although women do commit offences within all categories of crime, there are distinct differences regarding the types of crime women and men are more likely to commit (Heidensohn, 1996). For example, Gelsthorpe (2004) notes that women's crimes are

concentrated in a relatively low range of offences and recent reports also testify to this conclusion (MOJ, 2014b; Earle *et al.*, 2014). First, women tend to commit far less serious offences than men. For example, men are far more likely to commit homicide than women (Smith, Osborne, Lau and Britton, 2012; Smith, Coleman, Eder and Hall, 2011); far more men are sentenced to custody than women (MOJ, 2014a) (which arguably indicates the severity/seriousness of their crimes); and the prison population is dominated by male offenders<sup>6</sup>. Therefore, the vast majority of women who have been convicted of crimes are serving their sentences in the community, although, even within this population women still only comprise a minority of the total male and female community-based offender demographic<sup>7</sup> (MOJ, 2014c).

To provide an indication of the most typical forms of women's offending; statistics demonstrate that most women in prison are serving sentences for non-violent offences (Prison Reform Trust, 2014a; 2014b). For example, in 2013 the largest numbers of women entering custody were serving sentences for theft and handling stolen goods (MOJ, 2014a). Theft and handling was also the most common offence for which women were beginning community orders in 2013, followed by fraud and forgery (MOJ, 2014b). To compare men and women's involvement in violence against the person offences in 2013, only 898 women (5 per cent of the total community-based female offender population) commenced community orders for this offence compared to 6395 men (8 per cent of the total community-based male offender population (MOJ, 2014b).

All of the aforementioned figures therefore demonstrate women's limited contribution to overall offending and, in addition, reflect the less serious nature of women's criminal activities. Thus, all available data illustrate that: 'women commit significantly

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<sup>6</sup> As at June 30<sup>th</sup> 2014 women comprised only 4.6 per cent of the prison population (in England and Wales) compared to the remaining 95.4 per cent of the population, which were male (MOJ, 2014d).

<sup>7</sup> At the end of December 2013 a total of 16,712 women and 94,238 men were being supervised in the community therefore women comprised only 15 per cent of offenders in the community (MOJ, 2014c).

less crime than men and the crime they commit is typically less serious, less violent, and less profitable' (Becker and McCorkel, 2011:79).

**b.      Situating women's offending within a gendered context: Gendered pathways to crime**

The marked differences, discussed above, in the extent, seriousness and frequency of men and women's involvement in crime have been labelled by criminologists as the 'gender-gap' in offending (Becker and McCorkel, 2011) or the 'sex crime ratio' (Heidensohn and Gelsthorpe, 2007). As a result of the profound differences between women's and men's offending patterns, and the different backgrounds of female and male offenders, some criminologists have asserted the need to recognise and explore the 'gendered contexts and experiences...[which] underpin women's criminalisation...' (Segrave and Carlton, 2010: 287). In particular, some academics suggest that women encounter particular life circumstances that are contoured by their gender, including the experience of domestic and sexual abuse (Bloom *et al.*, 2014), which may in turn affect their offending.

When examining the gender-gap in crime a growing body of literature has consequently testified to specific 'pathways' that women follow when engaging in criminal behaviour and have identified such pathways as 'distinctly gendered' (Becker and McCorkel, 2011). Importantly, Bloom *et al.* (2014, 2002), Becker and McCorkel (2011) and Gilfus (2002) note how 'pathways' research has emphasised the effect of abuse on women's offending. In particular the pathways perspective asserts the need to incorporate a whole-life perspective when attempting to identify the causes of women's criminality, acknowledging the life events that may influence women's involvement in crime or place women at risk of offending (Bloom *et al.*, 2002). One set of life events that have been empirically established as playing a particular role in women's pathways to crime is their experiences of violence and trauma, in particular experience of domestic abuse. In addition, women's responsibilities associated with



the support of their children have also been identified as an influencing factor specifically related to gender. Yet, notably, a woman's ability to manage such responsibilities can be directly affected by her experience of abuse.

The next section will present a range of literature that highlights the prevalence of domestic abuse victimisation within the backgrounds or histories of female offenders across the UK and internationally. Subsequently, to further explore women's pathways to crime, the chapter will then progress by introducing and analysing the literature that delves deeper by exploring *how* female offenders' common experiences of domestic abuse can influence their involvement in crime.

## **2.4 The relationship between domestic abuse and women's offending**

### **a. The prevalence of victimisation within the backgrounds of female offenders**

A vast range of studies and policy-focused literature has identified high proportions of women in the CJS with backgrounds of victimisation (for example: Prison Reform Trust, 2014a; MOJ, 2013b; 2012a; Women's Aid, 2011). Three reports (NOMS, 2008; Her Majesty's Chief Inspector of Prisons or HMCIP, 1997 and Morris, Wilkinson, Tisi, Woodrow and Rockley, 1995) identified that almost half of the female offenders included in these studies had reported experience of abuse. Morris *et al.* (1995) investigated the specific needs of 200 female prisoners and found that 42 per cent had a recent history of abuse and 14 per cent had experienced abuse at some time in their life. This was followed by a thematic review of women prisoners by HM Chief Inspector of Prisons (1997), which found that out of the total random sample of 234 women, over half reported a history of abuse (HMCIP, 1997). In addition, data from the Prison Service Offender Assessment System and the Probation Service Offender Assessment System (OASys)<sup>8</sup>, drawn from 26,000 female offenders in prison and in the

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<sup>8</sup> OASys is the abbreviated term for the Offender Assessment System: a standardised process for the assessment of offenders that has been developed jointly by the National Probation Service (NPS) and the Prison Service (Social Exclusion Task Force, 2009). OASys assessments measure the risks of re-offending, the needs of offenders, and other factors associated with the person's offending.

community, highlighted that female offenders often have relationship problems and that many have been victims of abuse. This report also showed that nearly half of female offenders, 46 per cent, had been victims of domestic abuse compared to only six per cent of male offenders (NOMS, 2008). Importantly, both Morris *et al.* (1995) and NOMS (2008) identified that the women's difficulties, or experiences of abuse, may influence their involvement in crime, with NOMS (2008: 9) acknowledging that victimisation can 'play a part [both] in the onset and persistence of offending.' Therefore, not only does this quotation suggest that a woman's experience of victimisation may contribute to a woman's involvement in crime, or initial offending, but that such experiences may also contribute to her *re-offending*.

A report published by the Home Office (1997), which explored reasons for women's offending, identified a number of areas that could point to the impact of abuse. Reasons women gave to explain their offending included: 'boyfriends' activities' (25 per cent) and 'helping a partner' (20 per cent). Notably in 13 per cent of the cases the explanation women gave for their involvement in crime was to 'escape abuse'. Additional explanations given for the women's involvement in crime could also be linked to the wider effects of domestic abuse including 'having no money', which could be related to financial abuse and 'family problems'. Unfortunately what was omitted from all of the studies mentioned above was any further investigation of ways in which the women's experiences of abuse may have influenced their offending. Consequently only suppositions can be made about whether the women's experiences of domestic abuse could have directly influenced their criminal activities.

In Scotland, Loucks (1998) (in her research within Cornton Vale prison) found that psychological distress and experience of abuse (amongst other things) characterised the vast majority of women in custody. The vast majority (82.2 per cent) of the incarcerated women interviewed had experienced abuse at some point in their lives. Loucks (2004) also noted that the overlap between victimisation and offending was a recurring theme throughout all of her studies of women in custody.

A pivotal piece of work in the UK that briefly noted the impact that domestic abuse may have upon female offending was the Corston Report (2007). Baroness Corston was invited by the Home Secretary to undertake a review of women with particular vulnerabilities in the prison system. In her foreword to the report Baroness Corston summarised:

*There are many women in prison...for whom prison is both disproportionate and inappropriate...Large numbers have endured violent or sexual abuse...[and have been] exploited by men [and/or] damaged by abuse (Corston, 2007: i).*

This report highlighted how women with histories of abuse are dramatically over-represented within the CJS, again reinforcing previous findings that almost half of female prisoners in England and Wales had reported experiences of domestic abuse, compared to only a quarter of male prisoners. This finding led Baroness Corston to state, 'It comes as no surprise to me that relationship problems feature strongly in women's pathways into crime' (Corston, 2007: 19) and the report also noted that coercion by men represented a significant contributing factor to many of the women's criminal activities. Although the review was instrumental in demonstrating the range of vulnerabilities experienced by women in prison, it was beyond its scope to provide further analysis of how such vulnerabilities could impact upon women's criminal activities.

As a result of the Corston review a recommendation was made for NOMS to add two new women-specific pathways to their existing seven pathways to reduce re-offending<sup>9</sup>. The new pathways were recommended to address the specific needs of female offenders and in particular the influence of domestic abuse and prostitution.

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<sup>9</sup> These pathways were originally adopted in 2004 and designed to inform offender management.

Pathway 8 asserted the need for: ‘...support for women who have been abused, raped or who have experienced domestic violence’ (Corston, 2007: 46). The NOMS (2008) National Service Framework for women offenders elaborates on these pathways with guidance as to how to support women offenders who fall into these categories.

In addition to the recognition of the impact of domestic abuse upon female offenders reflected in the development of new pathways by NOMS, the MOJ also took steps to acknowledge the effect of domestic abuse on female prisoners. The development of PSO 4800 (HM Prison Service, 2008) for female prisoners in 2008 provided guidance to prison staff regarding the treatment of women offenders who had experienced domestic abuse. This order recognised the prevalence of abuse victimisation experienced by female prisoners, the effect this experience of abuse could have upon women’s behaviour whilst in prison, and also made recommendations for how prison staff should address this. Notably, and with specific relevance to this research, most of the existing literature has until recently focused upon women in prison, as opposed to the larger, more typical group of female offenders in the community. This represents one of the most significant gaps within the existing literature and will be revisited later in this chapter.

In 2009 the Social Exclusion Task Force analysed the needs of female offenders, using OASys data, and this report identified that female offenders were more likely than male offenders to have problems in their relationships. ‘Relationship problems’ included experience of a range of different forms of abuse. Desistance research has also indicated that being involved in a dysfunctional relationship can affect women’s ability to desist from crime. For example, Van Voorhis, Wright, Salisbury and Bauman (2010) note that a woman’s ability to control her own life, something which domestic abuse victimisation often prevents, has been cited by a number of sources (including criminal justice staff, academics and female offenders themselves) as influencing female offenders’ pathways out of crime.

Later, in 2011, a Criminal Justice Joint Inspection report was published by HMI Probation, Her Majesty's Crown Prosecution Service Inspectorate or HMCPSP and HMI Prisons that again found high rates of domestic abuse victimisation in the population of female offenders. Unlike previous studies, however, they found higher rates of vulnerability, where in 75 per cent of all of the women's cases or reports that were examined the woman was viewed as vulnerable in some way. Significantly, of these women that were viewed as vulnerable most were current or former victims of domestic abuse. In the same year, Women's Aid (2011) produced a document entitled *Supporting Women Offenders who have Experienced Domestic and Sexual Violence*. The purpose of this framework was to provide guidance to CJS practitioners regarding how to better respond to the needs of female offenders who have experienced domestic abuse. Again this guidance referenced more recent data (Women in Prison, 2009) highlighting the link between domestic abuse and women's offending and stated that '...an understanding of why women commit crime requires a broader recognition of their histories and current social positions' (Women's Aid, 2011: 15).

In 2012 the MOJ also published guidance for working with female offenders, both in prison and within the community (including those on probation or community orders). Crucially this document noted the influence of relationships on women's behaviour and specifically how abusive relationships can impact both on women's involvement in crime and their motivation to change their current behaviour. It also highlighted two 'key' issues, of which experience of violence (and in particular domestic abuse) was one, which affect a large percentage of women within the CJS. This document also detailed how domestic abuse may affect women's behaviour whilst involved within the CJS. For example, domestic abuse is detailed as a reason why women may not comply with particular orders, which could lead to a breach of conditions. This was followed by a further MOJ publication in 2013, *Strategic Objectives for Female Offenders*, which recognised the prevalence of women prisoners' experience of abuse within their

lifetimes, where it was noted that the proportion of female prisoners reporting such experiences was double that of their male counterparts<sup>10</sup>.

Most recently, two reports published in 2014 have also drawn attention to female offenders' experiences of domestic abuse (Earle *et al.*, 2014; Prison Reform Trust, 2014a). Most significantly the Prison Reform Trust (2014a) explicitly mentioned the effect of domestic abuse, and coercive control, referring to them as 'drivers' for women's involvement in crime. Although these publications did not solely focus upon female offenders' experiences of domestic abuse or elaborate upon them, they have, once again, drawn attention to the relationship between domestic abuse and women's offending. Significantly, as this literature review has established, the relationship between domestic abuse and women's offending has been referenced within UK literature for over 15 years but has not yet been explored in any great detail.

In summary, all of the reports referenced thus far have highlighted high rates of domestic abuse victimisation within the backgrounds of female offenders, and have also acknowledged the policy and practice implications of this relationship. Yet despite the vast range of available policy-focused literature demonstrating a relationship between domestic abuse and women's involvement in crime, there is a lack of literature that has sought to examine this relationship more theoretically. Therefore, this doctoral research will address a significant gap within both UK-based criminological and policy-focused literature and, as a consequence, its findings may better inform policy and practice.

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<sup>10</sup> Notably, the available figures which highlight the extent of female prisoners' experiences of domestic abuse vary, these differences may reflect the challenges involved in measuring domestic abuse victimisation as well as victims' ability to recognise what domestic abuse constitutes, particularly in relation to recognising the differing forms of domestic abuse such as emotional and financial abuse.

**b. An internationally recognised relationship**

Notably, identification of the prevalence of abuse within the backgrounds of female prisoners is a discovery that is not confined to the UK alone and instead has been documented worldwide (United Nations Office on Drugs and Crime or UNODC, 2014). In particular the UNODC (2014) states that women, as a result of their gender, constitute a particularly vulnerable group in prisons. Despite some variations in women's situations across countries they identified a number of factors that were common across most; one of which constituted women's disproportionate experience of physical or sexual victimisation prior to their incarceration. When presenting the special needs of female prisoners in countries across the world, the UNODC provided evidence of female prisoners' abuse histories in the UK, Europe, Canada and the United States. For example, they state that in the US 43 per cent of female prisoners had been victims of physical or sexual abuse compared to only 12 per cent of male prisoners. Furthermore, a later publication which focused specifically upon New York state, suggested much higher rates of victimisation estimating that 75 per cent of women incarcerated in New York's prisons had experienced Intimate Partner Violence (IPV) during their adult life (Kraft-Stolar, Brundige, Kalantry, Kestenbaum, Avon Global Center for Women and Justice at Cornell Law School and Women in Prison Project, 2011). This publication went further by stating that the crimes for which women were imprisoned often directly related to their experiences of domestic abuse (Kraft-Stolar *et al.*, 2011).

Further evidence of the prevalence of domestic abuse victimisation experienced by female prisoners is also available from Australia. Stathopoulos with Quadara, Fileborn and Clark (2012) note, that the majority of women in prison in Australia have extensive histories of abuse, including experience of IPV. In addition, they also corroborate research findings from other countries, including the UK; citing a number of Australian sources they evidence that the rates of women in prison who have experienced victimisation far exceed the number of women in the general community who have histories of abuse.

Finally, data from Canada, although drawn from a less recent report, again identifies a high prevalence of victimisation in the backgrounds of female prisoners. The Task Force on Federally Sentenced Women (1990) conducted interviews with 84 per cent of all incarcerated women and 57 female offenders who were under mandatory supervision or on parole in an attempt to better understand the backgrounds of the female offenders. Of those women interviewed 80 per cent disclosed experience of abuse, 68 per cent stated they had been physically abused and 54 percent stated they had experienced sexual abuse (Task Force on Federally Sentenced Women, 1990). The Task Force therefore concluded that experience of abuse is extremely common within the backgrounds of many federally sentenced women.

Crucially, as this section has illustrated, the prevalence of domestic abuse victimisation in the histories of female prisoners has gained international recognition. It is important to note, however, that the vast majority of international literature has focused upon the female prisoner population rather than community-based female offenders. Despite such acknowledgement of a relationship between domestic abuse and women's offending, there has been little investigation of how the relationship actually manifests. Thus, the above discussions have provided an initial indication of the prevalence of domestic abuse within the histories of female offenders. The next section focuses specifically upon the qualitative studies that have attempted to examine the relationship between domestic abuse and female offending in greater depth.

### **c. The complex relationship between domestic abuse and female offending**

The discussions earlier in the chapter established that women's contribution to crime is limited and women, when compared to men, comprise only a very small percentage of all offenders. Yet within this relatively smaller demographic of female offenders, many have experienced some form of abuse (Roberts, forthcoming; Women's Aid, 2011; Social Exclusion Task Force, 2009; NOMS, 2008). In particular, evidence suggests



that female offenders are far more likely to have experienced domestic and/or sexual violence than the general female population (Women's Aid, 2011). The above discussions have also demonstrated that the identification of domestic abuse as widespread within the histories of female offenders is not unique to the UK, as this connection has emerged in research conducted in America (Kraft-Stolar *et al.*, 2011; DeHart, 2004; Harlow, 1999), Australia (Stathopoulos *et al.*, 2012; Segrave and Carlton, 2010; Easteal, 2001) and Canada (Laishes, 2002; Comack, 2000; Task Force on Federally Sentenced Women, 1990).

Consequently the prevalence of domestic abuse victimisation within the backgrounds of female offenders suggests that these experiences may have had some impact upon their behaviour, specifically when analysing women's offending within a gendered context. Although this was briefly touched upon by some of the aforementioned studies, the relationship between domestic abuse and female offending is worthy of further investigation as it may help to explain or contextualise women's involvement in crime. The remainder of the literature review will examine how the relationship between domestic abuse and women's offending has hitherto been referenced, explained and theorised. A small number of specific qualitative studies that have sought to investigate this relationship in further depth will be examined and analysed. Particular attention will be paid to how women cope with, and respond to, their experiences of domestic abuse and how this may influence their involvement in crime.

**d. How male co-defendants can influence women's involvement in crime: Use of coercion and abuse**

Evidence suggests that men may have a distinct influence upon the criminal activities of women (see for example: Jones, 2008; Gilfus, 2002, 1992; Welle and Falkin, 2000). Notably, the aforementioned studies have identified different ways in which this influence may be enacted. Of particular relevance to this research is the identification of the use of abusive behaviour by male co-defendants influencing women's

involvement in criminal behaviour (Jones, 2008; Welle and Falkin, 2000). Jones (2008), when identifying aspects of men's behaviour that may influence women's involvement in crime, raised an important question: when women commit crime are they '...fully independent agents exercising a rational choice to act in a particular way; or were they effectively coerced into behaving the way they did?' (Jones, 2008: 149). This section will briefly investigate this question in the context of women's offending with a male co-defendant.

Welle and Falkin (2000) conducted a study of 60 women who had participated in criminal activities with a co-defendant, distinguishing between the women's co-defendants as 'romantic' and 'non-romantic'. They found that women who had been involved with a 'romantic' co-defendant were more vulnerable to manipulation than those who were involved with 'non-romantic' partners. This conclusion could suggest, amongst other things, the possibility of domestic abuse as contributory to women's criminal actions, as domestic abuse most commonly takes place within an intimate relationship. Experience of domestic abuse was disclosed by some of Welle and Falkin's participants, although they did not specify how many, and these women stated that the abuse had acted as a means of ensuring their compliance in the criminal activities of their male co-defendants. Furthermore, even where women asserted that they had offended voluntarily, they had often been threatened or physically harmed by their co-defendants within other areas of their relationships. Importantly, the research introduced the concept of 'relationship policing', defined as the co-defendants' 'surveillance, control and punishment of their female partners' (Welle and Falkin, 2000: 46), which could be employed within the home, on the streets and even after the women had committed crime and were incarcerated. They saw 'relationship policing' and domestic abuse as an integral part of a process whereby women were trapped into offending by their partners, who were able to exercise control in all parts of the women's lives. They also found that women's vulnerability to coercion was exacerbated by the inadequate protection for victims of domestic abuse by law enforcement. The 'un-policed' nature of the home effectively further trapped women in their abusive relationships leaving them with no opportunity to seek support or exit

that relationship, circumstances which could leave women particularly vulnerable to the coercion of their partners and which could directly contribute to their pathways to crime. Such circumstances consequently trap women in a situation where they have limited agency, often with no option but to comply with their abuser's instructions where they are subject to a range of forms of conditioning and control.

A significant suggestion that arose from Welle and Falkin's study was the need to expand investigation of how domestic abuse, coercion, and relationship policing may impact upon women's behaviour *outside* of the criminal act itself, or when the abuse perpetrator was not present. Therefore the women's abusive relationships, and the tactics employed within them, should be examined in their entirety or within a longitudinal context which would allow for the examination of how the long-term effects of abuse and the wider relationship may 'secure and maintain women's participation in crime partnerships' (Welle and Falkin, 2000: 47). There is considerable resonance with Stark's (2007) concept of coercive control, as discussed earlier, since he too demonstrated how abuse and/or coercion can be exerted even when the abuse perpetrator is not with the abuse victim. In the context of this research, this has significant implications in regards to understanding the reach and extent of an abuse perpetrator's control specifically by challenging the limited conceptualisations of what women being coerced into crime or co-offending may actually look like.

In England, Jones (2008) conducted a similar study and interviewed 50 female prisoners about their experiences of crime with a co-defendant. During his study Jones ascertained that some of the women had been influenced by men, other than their co-defendants, but who had not been prosecuted. As Jones' study explicitly explored the relationship between co-defendants he was unable to explore the influence of these other men further. This initial discovery, however, echoed some of Welle and Falkin's findings suggesting that the influence that abusers may have upon their victim's criminal activities may extend further than merely committing a crime with them. Instead the perpetrator may not participate in the criminal activity at all, but they may

still be able to exert some form of influence over the women's actions. Jones identified three different categories that described how the male co-defendant had influenced the female co-defendant's activities. The first group, comprising six of the 50 women, were defined as being in a coercive relationship with their co-defendant. In this category the coercion experienced, often in the form of physical abuse or the threat of physical violence, was the reason provided by the women to explain their involvement in crime. Or in 'Rachel's' case, although she did not commit a crime, she explained how her abusive partner's use of threats and coercion caused her to take responsibility for *his* crime. She commented:

*...I was actually shopping with my children at the time, and he came into the store and he was stealing and he was on bail for other offences and he told me "if you don't say you done it, I'll kill you"...and I was charged with it (Jones, 2008: 154).*

This explanation indicates how an abusive partner's actions could provide a rationale for why women may commit a criminal act, or alternatively say they have been involved in crime, as a result of taking responsibility for their abusive partner's involvement in crime, in this case as a result of the abuser's use of threats. Although within many relationships being told 'I will kill you', although threatening and abusive, would generally be perceived as an empty threat, in the context of a relationship where domestic abuse is perpetrated, such threats can be extremely influential upon women's behaviour. Intimidating behaviour such as this can be particularly effective where prior threats have been followed by severe violence, or if a weapon has been used. In this context therefore, a perpetrator's threats may be more frightening to a woman than the actions taken by the police if she were to get caught for the crime that she is being forced to commit, an area also discussed by Ferraro (2006) and Richie (1996).

Jones' work draws attention to the subjective and nuanced nature of women's decision-making within the context of abusive relationships, and how women's choices may be significantly constrained by their abuse perpetrator. Stark (2007) also visits this in his theory of coercive control, identifying both the 'situationally-specific' nature and 'subjectivity' of the abusive 'technologies' employed by abuse perpetrators to control their victims. These technologies, which include violence, intimidation, isolation and control (Stark, 2007), are then applied by perpetrators in a way that is explicitly relevant to the abuse victims alone, and would be interpreted very differently from an outside perspective. This is something that Anderson (2009), drawing specifically upon symbolic interactionist theory, refers to when she discusses the control used by abuse perpetrators. In particular she refers to the subjectivity associated with this control as she states that 'it is the audience's [in this case the abuse victim's] interpretation that matters' (Anderson, 2009: 1449), where these actions would mean little to external audiences. The result of emotional, physical, and/or financial abuse, or even threats of such, can significantly limit or restrict women's choices. Thus, these limitations affecting women's choices can, subsequently, also impede women's actions, providing some explanation of why and how women can become involved in crime. This can also be exacerbated by the presence of children as the mother may take action to protect or provide for her children (for example, stealing to provide food or becoming violent to prevent violence against the children) (Gilfus, 2002; see also Stark, 2007; Ferraro, 2006; Moe, 2004).

The second category Jones (2008) established was women who had become involved in criminal activities 'as a result of men's expectation or association'; this applied to 20 of the 50 women interviewed. Here women's crimes were committed as a result of their desire to 'stand by their man' (Jones, 2008: 156). As with the former category, Jones again found that the male co-defendants in this category were abusive or manipulative. This manipulation included male co-defendants introducing female partners to drugs, which could be interpreted as further cementing the women's dependence upon them. Additionally, the male co-defendants also used introduction to drugs as 'bargaining power' to ensure the women complied with their future

requests. A further form of manipulation used by the co-defendants in this category was persuading women to take the blame for their crimes, particularly if the male offender already had a criminal record. Such requests were often accompanied by emotional blackmail and coercion (e.g. abusers convincing their victims that the police would be more lenient on women without a criminal record, or that they, the abuser, would lose everything if they had to return to prison).

Jones' final category described how co-defendants had played 'equal' parts in the crime and included one-third of the women who stated that they were willing participants in the crime they had committed with their co-defendant. Jones' own perception of some of these relationships, however, was that the women were not as 'equal' as they themselves perceived. This concurs with Welle and Falkin's views that some of the women included in their study had minimised their experience of abuse and emphasised their free will in committing crime, which could be viewed as a coping mechanism employed by the women to better manage their experience of abuse. Alternatively, it could indicate that the women did not recognise certain behaviours exhibited by their co-defendant as abusive, for example, they may not have recognised control or coercion as forms of abuse.

Jones' work revealed widespread employment of abusive techniques employed by male co-defendants to facilitate women's compliance in their crimes. Devices used included physical violence, emotional abuse, manipulation/coercion, initiating women's dependence on drugs and emotional blackmail. Although Jones' conclusions cannot be generalised to apply to the entire female prison population, he noted that due to the prevalence of the experience of the aforementioned abusive devices by the women within his sample, his findings suggest that some women's offending may be explained as a result of influence exerted by the women's co-defendants. Additionally, even in cases where women had maintained they had been directly involved in decision-making processes related to the crime committed, their relationship with the co-defendant was viewed by Jones as less than equal. This latter conclusion arguably

demonstrates the need to look at the nuances of abusive relationships which often include women's minimisation of the abuse experienced by them, not recognising themselves (or not wanting to recognise themselves) as a victim, which is often employed as a coping mechanism.

This initial section has provided some indication of the influence that men, and their employment of abuse, may have upon women's offending. Notably, this section has focused specifically on crimes where men have been present during the crime, or have been directly involved in the crime with the women. As both Jones (2008) and Welle and Falkin (2000) suggested, further investigation of how abuse may be employed within a *longitudinal* context and how abusive partners may influence women's criminal activities when they are *not* present is required. Despite the connotations of the terminology, 'domestic' abuse does not exist solely within a domestic setting or the home but instead can encroach upon all aspects of women's lives. As Stark (2007) notes, the spatial extension of abuse can penetrate a woman's whole existence. For example he uses the term 'omnipresent' to describe how abuse perpetrators are able to exert control and manipulate their victims within a range of contexts, without ever being present (or indeed even after the relationship has ended)<sup>11</sup>. Therefore the control that abuse perpetrators exert can often extend far wider than the confines of the private, domestic sphere and can have a significant effect upon women's actions whether he is present or not, which may be specifically relevant in the context of women's offending.

The next section will progress to examination of the most prominent qualitative studies addressing the relationship between domestic abuse and women's involvement in crime. These studies are particularly important in how they shaped this research as they have attempted to address this relationship in greater depth, consequently this section will pay particular attention to how the relationship has

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<sup>11</sup> This is something that was also referenced by Richie (1996) and will be discussed further later in the chapter.

hitherto been theorised. The strengths and weaknesses of the existing studies will be clearly evidenced, as will the gaps within existing analysis, therefore providing a clear foundation to the research that was undertaken for this thesis.

**e. The relationship between domestic abuse and female offending: A review of the existing qualitative literature**

As indicated previously, much of the previous academic work which has sought to examine, in greater depth, the relationship between domestic abuse and female offending, has concentrated on women who murdered their abusive partner as a result of the years of abuse perpetrated against them (Walker, 1984; Browne, 1987; Browne and Williams, 1989; Jones, 1994). Walker's (1984) *Battered Woman Syndrome* study was the first piece of large-scale empirical research in this area, and is arguably the most well recognised study examining this relationship. Walker's research findings were based on the experiences of 435 women who were victims of domestic abuse or 'battering' (the American term for domestic abuse employed by Walker). She established the concept of 'battered woman syndrome' (BWS), which refers to a set of specific psychological and behavioural symptoms resulting from prolonged and extensive exposure to domestic abuse. The concept of BWS was contributed to by two key theories; her own concept of the 'cycle of violence' and her adaptation of Seligman's concept of 'learned helplessness' (Walker, 1984). Walker's research demonstrated how domestic abuse could become a factor in women's motivation to murder their partner and identified stages that the women might experience in their behaviour prior to the murder. BWS, however, is now a very dated concept and has been subject to widespread criticism. Such criticism derives from the lack of scientific evidence to confirm the validity of BWS as well as its potential for stigmatising victims of domestic abuse by presenting inaccurate stereotypes of victims' behaviour (Dutton, 2009).



Walker's research was followed by Browne's (1987) *When Battered Women Kill*. Her research approached the subject from a different angle to Walker's as it compared the experiences of 42 'battered women' who had been charged with murdering or seriously injuring their abusive partners to 205 'battered women' who had not committed any crime against their abusive partners. Browne concluded that 'battered women' who killed their spouses were an exception to the rule, and noted that most domestic homicides were committed by men against women, making women who killed their abusive partners very much a minority<sup>12</sup>. Browne also noted the impact of societal factors in giving women no other choice when attempting to escape such violence:

*Studies of severely battered women suggest that they are not typically violent toward their mates, either in initiation or response. However, lack of effective legal intervention in cases of wife abuse, and the lack of adequate and established alternatives to protect victims from further aggression, leaves many of these women alone with a danger from which they cannot escape (Browne, 1987: 180).*

This is an extremely important point as Browne suggests that it is not only the abuse that may provide explanation for women's criminal behaviour, but also the lack of alternative options available to women when looking to escape an abusive relationship, such as lack of intervention by criminal justice agencies.

When summarising her findings Browne noted that there were no distinct differences between the backgrounds of the battered women who had committed violence or murder to the battered women who had not. The only significant difference between the two groups related to the abusive partners. The former group's partners used

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<sup>12</sup> The relevance of Browne's conclusions, even 27 years after publication, are demonstrated by the discussions of domestic homicides in England and Wales earlier in the chapter which demonstrate that women are far more likely than men to be killed by a partner or former partner.

substances more often and were more likely to become intoxicated, and also employed the use of threats (particularly threats to kill someone other than the female partner) far more frequently. Most significantly, the abuse perpetrated against these 42 women was often more frequent, led to more injuries, and regularly included abuse of the women's children. Browne highlighted how 'battered women' would adapt and modify their behaviour in relation to the abuse in attempt to prevent future incidents until attacks became so severe in their escalation that normally passive women would be forced to take action to protect herself or, in many cases, her children. As with other research, Browne's study suggests that women's criminal actions are often connected to coping mechanisms employed by women to manage their abuse or are associated with attempts to exit or escape the abuse. How women cope with their experiences of domestic abuse, and how this may influence their involvement in crime will be discussed in further detail later in the chapter.

More recent studies have supported the findings of Walker (1984) and Browne (1987). In the US a report conducted by the New York State Division of Criminal Justice Services (1996) found that of the women who had been convicted of killing their partners, or 'sexual intimates' (the term included in this study to describe 'current or former husbands, boyfriends or girlfriends'), 93 per cent had experienced physical or sexual abuse at the hands of their partner (cited by the Women in Prison Project, Correctional Association of New York, 2002: n.p.). As this data is quantitative, no further analysis of the relationship or crime was undertaken, but such data might suggest that these crimes could have been committed in self-defence, although this is merely speculation.

There has been criticism targeted at the aforementioned studies, predominantly as a result of their focus upon the very rare actions of domestic abuse victims murdering their abuser. They have, however, arguably, positively contributed to the study of the relationship between domestic abuse and female offending. Importantly, they were two of the first studies that began to explore the relationship, and have provided

evidence of ways in which the experience of domestic abuse may directly influence women's criminal activities. Advancing from the first studies examining the relationship between domestic abuse and women's offending, which focused on rare and untypical forms of women's involvement in crime, the next section of the literature review will explore the literature which has attempted to examine the relationship between domestic abuse and women's more common types of offending.

**f. The effect of domestic abuse victimisation on women's more typical forms of offending**

Despite the initial focus upon atypical forms of women's offending, some (albeit limited) research has sought to examine the relationship between domestic abuse and women's more common forms of offending. Much of the existing research also examined a range of factors of which domestic abuse is but one, and did not focus on how a woman's experience of domestic abuse *specifically* may influence her involvement in crime.

Richie's (1996) study provides one example of research that explicitly sought to examine the relationship between domestic abuse and women's involvement in crime. This study, that specifically researched African American women, presented the concept of 'gender entrapment' where women become trapped into crime through a combination of factors including; gender, race, class oppression and experience of abuse. Fundamentally, Richie's work demonstrated that the recollection of the experiences of the incarcerated women included in her study 'ultimately bespoke how violence, threat of violence and other forms of coercion by their male partners led them to crime' (Richie, 1996: 15). Richie defined gender entrapment as:

*how gender, race/ethnicity, and violence can intersect to create a subtle, yet profoundly effective system of organizing women's behaviour into patterns that leave women vulnerable to private and*

*public subordination, to violence in their intimate relationships and, in turn, to participation in illegal activities* (Richie, 1996: 4).

Thus, gender entrapment ultimately helps to demonstrate how some women are forced or coerced into crime as a result of their specific gender roles which are culturally enforced, their experience of violence within their relationship and finally, women's social position in wider society<sup>13</sup>. As part of the gender entrapment theory Richie identified six pathways to crime, some of which could be applied to this study. The six paths included: 'Women Held Hostage'; 'Projection and Association'; 'Sexual Exploitation'; 'Fighting Back'; 'Poverty' and 'Addiction' (Richie, 1996).

Aspects of all of the paths that Richie identified could be applied to theorising women's reasons for criminal activities specifically in the context of experiencing abuse. Path 1 'Women Held Hostage' included women who had been arrested for involvement in the death of one of their children, either as co-defendants or conspirators. In most cases the woman's abusive partner had killed one of the women's children and the women had not intervened in the situation due to fear of death themselves. The women in this group were categorised by having experienced the most severe forms of abuse including extreme 'insidious' emotional abuse. They were also defined by the extreme levels of isolation that they experienced (which in most cases had prevented them from seeking any form of help for the situation they had become 'entrapped' in). In many of these women's cases, threats directly related to the child/children were employed by the abuse perpetrator as part of the abuse (for example, abuse perpetrators threatening to tell Welfare<sup>14</sup> that the women were abusing the child if she failed to comply with their orders). This group most vividly demonstrated Richie's idea of gender entrapment as it was a combination of '...family expectations, fear for their lives, extreme physical trauma and the constant control of mobility [which] left them too isolated and afraid to reach out for help' (Richie, 1996:

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<sup>13</sup> This also highlights the intersectional dimensions of Richie's analysis.

<sup>14</sup> In a UK context this would refer to informing social services.

110). The death of the women's children, and the women themselves being implicated in the deaths, also compounded the abuse they had experienced and they described this final conclusion as being worse than any form of physical or emotional abuse they had had to endure.

Path 2 illustrated situations where women had committed violent crimes directed at people other than their abuser, which Richie interpreted as '...symbolic or projected retaliation for past abuse' (Richie: 1996: 110). Here Richie interpreted these crimes as 'acting out' at someone who symbolised the abuser. For example, some women had committed violent acts against men that had threatened them, which Richie argued allowed the women to subvert their previous identity of victim. Here women's behaviour can be contextualised by their previous experiences of abuse, and their actions in this instance were to prevent a repeat of their past experiences. This path was of particular interest because of the influence the abuse could have on women's behaviour even after the relationship has ended. The longitudinal impact of abuse on women's actions or behaviour is not uncommon, as Ferraro's (2006) work (which will be examined in more depth later in the chapter) also depicted. In her work, Ferraro identified that because of the nature and length of time that women had experienced abuse, their behaviour had become so conditioned that even after the abuse perpetrator's death, or the women's incarceration (separating her from the abuser), their actions were still affected and controlled by their deceased or former partner's behaviour. Ferraro's (2006) and Richie's (1996) findings therefore suggest that experience of abuse may influence women's criminal actions in a far broader, and longitudinal context than merely being coerced or forced into crime, or being involved in criminal activities whilst the abuse perpetrator is present. These theorisations further elaborate upon the long-term effects domestic abuse may have upon women's behaviour which were referenced earlier in the chapter in discussions of Jones' (2008) and Welle and Falkin's (2000) work.

Path 3 demonstrated the impact of sexual abuse/exploitation on women's paths into criminal activities. Of the women in Richie's study who had been arrested for illegal involvement in sex work, all but one had disclosed a history of sexual abuse<sup>15</sup>. This pathway suggests that further investigation may be required to examine the impact of specific forms of abuse experienced and how they may influence women to commit crimes directly related to that form of abuse. In the cases that Richie presents there is some evidence to suggest that experience of sexual abuse could lead to women's involvement in sex work.

Path 4 depicted how women could be criminalised as a result of the coping mechanisms they employed to manage their abuse or where women were criminalised as a result of their actions when fighting back against their abusers. This area has been widely researched by academics and explores areas that have been addressed in-depth by Chesney-Lind (1989) and Gilfus, in particular, who references the criminalisation of survival strategies:

*...the nature of the violence to which some women have been exposed serves as a strong force in the 'criminalization' of women, that is, the survival strategies selected by (or which are the only options available to) some women are the beginning of a process of transition from victim to offender (1992: 85).*

Therefore some women's experiences of domestic abuse can construct circumstances in which women are unable to escape and, as a consequence, the actions they take in their attempts to survive the abuse they experience (such as retaliating against their abusers or stealing money to finance their escape, as just two examples) can facilitate their involvement in crime. Franklin (2008) also identified that the way in which the

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<sup>15</sup> This experience of sexual abuse did, however, manifest itself in a range of contexts including: childhood experience of sexual abuse, adult abuse by men who were either husbands/boyfriends or other men.

CJS may respond to women's attempts to survive abuse can further exacerbate their situations. She suggested that criminal justice agencies often label women's self-preservation attempts as 'deviant' or in contravention of the law and as a consequence women are punished.

Paths 5 and 6 suggest that poverty and addiction respectively can develop as a consequence of the abuse that the women have experienced, which then led them to criminal activities. For Path 5, Richie provides an example of a woman who steals due to the financial abuse she has experienced, as her partner refused to work. Thus she was tasked with providing sufficient income to support them both, which she was unable to do, thus leading her to steal to provide additional resources. Finally, Path 6 demonstrated how perpetrators of domestic abuse could introduce drug use to their victims as part of the abuse exerted, thus leading to criminal activities by the women either to continue their own, or fund their partner's, addiction. In addition, drug use was often reported as a means of self-medication or as a coping mechanism to manage the effects of the abuse. Whatever the context, all of the African American women in this category noted that their experiences of abuse had preceded their drug use.

Richie's work predominantly focused on African American women, applying her theory of gender entrapment to this specific demographic only. Consequently, her conclusions may not be relevant when applied within a UK context or to the behaviours, or situational factors, of women outside of this group. Her work does, however, provide some aspects that can be drawn upon for theorising women's criminal activities in relation to the experience of any domestic abuse relationship. It must be noted that Richie's work paid significant attention to the *combination* of factors leading to women's involvement in crime but did not explicitly explain how the domestic abuse *alone* influenced the women's pathways to crime. In summary, Richie's work provides some foundational understanding of the relationship between domestic abuse and women's offending, and contributed ideas for lines of enquiry within this doctoral study.

Gilfus' (2002) work further emphasised the influence that domestic abuse, or 'battering', could have upon female offending and drew and expanded upon Richie's theory of 'entrapment'. Gilfus reviewed research on incarcerated women, and girls who had experienced abuse, and as a result also established six pathways through which they could find themselves at risk of imprisonment. The six, sometimes overlapping, pathways identified by Gilfus included: abused girls who had run away; street workers (forced onto the streets as a result of the abuse experienced); women with substance abuse issues; women who had committed economic crime such as fraud (often directly coerced by batterers), women arrested for child abuse or women who had harmed their 'batterer', and finally: women affected by 'enforcement violence'. Gilfus' paths corroborated many of Richie's findings where the first three pathways drew upon previous ideas of the criminalisation of survival strategies (also drawing upon Chesney-Lind, 1989) and coping mechanisms employed by victims of domestic abuse. The final three drew upon Richie's ideas of entrapment and how domestic abuse contributes, in combination, with other social factors, such as poverty, and the actions (or indeed inaction) of law enforcement agencies, to women's criminalisation. Thus, women's experiences of domestic abuse, combined with other social factors, therefore create a set of circumstances where women become trapped and, in some cases, their attempt to cope with the abuse leads to their involvement in crime.

Gilfus recognised that the pathways that she had identified were not exhaustive or indeed exclusive; however, her work did provide a deeper analysis of how the relationship between domestic abuse and women's offending could manifest itself. To provide some examples of the processes involved in the pathways that Gilfus identified: in reference to Path 2, many women had turned to sex work in order to provide much needed resources after exiting abusive relationships which left them displaced, and this work represented the only form of 'survival' for them. Again, as with other studies (and in particular reference to Richie's Path 6), drug use was also



identified as correlating with the experience of abuse, employed as a form of self-medication or escapism, a finding corroborated by Browne, Miller and Manguin (1999), Bennett (1998), and Moe (2004), who will be discussed shortly.

In reference to the economic offences that Gilfus discussed in Path 4, domestic abuse can often force women into poverty, specifically through the use of financial abuse by the perpetrator (again something which Richie touched upon in her Path 5). As Gilfus (2002: 5) suggests, abuse perpetrators could 'steal women's earnings and possessions, force them into debt and harass them at work until they lose their jobs.' This can leave women in very difficult economic positions especially if needing to provide for a family. Furthermore, escaping from an abusive relationship can also lead women into criminal activities as when they exit the relationship they may have limited or no resources.

For Path 5, where women were arrested for harming children or their abusers, Gilfus noted that arrests within this category were often a consequence of women trying to protect themselves, their children or, alternatively not being able to protect their children (leading to their arrest for not intervening in a perpetrator's abuse of their child). This pathway again references the wide range of research that has explained women's violent offences within a self-defence context (such as Walker, 1984 and Browne, 1987) but also illustrates the impact of coercive control and the challenges women who are both mothers and victims of coercive control / domestic abuse face (Stark, 2007).

Finally, Path 6 described 'enforcement violence' a process that Gilfus (2002: 3) suggests cuts across all of the five other pathways but can also be a 'separate and direct route to incarceration'. Enforcement violence is a process whereby domestic abuse victims are further victimised and trapped within abusive situations by mechanisms outside of the abuse itself, often a result of 'policies, laws and institutional practices' (Gilfus, 2002: 7) which can consequently label women's actions

within an abusive relationship as criminal. One specific example provided by Gilfus was the failure of criminal justice agencies in treating women as victims when assessing their offences. Here Gilfus references a trend in social policy for prosecuting abused women for child abuse in cases where they have 'failed to protect' their children, disregarding the context of the abuse experienced by the women themselves, the lack of opportunity the women may have to intervene and (most significantly) this policy is enforced even when the perpetrator of the abuse purposefully prevents the women from intervening in the abuse of her child. Gilfus also points to a range of other initiatives or actions, specifically enacted by the police or criminal justice agencies, which further entrap abused women and can lead to their incarceration. Examples include severe sentencing policies (specifically for drug offences), racial discrimination, and also lack of government assistance (provision of welfare<sup>16</sup>) for women who are abused. This final overarching pathway suggests that mechanisms outside of the abusive relationship itself can also have a significant influence on the labelling of women's actions as criminal.

Although only a summary of Gilfus' findings, her work does provide a greater understanding of how the relationship between domestic abuse and women's offending may present itself. Notably, however, Gilfus' work does not specifically focus on the relationship between domestic abuse and female offending alone, but instead includes the experience of abuse in childhood, therefore providing conclusions which relate more broadly to women's experiences of abuse across their life course. As with Richie's (1996) study, Gilfus' work also analyses the impact of abuse alongside other factors, such as poverty and actions of CJS or government agencies. Gilfus' work is particularly helpful in demonstrating that a combination of both micro factors (the abusive relationship itself and the mechanisms employed within it) and macro factors (societal responses to the abuse including responses of outside agencies, lack of intervention or 'enforcement violence') may contribute to abused women's pathways to crime. Similarly this doctoral research employed a combined feminist and symbolic interactionist approach, which allowed for the exploration of how both the macro and

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<sup>16</sup> The term used in the UK would instead be benefits.

micro factors associated with domestic abuse victimisation may influence women's involvement in crime.

Unlike Gilfus' study, Moe's (2004) research focused specifically on the connections between women's experience of domestic abuse victimisation and female offending, within a broad range of contexts. Moe used the term 'intimate partner violence' (IPV) for her research, omitting abuse committed by other family members from her study. Whilst working for a 'battered woman's' shelter she interviewed 19 women using in-depth semi-structured interviews. Although based upon a small sample, the demographics of the research participants were relatively broad as Moe included women from a variety of ethnic backgrounds (i.e. White, African American, Latina, American Indian and Biracial) and the women were aged 18 to 45 years old. All of the women had experienced multiple forms of abuse with the vast majority having experienced physical abuse (95 per cent), emotional and psychological abuse (84 per cent), financial/property abuse (68 per cent) and sexual assault (37 per cent). The figures demonstrate that the different forms of abuse are often experienced in combination.

Of the 19 women interviewed, only 10 of the women had committed an illegal activity that Moe identified as related to their abuse. Although Moe's entire sample had experienced IPV, only just over half had committed crimes, which may suggest that other factors may have a greater influence on women's motivation to commit crime or that some women may have found more adaptive ways of coping with their experience of IPV which did not lead to involvement in crime (as just two possibilities). Of the crimes that the women had committed, non-violent crimes were the most common, including offences related to use of substances (drugs or alcohol), low-level fraud, and petty theft. Some women also admitted to committing violence in self-defence. On analysing the data, Moe divided the reasons why women had committed illegal activities into three categories:

*(1) to cope with abuse by an intimate partner (2) to keep an abusive relationship intact and/or to appease a 'batterer'; and (3) to survive financially upon leaving the relationship (Moe, 2004: 124).*

Therefore Moe concluded that in the context of her work, women's criminal activities could be interpreted as part of their survival strategies or as a form of resistance against the abuse experienced.

When examining women's illegal activities relating to drugs, Moe identified the women's use of drugs was inexorably connected to their experience of abuse where the drugs were often used as a coping mechanism, as a form of escapism, or for self-medication. This is a finding reiterated across a vast range of literature (for example see: Liddell and Martinovic, 2013; Women's Aid; 2011; Gilfus, 2002; Raine, 2001; Wincup, 2000; Richie, 1996). Moe identified that some of the women had been introduced to the drugs by their abusive partners, which is something that has also been identified in a range of other literature (Women's Aid, 2011; Inciardi, Lockwood and Pottinger, 1993). Not only could this facilitate increased dependence upon the abuser and facilitate compliance (Ferraro, 2006), but it could also impact upon women's decision-making capabilities when under the influence of drugs, or lead to criminal activities to continue to provide for an addiction (either the victim's or the perpetrator's) (see also Richie, 1996).

Again, Moe's conclusions were similar to those of others in reference to the criminalisation of coping mechanisms. When examining women's fraud and theft she found that women's actions were often part of a process to cope with, survive or resist the abuse that they faced. For example, it was often a result of economic necessity that women committed welfare or cheque fraud, and often as they had no other means of providing much needed resources for their families. Moe concluded:

*In sum, the women seemed to commit petty acts of fraud and theft, primarily to obtain the funds needed to survive during an abusive relationship or to leave one...engaging in illegalities was seen as a necessary choice among dire options (Moe, 2004: 130).*

She also noted the particular willingness of mothers to engage in criminal activities to provide resources for their children, including the need to be able to feed or care for them.

The most significant criticisms of Moe's work relate to the small size of the sample, as only 10 of the 19 women included in the study had committed some form of illegal activity, leaving a very small sample from which to draw conclusions. Secondly, in reference to the additional nine women who had not committed any criminal activities, it is not clear whether any attempt was made to investigate whether there had been any opportunities for these women to engage in criminal activities, and if such an opportunity had arisen why they had not engaged in any illegality. This could have provided insight into whether other motivational factors exist which have greater influence on the women influencing them to not commit criminal offences. Moe does, however, acknowledge this omission from her study and suggests further exploration of this area. She also noted that for the majority of the 10 women who had been involved in criminal activities, domestic abuse was '...offered as the primary, if not sole, reason for their decisions to commit crimes' (Moe, 2004: 133).

Other than Moe's (2004) study, Ferraro's (2006) later work represents one of the only notable attempts to examine the relationship between domestic abuse and women's more common forms of offending in greater depth, paying closer attention to how this relationship can be enacted. Ferraro's work focuses specifically on the relationship between domestic abuse and women's offending (as opposed to other situational

factors that Richie, for example, employed to explain women's entrapment). Both approaches contribute to the field of knowledge within this area, and although Ferraro recognises how social/situational factors can provide reasoning for why women become entrapped in abusive relationships, her examination of women's involvement in crime relates more specifically to the influence of domestic abuse alone.

Ferraro (2007: 6) undertook her research in order to 'elaborate the now well known correlation between victimization and offending with details about the contexts and meanings of both victimization and offending in women's lives.' She stated that she did not intend to use women's victimisation as an excuse for their criminal activities, nor did she wish to produce a generalised theory that would apply to all female offenders, but instead she hoped her research would facilitate a deeper understanding of women's crime. Ferraro's study drew upon the accounts of 45 women who had experienced abuse and had been involved in criminal acts; notably, all of the women included in the research had either committed an offence against their abusive partner or with them. Again, as with previous research, no attempt was made by Ferraro to address women's criminal activities *outside* of this context, therefore no exploration of women's criminal activities when the abusive partner was not present was undertaken<sup>17</sup>. Of the 45 women included in Ferraro's study 84 per cent had no prior arrests in their history which could suggest that for these 38 women the abuse was instrumental in their involvement with criminal activities.

Ferraro's work illustrated a range of aspects of abuse which women experience that could have a direct impact on their behaviour and therefore their involvement in crime including; coercion, fear, fracturing or distortion of perceptions (leading to rejection of moral codes or affected reasoning/ decision making), survival strategies and committing crime in order to placate an abuser. She noted that submission to an

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<sup>17</sup> To provide a breakdown of the different types of crimes that women who were included in Ferraro's study had committed: 23 women had killed or attempted to kill their abusive intimate partner, 3 women were third party accomplices to the murder of their husbands, and the final 19 women were categorised by Ferraro as having committed crimes directly related to their experience of abuse.

abuser's authority was a key factor in women's involvement with crime: 'their criminal culpability is evaluated within the context of experiences with coercion and control and their fear of their intimate partners' (Ferraro: 2006: 199). In reference to the 26 women who had killed or attempted to kill their partners, most of the women's actions were reportedly not premeditated and instead were enacted in a situation of immediate threat. As Ferraro (2006: 161) describes:

*In most of the cases discussed here, the female offender began as the victim of her partner's physical, sexual and psychological abuse, then used violence as a defense rather than an offense.*

Hence, women's violent behaviour could be explained or contextualised by the circumstances they found themselves in where; their actions often took place within a relationship characterised by ongoing and often severe abuse; they acted out as a form of self-defence; their actions were generally unplanned or they were enacted whilst in fear of death and consequently the women had often acted to save their own lives. As Ferraro noted, such explanations are in line with traditional self-defence cases and such analysis again concurs with previous findings of other studies (Gilfus, 2002; Browne 1987; Walker, 1984). As Ferraro herself recognises, however, the subject of women who have killed their partners has received disproportionate attention from academic research, and therefore this is an area well visited by prior studies.

Ferraro's explanations of women's violent actions in the context of abusive relationships are similar to the findings of previous research such as Richie (1996) and Browne (1987). Ferraro, as did Richie, references the term 'entrapment', akin to Stark's (2007) concept of coercive control, which Ferraro recognises as part of the process by which women were trapped in their abusive relationship on three key levels: psychological, social and physical (Ferraro, 2006). Ferraro's study specifically noted the influence of psychological abuse on women's actions. She found that

psychological abuse not only often left victims with no choice other than to obey their partner but could also distort the victims' perceptions about alternative options (such as to not commit the crime, or to leave the relationship). This ability to distort the victims' perceptions, in the cases of the crimes that the women committed in Ferraro's study, was highly influential on the women's actions. Specifically, the violence that some of the women in Ferraro's study had enacted could also be interpreted as the only way that they could escape the abuse they were experiencing.

When examining the crimes of the final 19 women who were all charged with crimes against people other than their abusive partners, Ferraro (2006: 197) contextualised her discussion of these crimes by stating that she would investigate how 'ways in which the authority established by abusive partners frame women's participation in criminal activities'. This category comprised women who had been charged or convicted of crimes where either her abuser was present, her abuser had committed the crime and she had been present as a bystander (and had not intervened), or where the women had committed crime by complying with instructions from her abusive partner. Within this category Ferraro identified a range of factors that enabled the abusers to ensure compliance to their instructions. These included both micro and macro factors such as enforcement of authority (both individual and social, reinforced by socio-historical rules of dominance or patriarchy), gender roles, isolation from others, economic dependence, threats and physical/emotional enforcement, fear of long term consequences of refusal to comply, and total denial of autonomy. Therefore, a range of studies have suggested that women in abusive relationships are often more concerned with the threats received by their partner than the actions of the police if caught committing a crime (Jones 2008; Ferraro, 2006).

A particularly interesting aspect of Ferraro's work was her presentation of how abusive partners are able to construct the social reality of their abuse victims<sup>18</sup>. The perpetrator's ability to construct their victim's reality is often aided by drugs, that is where the perpetrator manipulates a victim's existing drug use or introduces drug use

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<sup>18</sup> Echoing also Lempert's (1996) 'definitional hegemony'.



to them, which can not only ensure compliance but can also cause difficulties in victims' understanding of moral codes. Williamson (2010: 1417) also references a similar process employed by abuse perpetrators whereby 'abusers create and maintain a world in which it is their reality that determines the boundaries, rules, and expectations of their partners', a mechanism through which the partner's actions and behaviours can be influenced or affected. Coupled with isolation from other individuals who could provide guidance for moral reasoning this provides a strong foundation to explain women's involvement in criminal activities. Ferraro explains:

*women who experience intimate partner violence define 'reality' within the context of a social world that is terrifying to them because it violates basic expectations about other people and the assumptions by which women order their lives. Deliberate falsifications, delusions, and mental manipulation within an intimate relationship not only undermine trust in the predictability of the world and reliability of one's own perceptions; they complicate moral decision making (2006: 76).*

In summary, Ferraro's study presents a range of ways in which women's involvement in crime can be explained by their experiences of domestic abuse and much of her work can be drawn upon within this study.

**g. How responding to domestic abuse can affect women's involvement in crime: Coping mechanisms and survival strategies**

The vast majority of studies discussed above have, to varying degrees, considered how women's involvement in crime can be influenced by their responses to the domestic abuse they experience in both an immediate and – to a lesser extent – a longitudinal context. Although the ways in which a woman copes with her experience of domestic abuse, and how this may influence her involvement in crime, have been acknowledged

within all of the qualitative literature referenced here, they have not been explicitly examined in greater depth.

Notably, Gilfus (1992) and Chesney-Lind and Rodriguez (1983) identified that the ways in which women responded to their victimisation could result in 'a process of criminalisation unique to women' (Chesney-Lind and Rodriguez, 1983: 62). This was a process whereby women became criminalised by actions they had taken to *escape* the abuse they were experiencing. Consequently, in a later study, Chesney-Lind (1989: 11) termed this idea 'the criminalisation of... survival strategies' which depicted how women, in some cases, had to commit criminal activities to exit, cope with, or remain separated from their abusive relationship. Comack (2000) expanded upon these ideas by examining the impact that female offenders' experiences of victimisation may have had upon the women's 'troubles' with the law. She noted a distinct commonality within the lives of all of the female prisoners that she interviewed, namely their experience of abuse. She did not, however, explicitly focus upon domestic abuse and instead looked at the experience of abuse in a wider context, including childhood abuse and sexual abuse in adulthood. Importantly, to 'uncover' the effects that a woman's experience of abuse can have upon her behaviour and actions, Comack adopted Kelly's (1988) concepts of coping, resisting and surviving. In specific reference to this doctoral research, Kelly's theories, and Comack's adaptation of them, become central to understanding how women's involvement in crime can be contoured by their experiences of domestic abuse.

Drawing upon Kelly's (1988) definition of coping, which describes actions taken by women in an attempt to evade or control distress, Comack stated that for some of the women she interviewed their law violations could be best understood when placed within the context of how they coped or 'contended' with their experiences of abuse. For example; Comack perceived that for one of the women involved in her study (Meredith), her long-term attempts to cope with her childhood experiences of sexual abuse contextualised her involvement in fraud offences. She suggested that Meredith

wrote fraudulent cheques as a means of escaping the feelings she associated with her abuse, as this process gave her power to do something (or buy something) for herself. This example suggests that it is the far broader context of 'coping' with abuse that Comack refers to which may affect women's involvement in crime. Subsequently she suggests that 'law violation can be located as one of the ways in which a woman contends with the abuse and its effects on her life' (Comack, 2000: 83). Therefore her work, although this was not the primary focus of her study, demonstrated how women's involvement in crime could manifest as means of coping with, or attempting to survive, their experiences of abuse.

Arguably, Comack's work and Kelly's theories upon which much of Comack's analysis was based are pivotal to understanding women's means of coping with abuse as a long-term process, which could have consequences for women's behaviour and actions long after the abuse has ended. Both Kelly and Comack suggest that coping with abuse can be a longitudinal process that is enacted across a woman's lifespan (Comack, 2000) and that a woman's experience of abuse could facilitate permanent changes in women's attitudes and behaviour (Kelly, 1988). This necessitates recognising that a woman's actions and behaviour can be affected *outside* of her direct relationship with her abuser. Consequently, the relationship between domestic abuse and women's offending should be explored in a far broader context than the vast majority of previous research has already attempted to. In this context, coping should be perceived as more than an immediate response to an experience of abuse, or an equation of "action = reaction" (i.e. abuse then coping)' (Comack, 2000:42). Instead, a woman's experience of abuse can alter her life, potentially impacting upon the way she views herself, how she interacts with others, and may transform her placement in the world (Comack, 2000). Therefore how a woman responds to, or copes with, the abuse she experiences may have far wider consequences for her behaviour and actions. As a result a woman's coping mechanisms could be enacted in contexts *not* directly related to the abuse experienced but in response to situations which indirectly relate to, or remind her, of her victimisation. This draws upon the recognition that domestic abuse can evoke long-term psychological effects for a victim. These

psychological effects may develop in the immediate aftermath of the abuse or many years after the event, one example of which includes experience of Post Traumatic Stress Disorder (PTSD) (Crowell and Burgess, 1996).

Conversely, Williamson (2010) suggests that for victims of domestic abuse or coercive control living with and negotiating their experiences of such may ‘...trigger emotional and psychological responses that mimic symptoms of post-traumatic stress disorder’ (2010: 1416)<sup>19</sup>. A range of literature has suggested that a woman’s experience of trauma (of which domestic abuse is one example) can have long-term effects that can influence her behaviour outside of her direct experience of trauma (Street, Gibson and Holohan, 2005; Root, 1992; Kelly, 1988). As a consequence this approach should arguably be applied when exploring the relationship between domestic abuse victimisation and women’s involvement in crime.

Furthermore, the impact that domestic abuse may have upon women’s behaviour after the abuse has ended can transcend her attempts to psychologically cope with her experiences and can incorporate the practical realities of living outside of an abusive relationship. As Abrahams (2007), Wilcox (2006) and Kirkwood (1993) suggest, a woman’s attempts to cope outside of an abusive relationship may evoke concerns pertaining to the practical realities of surviving including access to financial resources and the ability to live independently. Accordingly, actions women take to survive outside of their abusive relationships may also affect their pathways into crime, for example, as a consequence of poverty due to lack of financial resources or women’s attempts to support children with much needed food or clothing (see Moe, 2004; Gilfus, 2002). This approach specifically emphasises the need to employ a longitudinal focus upon women’s behaviour and actions, recognising the long-term effects that her experience of domestic abuse may have upon her and, importantly, the *indirect* ways her experiences may impact upon her behaviour and actions. Thus, women’s coping

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<sup>19</sup> However this does not necessarily result in the diagnosis of a psychiatric condition.

mechanisms in response to the domestic abuse they have experienced provides an avenue through which their involvement in crime can be theorised.

Finally, to further elaborate upon women's means of coping with, and surviving, their experiences of abuse, Kelly and Comack commented upon the role of women's agency within this process. Stark (2007), Wilcox (2006), Lempert (1996), Kirkwood (1993) and Kelly (1988) all assert that women actively develop skills to survive their experiences of abuse. In particular, Wilcox (2006) emphasises the agentic nature of women's coping mechanisms, even when such actions may be perceived as passive from outside observers, as passivity itself can function as a means of self-preservation. Further, Lempert (1996), who corroborates Wilcox's perspective regarding passivity, argues that women's coping mechanisms are processual. She asserts that:

*Abused women are active, although not co-acting equals, in the interactions with their partners; in the development of their own strategies to halt, change, and/or cope with the violence (Lempert, 1996: 270).*

Although many academics view women's strategies to cope with their experiences of domestic abuse as agentic, they also recognise that such actions may not always have positive outcomes for the women (Wilcox, 2006; Lempert, 1996). Consequently, the actions women employ to survive their abusive relationships may, in some cases lead to their involvement in crime (or have other negative outcomes).

Now that the review of the literature is complete and the limitations of the existing research, and gaps present, have been detailed, the final section of this chapter will clearly outline the focus of this doctoral study, clarifying how it will uniquely contribute

to criminological literature. The chapter will then conclude by presenting the research questions that provided the foundations to the focus of this research.

## **2.5 Research overview and questions**

This literature review sought to comprehensively address the relationship between domestic abuse and women's offending and has established that a range of international literature, both academic and policy-based, testifies to the existence of a relationship between the two (e.g. MOJ, 2012a; Women's Aid, 2011; NOMS, 2008; Moe, 2004). As the literature review demonstrated, a large range of quantitative literature has referenced the existence of a relationship between domestic abuse and women's offending. However, what the quantitative data does not qualify is *how* this relationship may operate. Consequently the quantitative literature provides only an indication of a relationship, failing to elaborate upon or explain it in any further detail. The shortcomings of existing quantitative research data illustrate the need for further, qualitative, investigation of the co-occurrence of a woman's experience of domestic abuse and her involvement in crime to provide a deeper insight into how one may affect the other.

Yet despite the aforementioned wide documentation and acknowledgement of this relationship, literature attempting to explore it in further depth, and research attempting to understand and explain *how* a woman's experience of domestic abuse may (either directly or indirectly) influence her involvement in crime, is scarce. Although some attempts have been made to qualitatively examine the relationship between domestic abuse and women's crime (Segrave and Carlton, 2010; Ferraro, 2006; Moe, 2004; Comack, 2000; Richie, 1996; Browne, 1987; Walker, 1984), the majority of available literature exists outside of the UK predominantly in America, Canada and Australia. Consequently there is a lack of academic, qualitative, exploratory research that addresses this relationship in further detail in the UK.

As this chapter has demonstrated, when reviewing the limited amount of existing qualitative literature, there are also some significant limitations with regards to its focus. The majority of studies, when examining the relationship between domestic abuse and female offending, have concentrated upon rare and atypical forms of women's crimes such as homicide, child abuse and violence perpetrated by abuse victims against their abusive partner (Ferraro, 2006; Browne, 1987; Walker, 1984). Consequently, only a partial, and somewhat sensationalised, picture of the relationship between domestic abuse and female offending has been presented to date.

Despite the limitations of the existing research, this review has evidenced the important contributions that have already been made in attempting to understand and explain the relationship between domestic abuse and women's offending. Furthermore, this chapter has presented some of the ways in which the relationship has hitherto been theorised which clearly evidence that, in many cases, the relationship goes far beyond the two phenomena simply co-occurring. Instead, the pre-existing different theoretical understandings of this relationship illustrate that domestic abuse *can* influence or affect women's involvement in crime. Notably, however, the literature review has also exposed distinct gaps that remain in the analysis of this relationship, demonstrating that further investigation is still required, particularly in relation to examining women's more typical forms of offending. Conclusively there remains a distinct lack of qualitative research, a gap that is particularly prominent in the UK. Thus, questions relating to the relationship between domestic abuse and female offending, in particular how this relationship actually manifests or operates, are left unanswered.

Subsequently, the primary objective of this doctoral research was to examine the relationship between domestic abuse and women's involvement in crime using a qualitative approach. In summary, this doctoral research therefore addresses a number of prominent gaps within the existing literature including: exploration of the relationship between domestic abuse and women's more typical forms of offending;

examination of women's crimes where an abuse perpetrator is not present (either as a co-offender or victim) and, finally, the research will focus upon the specific relationship between domestic abuse and women's offending (as opposed to a combination of factors). The foundations of this research will be in examining women's own experiences and how they, themselves, may link their experience of abuse to their involvement in criminal activities. As Gilfus (1992: 5) notes, 'very few studies have been based on data obtained first hand from the women themselves in order to explore their own perceptions, experiences, and motivations for engaging in illegal activity.' The importance of Gilfus' perception is that those who have experienced the particular subject of study arguably are best placed to analyse and explain it, which is also extremely relevant in the case of the experience of abuse because of the subjective and personalised nature of the techniques employed by abuse perpetrators. Furthermore this perspective is explicitly linked to the feminist epistemology and methodological approach which will be presented in the next chapter.

After reviewing and reflecting upon the existing literature, three central research questions were established which hitherto have not been explored in significant depth. These questions provided the foundations to the main lines of enquiry for the fieldwork part of this doctoral study:

1. Placing the women's own voices at the very centre of the discourse: in what ways do women themselves (female offenders who have experienced domestic abuse) feel that their experiences of domestic abuse have affected their involvement in crime (if at all)?
2. Focusing explicitly on women's more typical types of offending, in what ways can a woman's experience of domestic abuse affect or influence her involvement in crime?



3. How might either the immediate and/or long-term effects of a woman's experience of domestic abuse (either directly or indirectly) influence or affect her involvement in crime?

Drawing upon the studies outlined and reviewed here the next chapter will introduce how this doctoral research was conducted providing in-depth details of the approach taken and the methods employed. Reflecting upon the existing research, the methodology will reference how the existing literature influenced the methodological approach employed for this thesis.

## **CHAPTER THREE: METHODOLOGY**

### **3.1 Introduction**

This chapter will outline and discuss the methodological framework that was employed within this research and will therefore present how the research was approached, linking theory to practice. This chapter will first describe the ontological and epistemological position that was taken, drawing upon two perspectives; feminism and symbolic interactionism. Second, the decision to employ a qualitative methodology and the implementation of semi-structured interviewing, within the context of a feminist and symbolic interactionist framework, will be discussed. The range of ethical considerations, which both informed and shaped the research, and which were themselves contoured by the positioning of the study, will be addressed. This chapter will therefore demonstrate how the theoretical and epistemological position adopted influenced both the research methods chosen and the analytical approach taken, thus demonstrating how theory can be directly translated into research practice. Throughout this chapter the practical constraints that arose during the research, and the measures that were taken to address and overcome them, will be presented. Finally it will conclude with a preface to the findings chapters, outlining how the data will be presented, factors influencing the women's ability to tell their stories and the importance of providing a platform for women's voices.

### **3.2 Ontological and epistemological positioning**

#### **a. Feminist epistemologies**

The focus of this research is women, their lived experiences and their accounts of their own behaviour and actions. Thus, women's experiences of both domestic abuse and offending, described in their own words, are placed at the very centre of this research. The positioning of this study therefore adheres to Humm's (1995: 242) view of what feminist research should be; '...grounded in the actual experiences and language of women by investigating women's lives and experience in their own terms.' The

gendered nature of domestic abuse, recognised across both academic and policy-based literature (ONS, 2015b; Groves and Thomas, 2014; Refuge, 2014; Stark, 2007; García-Moreno, Jansen, Ellsberg, Heise and Watts, 2005), highlights the importance of gender within this study. In addition, the gendered patterns of offending (for example see: MOJ, 2014c; Chesney-Lind and Pasko, 2013; Gelsthorpe, 2007; Heidensohn and Gelsthorpe, 2007), also reinforce the need to both recognise and analyse the impact of gender upon social behaviour. Therefore the effect of gender, and specifically female/male power structures, upon the behaviour and actions of women were of central importance within this research. As a consequence of wishing to place women, their lived experiences and their own accounts of their actions, at the very centre of the discourse, the research foundations were firmly established by employing a feminist approach.

When discussing feminist epistemology it must of course be acknowledged that feminism as a perspective is not monolithic. Instead a myriad of approaches falling under the umbrella of feminism exist, reflecting the differences that occur both “...‘within feminism’ [and] ‘between women’” (Stanley and Wise, 1990: 21). It is therefore important to recognise women’s shared experiences of oppression whilst acknowledging their varied and individual responses to (and interpretations of) such experiences, a pivotal understanding underpinning the whole approach to this research. Thus it is critical to recognise the diverse realities and identities of women (Kralik and Van Loon, 2008). It is this diversity that demonstrates the need to employ a broader, multifaceted approach. Consequently, a singular, unified feminist epistemology, and indeed methodology, cannot exist (Skinner, Hester and Malos, 2005), hence the term that will be used throughout the initial discussions will be ‘feminist epistemologies’.

Fundamentally, epistemology is concerned with knowledge; the nature of knowledge, how knowledge is formed, where knowledge comes from, who it is that forms such knowledge and the legitimacy of such claims (Andermahr, Lovell, and Wolkowitz,

1997). As Andermahr *et al.* (1997) note, what distinguishes feminist epistemology from other positions is its interest in the influence of gender upon knowledge formation, the power dynamics involved in the production of knowledge and the need to recognise women as active producers of knowledge as opposed to mere 'objects' about whom knowledge is formed. Therefore at an epistemological level feminism first seeks to legitimise women's lived experiences as an adequate source of knowledge, which can help inform theories of the social world (Campbell and Wasco, 2000), an aim shared by this research. Second, it strives to eradicate the sexist bias involved in the production of knowledge.

It has been argued by some feminist criminologists and female scholars that traditionally, mainstream criminology has predominantly been produced by men and has focused upon the criminal activities of men; consequently its understanding of crime was argued to be androcentric (Stanley and Wise, 1990; Gelsthorpe and Morris 1990; Heidensohn, 1985; Leonard, 1982; Smart, 1976). Accordingly, the power to produce knowledge was not available to all, and, more specifically, not open to women (Ramazanoglu with Holland, 2002). Even when research did address the behaviour of female criminals it often imposed man-made theory onto the actions of women leading to highly inadequate theories of women's behaviour. The absence of research presenting women's accounts of their own behaviour is particularly emphasised by the subject matter of this study. Although there is a wealth of statistical evidence demonstrating the existence of a relationship between domestic abuse and female offending in the UK (Roberts, forthcoming; MOJ, 2013b; Women's Aid, 2011; Corston, 2007), there is limited qualitative exploration of this relationship. Without giving a voice to women who have been involved in crime and who have experienced domestic abuse, it is impossible to further explore the relationship between the two phenomena. Thus, this study sought to address a significant gap in the literature. The lack of qualitative research also arguably suppresses women's voices, denying them opportunity to explain and contextualise their actions. As a consequence this process could be seen to reinforce the oppression that the women have already faced within their abusive relationships, where the balance of power is weighted in the abuser's

(statistically most often a man's) favour. This oppression is also reflected in the unequal power relations in the production of knowledge where men's knowledge and experiences are deemed superior thus invalidating women's experiences (Stanley and Wise, 1990). Feminist epistemologies, however, assert the need to recognise that because it is the women themselves who have directly experienced the abuse and have been directly involved in their offences, it is the women themselves who are best placed to explain their behaviour and actions (Rollins, 1985). Therefore it was the aim of this research to provide women with an opportunity to describe and present their *own* accounts of their experiences and actions within this context.

In reference to the value of presenting women's own accounts of their behaviour and actions, this research sought to address the masculinist focus of much criminological research through subverting its traditional 'male gaze', therefore adopting a position similar to that taken by Comack (2000). This approach emphasises the importance of 'understanding' and 'making sense' of women's criminality, presenting a subjective perspective of women's offending (Comack, 2000). This is in contrast to producing high level 'grand theory' applicable to all female offenders, and this also conforms to the symbolic interactionist approach which was also adopted and will be introduced below. As will be demonstrated in this research, women often share a collective experience, namely that of oppression, as a result of living in a highly patriarchal society (Comack, 2000). Yet, although women's experiences are reflected in the collective struggles that all women face, each individual woman's experience is different. In this research these differences were reflected in the women's subjective experiences of domestic abuse, the varied ways in which they responded to that abuse and the wide range of crimes the women committed. Consequently, whilst recognising the differences in individual women's experiences it is important to note that:

*clearly trying to unravel all of the factors which might be relevant [to women's offending] is no small order...nevertheless, there is one factor*

*in particular which stands out: the centrality of abuse in the women's lives* (Comack, 2000: 12).

It is therefore necessary to recognise the effect of gender on women's offending and, in particular, the collective experience of women's oppression, and how this may influence their actions.

The paragraphs above have detailed the first way in which feminist epistemology influenced this research. Some scholars, however, argue that feminism should not simply be present within the theoretical framework but should also filter through to the research practice itself (Stanley and Wise, 1990; Mulvey, 1988). Therefore, as Mulvey (1988), asserts feminist research is characterised not only by its values but also by its process, and that the two are explicitly intertwined. There are a range of approaches which can be adapted to reflect the ideals of feminism and feminist epistemologies. Consequently, academics have identified commonly held characteristics of feminist research. The first characteristic of feminist research is a focus upon gender and specifically gender inequality (see, for example, Skinner *et al.*, 2005 and Oakley, 2000). This is of primary significance within this study, which focuses on women's criminal activities contextualised by their experience of abuse; a phenomenon that is arguably both a cause and consequence of a patriarchal society (Stark, 2007; Women's Aid, 2006), clearly representing a form of women's oppression and inequality.

The second characteristic is concerned with the relationship between the researcher and the researched (see for example Skinner *et al.*, 2005 and Campbell and Wasco, 2000). This characteristic addresses the power imbalance that is often present between the researcher and research 'subject', and advocates minimization of the power structures or hierarchies (Skinner *et al.*, 2005). Oakley (1988) suggests that this power imbalance can be subverted via the researcher disclosing or sharing personal

experiences as part of the research process (or, as she describes it, the interviewer investing their own 'personal identity' into the researcher/researched relationship). To some degree, this begins to readdress the power imbalance by including aspects of both the researcher's and research participants' personal lives, making the sharing of information more equal. Although some may argue that this process can bias the research, this interaction can help facilitate trust and may consequently improve disclosure from the participant (Bergen, 1996) and, as a result, may improve the quality and reliability of the information collected (Maynard, 1994).

Oakley's approach was implemented during the fieldwork for this doctoral research by giving all participants the opportunity to ask any questions about the researcher during the interview (with no restrictions enforced regarding the content of those questions). This process therefore attempted, in one way, to subvert the exploitative nature of the interview process where participants are viewed simply as a source of data (Maynard, 1994), instead giving them an opportunity to also be privy to personal information. Although only a small number of women took the opportunity to ask questions, when they did the majority sought to discover whether the researcher had herself experienced domestic abuse; questions which had been anticipated and were responded to honestly. It was felt that this aided the interview process as it established some commonalities between the researcher and the research participants, made the sharing of information more equal, and subsequently helped facilitate less inhibited conversation. It is also important to briefly mention that, in regard to the women who did not take the opportunity to ask any questions, reciprocity of disclosure of personal information was not necessarily something that they appeared to need. Many instead asserted that they were simply happy to be given an opportunity to discuss their own experiences or to have the opportunity to contribute to something that might help someone else in a similar position in the future. For example as these women stated:

Well, if it [being interviewed] helps you, then it's fine. If I can be of any help in any way, then just ask away and I'll tell you anything you wanna know (Charlie-Ann, page 2, line 10).

...it was nice to talk, it was nice to talk to a woman...and I really enjoyed myself talking to you (May, p17, line 3).

Therefore being listened to, feeling valued, being treated with respect, and being able to use their own experiences to help others arguably in itself helped to empower the women involved in this research and alleviated some of the researcher/researched hierarchies. Notably, evidence of the benefits of taking part in well designed domestic abuse or trauma research has been documented by a number of scholars (Downes, Kelly and Westmarland, 2014; DePrince and Chu, 2008; Cromer, Freyd, Binder, DePrince and Becker-Blease, 2006; Newman, Walker and Gefland, 1999).

To elaborate upon feminist researchers' interest in the power structures involved in the research process, they are often concerned with ensuring that women in less powerful positions are not misrepresented (see Skinner *et al.*, 2005). This is particularly relevant to this research where the female participants had been subject to domestic abuse and as a result have occupied relatively powerless positions. Furthermore this position of powerlessness could also be seen to be compounded by their status as offenders or criminalised women. This research sought to subvert this power imbalance by giving a voice to a marginalised group whose stories have been silenced as a result of their varied forms of oppression (DeVault and Gross, 2007). In addition, feminists have also emphasised that the researcher can transfer power to the research participant via the tools used to collect the data. In an attempt to address the power imbalance the main method of data collection employed for this study, semi-structured interviewing, was expressly chosen as it provided the female participants with some room to influence the content of the interviews, enabling them



to include subjects that they considered important to discuss. It is, however, important to acknowledge that the transference of power facilitated through the research tools employed is limited, and it is unlikely that the unequal power dynamics that exist within research practice can ever be fully eradicated (Maynard, 1994). For example, in this research, further power imbalance was reflected in the differences that existed between the women's and researcher's social class and educational attainment<sup>20</sup>.

Finally, feminist research is often characterised by its inherently political nature where value is attached to activist research and its ability to enable women's voices and accounts to be better heard and acknowledged by policy makers and practitioners (Skinner *et al.*, 2005). As a result of the political and practical relevancy of this research it was hoped that the findings may help facilitate change directly related to women's experiences, extend the reach of their voices, and also 'bridge the gap' between theory and practice by informing services or impacting upon policy<sup>21</sup> (Skinner *et al.*, 2005: 15). The need for criminological research to be interventionist, by attempting to influence or contribute to criminal justice practice and policy, has become an emerging concern and has led to discussions about 'public' criminology. Public criminology is concerned with social justice and human rights, and enabling *applied* interventions in, building positive connections with, and attempting to facilitate change within, other arenas of social action outside of academia (Carrabine, Lee and South, 2000). As a consequence this research aligns with the aims of public criminology, as described by Carrabine *et al.*, (2000: 207) as it aims to influence '...agendas for improving services for people and communities [and contribute to] local and national political debates that shape policy and social provision...'.

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<sup>20</sup> Researcher/researched power structures and unequal hierarchies will be further addressed in the ethics section below. Furthermore, how the choice of method attempted to address the power imbalances and the specific values of employing this data collection tool will be further discussed later in the chapter.

<sup>21</sup> As the research was undertaken within the Wales Probation Trust it was agreed that at the end of the research they would be provided with a report of relevant findings and policy/practice recommendations (which may be applied to their services). It was also required that a research report be compiled for the National Offender Management Service detailing any explicit implications for them.

How knowledge produced in the domain of criminology attempts to engage with and influence public responses to crime has been of particular interest to Loader and Sparks (2012). The connection between interventionist criminological research and criminal justice practice, policy and governance should arguably therefore 'develop the relationship between criminology's issues, problems, theories and research...re-thinking and renewing the institutional arrangements that govern and determine the conduct of crime control and criminal justice' (Loader and Sparks, 2012: 31). In the context of this research it is hoped that the findings will have some direct implications for criminal justice policy and practice; better informing criminal justice agencies' understanding of women's involvement in crime with implications for supervising and supporting female offenders who have experienced domestic abuse.

This section has begun to demonstrate the positioning of this research, through its employment of a feminist approach. It has also revealed how epistemological positioning is inextricably linked to the methods utilised within research practice, and has discussed a range of characteristics of feminist research that were adopted in this research. In concluding this section, it is important to acknowledge that a feminist approach aids explanation of macro-processes, the ways in which unequal power relations between women and men influence women's social positioning and consequently their behaviour within this context of oppression (of which domestic abuse is one form). Yet this approach does not address the micro-processes involved, that is the individual interactions within each abusive relationship, and how the actions of the abuse perpetrator are interpreted and responded to by their victim. These individual and subjective dynamics of abusive relationships cannot be explained by feminism alone. This study therefore employed a combined approach to translate how wider social and structural factors, such as the collective experience of oppression, can impact upon women's everyday and individual experiences. This was enabled through the employment of symbolic interactionism.

## **b. Symbolic interactionism**

In reference to the previous discussions of a feminist approach it must be noted that structural factors alone, such as the position of women within society, are not sufficient to explain how domestic abuse may influence female offending across *different* abusive relationships. First, not all women in an abusive relationship will commit crime and second, each abusive relationship will be highly personal and subjective. In addition, even when a crime has been committed by a woman in an abusive relationship, there will also be differences in the types and seriousness of the crimes enacted. Structural factors can be employed to demonstrate how women collectively experience oppression<sup>22</sup>. In particular, feminism demonstrates how patriarchy creates and reinforces unequal power relations between men and women, therefore contextualising how women may become involved in an abusive relationship. Feminism does not, however, facilitate explanation of how *each* abusive relationship is different and, as a consequence, how each woman will be subject to varying forms of coercion and control. Consequently, feminism cannot reveal how a woman's subjective experience of abuse will impact upon her individual behaviour. Therefore, in reference to this research, the employment of an additional perspective was required to enable analysis of women's individual, as opposed to collective, actions and interactions within each abusive relationship.

As Stanley and Wise summarise '...to say that women share "experiences of oppression" is not to say that we share the *same* experiences' (Stanley and Wise, 1990: 21, original emphasis). This was a fundamental consideration within this research as although domestic abuse may be defined as both a cause and consequence of gender inequality not all abusive relationships are enacted, or function, in the same way. Therefore, although patriarchy provides a mechanism through which abusive relationships can be enacted and reinforced, how each individual relationship manifests itself will differ, as will each woman's behaviour in response to the abuse she experiences. As Stark (2007:194) noted:

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<sup>22</sup> It is also important to recognise intersectionality; how multiple forms of oppression intersect and may affect women's lives, including social class, race and sexual orientation.

*...each household governed by coercive control, each relationship, becomes a patriarchy in miniature, complete with its own web of rules or codes, rituals of deference, models of enforcements, sanctions and forbidden places.*

The need to focus upon women's subjective and individualised reactions to the domestic abuse they are experiencing or have experienced (and how such responses may influence their involvement in crime) reinforces the importance of why symbolic interactionism was employed within this research. For example, although domestic abuse is experienced across countries and cultures, the specific dynamics of coercive control derive from the personal knowledge that the perpetrator holds about his victim and the privileged access he has to her (Stark, 2007). In addition, the mechanisms of abuse and control will often be enacted within the private sphere of the home and, therefore, will be extremely subjective. In this context symbolic interactionism allows for an idiographic focus on individualised experiences, allowing for an in-depth, interpretive, exploratory and rich investigation of the effect of domestic abuse upon women's behaviour. Therefore, in this context, the combination of a feminist and symbolic interactionist approach enables a bridging of macro and micro structural theories, and sociological and psychological perspectives. Rather than seeking to produce grand-theory applicable to all social action, or taking a nomothetic approach, the application of symbolic interactionism facilitated focus on in-depth analysis of personal and idiosyncratic behaviour. Therefore:

*the idea that the behaviour of both the perpetrator and the victim of [domestic] violence emerge from their respective definitions of the situation suggest that to understand [the behaviours enacted within domestic abuse relationships] requires knowledge of the processes through which such knowledge emerges (Erickson, 2003: 529).*

As Erickson suggests, to explain the behaviour of an abuse victim it is necessary to understand the meanings they allocate to the interactions they have with their abuser, which demonstrates the importance of employing a symbolic interactionist perspective within this doctoral research. As symbolic interactionism views human social interaction as a particularly subjective process (Blumer, 1986), it centres upon individuals' behaviour (in particular how people behave in response to one another, or in the context of this research, how abuse perpetrator and victim interact), as opposed to societal actions<sup>23</sup>. Consequently its application in this research allowed for a better understanding of how women's behaviour, particularly the nuances involved in, and the individualised and subjective responses to their experiences of domestic abuse, influenced their involvement in crime. Subsequently the focus of this research was examination of the micro processes of domestic abuse that are women's individual responses to, means of coping with, and actions taken within/in reaction to, incredibly subjective and personalised relationships.

'Meaning' is a key concept within symbolic interactionism and symbolic interactionists suggest that 'meaning' is produced via an interpretive social process. Humans act towards other people and objects, as a result of the meaning that these things have to them (Blumer, 1986). Therefore a pivotal focus of this research was the interaction between domestic abuse perpetrator and victim, and specifically the meanings allocated to the actions and behaviours exhibited within these relationships, which subsequently influenced the women's involvement in crime. As symbolic interactionists view human interaction in the context of how gestures and actions are interpreted by those involved in that interaction they suggest that actions are thus based upon that interpretation (Blumer, 1986). Subsequently, this research attempted to explore how victims of domestic abuse perceive, and respond to, the

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<sup>23</sup> Although, importantly, the combination of a feminist and symbolic interactionist approach highlights how both individual and societal factors interact to construct circumstances which limit and restrict the space women in abusive relationships have to act which may consequently influence their involvement in crime.

abuse inflicted upon them by their abuse perpetrators and, in particular, the subjective meanings attached to the behaviour enacted within these relationships by those involved. As a result this helped to contextualise and explain the actions women had taken and can consequently be utilised to explain their involvement in crime at the time of, or after, experiencing domestic abuse.

Symbolic interactionism has been previously employed by academics to aid their analysis of domestic abuse and family violence. As Denzin (1984: 483) notes, a symbolic interactionist approach to domestic abuse would view domestic abuse to be a ‘...situated, interpersonal, emotional, and cognitive activity involving negative symbolic interaction between intimates.’ This indicates the interpersonal context of actions within an abusive relationship and the meanings given to particular actions by both abuse victim and perpetrator. When examining an abusive relationship much can be read into the interaction between abuse perpetrator/s and abuse victim. The way those individuals interact will be highly subjective and personal and there will be particular meaning attributed to certain gestures or behaviours for both the perpetrator/s and the victim. How such gestures and behaviour are interpreted, and reacted to, constitute a significant part of the dynamics within an abusive relationship. Many mechanisms of domestic abuse and coercive control will be highly idiosyncratic and situationally specific. As Stark (2007) and Anderson (2009) both note, the way that a woman involved in an abusive relationship would interpret a gesture can be very different to the way someone outside of the relationship would interpret it. Stark provides an illustrative example with ‘Cheryl’s’ case. Cheryl played softball and her boyfriend used to watch her play, when Cheryl was playing well her boyfriend would come down to the pitch to give her his sweatshirt in case she was cold. Cheryl’s teammates noticed that when this happened Cheryl would ‘...“fall apart.”’ (Stark, 2007: 229). Stark elaborates:

*Cheryl’s teammates interpreted Jason’s gesture as caring. But to Cheryl, the message was that she had violated an agreement not to*

*make him jealous. The sweatshirt was his warning that, because of her infraction, she would have to cover up her arms after he beat her* (Stark, 2007: 229).

This example clearly demonstrates the symbolic interaction between two individuals involved in an abusive relationship and the very specific, targeted meaning attributed to a particular gesture that can only be understood in its correct context by the abuse perpetrator and victim. This is compounded by the fact that this gesture is interpreted very differently by those inside and outside of the relationship, once again demonstrating the subjective nature and idiosyncrasy of the actions. Thus, within interactionist interpretations of domestic abuse, issues of central importance include attachment between victim and perpetrator (or between actors), their interaction, the power dynamics involved within the relationship, and specifically the meanings involved in the actions between the individuals (Jackson, 2007). These are all areas which were closely examined within this research. When examining the dynamics of domestic abuse or coercive control they should be understood both culturally and structurally whilst understanding how social structures influence the individual behaviours of men and women at an interactive level (Anderson, 2009). Thus, not only should the structural factors which create and reinforce coercive control and domestic abuse be acknowledged, but any understanding of these phenomena should also recognise them as ‘...a gendered social process with distinct, individual-level, identity-based dimensions and dynamics’ (Anderson, 2009: 1446).

The feminist and symbolic interactionist approaches are therefore complementary as they allow for a more holistic approach combining both macro and micro perspectives. As Stanley and Wise (1993) argue, symbolic interactionism is in ‘sympathy’ with feminist approaches to social research and their focus on the personal. They assert that employing symbolic interactionism therefore allows for the depiction of a more comprehensive picture of reality. Erickson (2003) also demonstrates the inter-relation between macro and micro theory, and therefore the importance of employing both

feminism and symbolic interactionism, when attempting to explain domestic abuse. As she highlights, the behaviour of both the victim and the perpetrator of domestic abuse derive from their definitions of the situation and the meanings allocated to their respective actions (and the expected reactions). As a result, women's experiences, their subjective realities and how they interpret their abuser's behaviour, and how they act (and react) in relation to this will be the central focus of this research.

In conclusion, employing both feminism and symbolic interactionism allowed for recognition of the contribution of both macro and micro processes in the actions of female offenders. The two combined approaches allowed for a more holistic analysis and a deeper and more multifaceted analysis of women's collective, as well as individual, experiences.

### **3.3 Research design and methods**

#### **a. From theory to practice – connecting epistemology to research methods**

Both ontological and epistemological positioning cannot be separated from the way a piece of research is designed, as this positioning helps to explain and justify the methods chosen to conduct the research. As some academics have suggested, certain epistemological positions often dictate particular methods or tools (Skinner *et al.*, 2005). For example, feminist epistemology is often immediately linked to a qualitative research design (Oakley 2000). Nevertheless, a number of considerations were made, both theoretical and practical, when designing this research.

#### **b. A qualitative approach**

As was outlined in the literature review, in the UK, a wealth of literature suggests that a relationship between domestic abuse and female offending exists (see for example: Earle *et al.*, 2014; Prison Reform Trust, 2014a; MOJ, 2013b; 2012a; Women's Aid 2011;



NOMS, 2008; Corston, 2007). However, the gap within the current literature is highlighted by a lack of research attempting to explain and analyse *how* this relationship operates.

There is a clear rationale in this research to explain why a qualitative methodology<sup>24</sup> was adopted. First, and perhaps most importantly, it was only possible to answer the research questions developed for this research (as outlined at the end of the literature review chapter) with the use of qualitative research methods. As the aim of this study was to attempt to understand women's criminal activities, their reasons for committing crime, and ways in which they may identify domestic abuse as contributing to their actions, only qualitative methods allowed for an adequate exploration of this. As Ferraro (2006) summarises in her study, a qualitative approach enables deeper exploration of the well-recognised relationship between victimisation and offending. Therefore instead of merely pointing to the existence of this relationship, the qualitative approach taken for this research enabled contextualisation and allocation of meanings, by the women themselves, to their actions and behaviour, and to the interaction between the status of both victim and offender.

Quantitative data often does not adequately provide the context and insight needed for an in-depth and nuanced account of women's experiences of abuse and offending. The qualitative approach taken is also particularly relevant and applicable to the epistemological positioning of this research, as how individuals construct their realities, in reference to their interaction with others (both people and structures), is of particular concern to symbolic interactionists. It is this personal and individualised interpretation of events, behaviour, gestures and relationships that generated the central focus of this study. In addition to complementing a symbolic interactionist approach, qualitative research is also strongly favoured by feminist researchers. Many

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<sup>24</sup> Notably, when describing a qualitative approach, there is no single, one-dimensional approach; instead there is huge diversity in reference to the paradigms, methods and practices employed within the area of qualitative research (Punch, 2005).

feminists argue that qualitative methods allow for better reflection of women's experiences, thoughts and interactions (Humm, 1995), all of which comprised a pivotal part of this study. Finally, further justification for having taken a qualitative approach to this study derives from the approaches taken within existing studies in this area. This research has been heavily influenced by the pioneering work of Ferraro (2006), Comack (2000) and Richie (1996), all of whom adopted a qualitative approach. Significantly, they also emphasised the importance of representing women's 'stories', noting how employing a qualitative approach enabled this. The need to listen to the women and present their feelings, experiences, and the meanings that they allocated to their actions and behaviour, was echoed within all studies, once again with the emphasis on the way qualitative methods enabled this.

### **c. In-depth semi-structured interviews**

Semi-structured interviewing was deemed the most appropriate data collection method for this research not only because they provide women with more control over the interview process<sup>25</sup> but also because they complement the combined theoretical approach taken. Semi-structured interviewing facilitates exploration of the research participant's view of reality giving the participants themselves, as opposed to the researchers alone, the opportunity to contribute to the generation of theory (therefore aligning with a feminist approach). This research method also arguably captures a more authentic account of social life that accesses and explores the meanings that individuals prescribe to their *own* actions and interactions (Silverman, 2011), complementing the symbolic interactionist approach. Therefore in-depth semi-structured interviewing was selected as it does not simply allow deeper insight into the motivations behind particular social behaviour but, in addition, gives the research participant greater control over the research process. As Janice Raymond (1979: 16), a feminist ethicist notes, semi-structured interviewing "...maximises discovery and description" and allows women to present their views in their own terms (cited by Reinharz, 1992: 18). Therefore this method arguably helped to empower, rather than

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<sup>25</sup> See the previous discussions addressing this at the beginning of the chapter.

exploit, the women who were involved in the research, something which was also particularly important as all participants had experienced abusive relationships. In contrast to the oppression that the women have experienced in their abusive relationships it was therefore imperative that, in reference to their participation in the research, they retained as much control over the processes as possible and did not feel exploited or coerced. In addition, the semi-structured interview design was also advantageous as it provided a significant degree of flexibility that allowed for the inclusion of themes and issues that had not been considered prior to the commencement of the fieldwork. As a consequence, additional questions and topics to discuss in interview were added as the research progressed, reflecting the actual experiences of the women involved (as opposed to simply prescribing a theoretical understanding onto their experiences). This process not only allowed for a better understanding of the nature, manifestations, trajectories and dynamics of women's experiences of domestic abuse (and how these experiences affected their involvement in crime), but again provided the participants with the opportunity to steer and shape the research.

Although semi-structured interviews comprise the dominant method of data collection within existing qualitative research of this kind, previous studies have used other qualitative approaches, one of which was considered for this research. Richie (1996:16) used life history narratives as the main means of data collection, justifying the use of this method by asserting they are '... particularly useful in gathering information about stigmatized, uncomfortable, or difficult circumstances in subjects' lives.' Although this method was successfully employed by Richie, it was deemed to be inappropriate for this study for two reasons. First, there were a range of factors which restricted the time available to spend with the research demographic and therefore, unlike Richie (who spent on average three hours with each participant), it was not generally possible to interview women involved in this research for such long periods of time. Factors restricting the time available for interviews during this research

included: the women's movements being monitored by their abuser<sup>26</sup>, availability of child care options, the women's chaotic lifestyles and other additional factors which arguably limited the time the women would be able to concentrate for (including mental health and substance misuse issues). Second, a life history approach examines the topic of study in a much broader context than was required for this research, examining a vast range of experiences across a life-span. Therefore semi-structured interviews were chosen for this study due to the specific focus of this study being the effect of domestic abuse, in isolation, on women's offending.

#### **d. Interview design and duration**

Prior to the commencement of the fieldwork two interview schedules were devised, involving a separate set of questions for the female offenders (Appendix I) and the practitioners (Appendix II). As the chosen interviewing method was semi-structured the schedules provided a list of mostly open-ended questions which functioned as a guide (a range of questions which could be asked) rather than a list of compulsory questions to be asked of all interviewees. The female offender interview schedule contained a large number of questions, covering a range of areas, which were included to provide appropriate lines of inquiry in response to the content and topics of the women's discussions<sup>27</sup>. The questioning in most interviews began with or included; 'Can you tell me a little about yourself and the relationships you've had?' which allowed the women to choose the particular relationships they wished to discuss. Importantly it was asserted at the very beginning of the interview that the women did not have to answer any questions if they did not want to, and that they could withdraw from the research or stop the interview at any stage without problem or negative consequence. This was reiterated at all stages of the research to ensure that the women did not feel compelled to be involved or to divulge information they did

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<sup>26</sup> When a woman was in an abusive relationship the interview would usually be booked in for the duration of time they would normally spend at the probation office. This functioned as a safeguarding measure to ensure their attendance would not arouse suspicion from an abuse perpetrator.

<sup>27</sup> It is of course important to note that questions pertaining to whether the women felt their experiences of domestic abuse in any way had influenced their involvement in crime were always asked (but often approached/ termed differently) as the central premise of the research was to investigate this relationship.

not feel comfortable sharing. The composition of the questions for interview was guided primarily by the research questions established for the thesis (as referenced in the previous chapter) which were established via exploration of existing studies and literature, as well as being grounded in the researcher's practical experiences of working in the field of domestic abuse for over five years.

Interviews with the female offenders lasted between approximately 30 minutes to one hour 45 minutes, with most interviews lasting around one hour<sup>28</sup>. All interviews took place in probation offices in interview rooms with only the researcher and research participant present. The vast majority of female participants were recruited via (what was at the time of the research) the Wales Probation Trust<sup>29</sup>. However, as a result of the difficulties in recruiting the necessary number of research participants, which will be discussed in detail below, an additional organisation was approached from which to draw participants. The organisation approached was Wales-based third sector organisation Llamau, which works with women who have experienced domestic abuse and who have committed crime (with the latter facilitating access to only two research participants). Therefore, in reference to the two women recruited via Llamau the interviews took place on Llamau premises (one in a refuge and the other in an office) again with only researcher and participant present. Interviews took place at these locations to protect the safety of both the participant and the researcher. Interviews with the practitioners lasted between 45 minutes to two hours, with the vast majority of interviews lasting around one hour. All interviews took place in probation offices in an available private space with only the researcher and practitioner present.

As noted above, the specific organisations through which the sample was accessed were all located in Wales. This decision was made primarily due to the researcher

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<sup>28</sup> The only exception was the interview with Charlie, which lasted just under nine minutes and was stopped because she became too emotional to continue.

<sup>29</sup> At the time of the fieldwork component of the research participants were recruited via the Wales Probation Trust, however as of the 1<sup>st</sup> June 2014 the Wales Probation Trust ceased to exist and was replaced by the National Probation Service (NPS) Wales and the Wales Community Rehabilitation Company (CRC).

having established her academic and working career in Wales and as a result having, via previous roles, established key contacts within a number of areas of Wales. In particular the researcher's former membership of the Welsh Government's Working Group on Domestic Abuse was referenced in initial discussions regarding access to the research sample as this demonstrated her level of expertise in this field as well as her local and national commitment to anti-domestic abuse work in Wales specifically. These factors were deemed important when seeking access to the research sample, as without such local connections and contribution to work in this area it may have been particularly difficult to achieve access.

In addition, as the data upon which the research was founded, with reference to the relationship between domestic abuse and women's involvement in crime, draws from female offenders in both England and Wales it was felt that any findings produced in Wales would not be strikingly different from similar research conducted in England, while the research sites would be directly comparable to similar sized towns and cities in England or indeed Scotland. Moreover, as there are no female prisons in Wales a number of the female offenders who participated in this research had spent time in English prisons and therefore, in this regard, the findings would be directly transferable to an English context.

### **3.4 Sampling**

This section will now discuss the sampling procedures employed within the research. Prior to research commencement it was agreed that the sample would be restricted to female offenders who had directly experienced domestic abuse. But problems that arose during the fieldwork process, that soon become clear, facilitated the need for a sampling amendment with the introduction of an additional, supplementary sample group. Both samples, and the motivations for the amendment to the sample, will now be discussed.

#### **a. Initial sample**

The primary aim of the research was to explore ways in which a woman's experience of domestic abuse may directly or indirectly influence her involvement in crime; therefore the primary sample for the research was female offenders (aged 18 and above) who had directly experienced domestic abuse. Due to the exploratory and qualitative nature of the research, only two criteria for the offender sample were specified; first, all women included within the research had been convicted of a crime, and second, all women had experienced domestic abuse. Controlling for the first sampling criteria was facilitated through recruiting female participants via the Wales Probation Trust. Therefore all women included in the study had been convicted of a crime. It was decided that the research would focus upon female offenders who were completing or had completed community-based sentences, as opposed to women in prison. The reasons for this were explicitly outlined in the previous chapter, however to summarise; female offenders in the community are more broadly representative of the overall female offending population and the community-based sample was also favoured as the vast majority of existing research has focused upon females in prison.

To control for the second part of the sampling criteria women were asked to self-define as having experienced domestic abuse. Initially identifying female offenders who had experienced abuse, for example through the Probation Trust's OASys<sup>30</sup> assessment or through any previous MARAC<sup>31</sup> referrals, was considered in order to ensure that both criteria were fulfilled. This was later rejected due to the limitations of such an approach, which could be seen to further victimise the women<sup>32</sup> and would exclude a large amount of types of domestic abuse relationships because the vast majority of experiences of abuse are not 'officially' recorded (Dar, 2013; Chaplin *et al.*,

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<sup>30</sup> The abbreviated term for the Offender Assessment System: a standardised process for the assessment of offenders that was developed jointly by the National Probation Service (NPS) and the Prison Service (Social Exclusion Task Force, 2009). OASys assessments measure the risks of re-offending, the needs of offenders, and other factors associated with the person's offending.

<sup>31</sup> 'Multi-Agency Risk Assessment Conferences (MARACs) are regular local meetings where information about high risk domestic abuse victims (those at risk of murder or serious harm) is shared between local agencies.' (CAADA, 2014)

<sup>32</sup> By singling them out to ask to participate in the research, which could lead to the women feeling pressured into participating.

2011). By giving women the opportunity to self-define their experience of abuse it was thought this would, arguably, greatly improve the sample as well as address ethical concerns. Women's ability to self-define allowed for a far broader sample of domestic abuse relationships to be included in the research including varying types and severities (as well as incidents of domestic abuse that have not necessarily been officially recorded). Again, this process was perceived to be in alignment with a feminist ethical approach as it provided the female offenders with increased control over the research process (as participation depended upon women defining their own experiences as relevant to the study, a choice they were able to make) and allowed the women to choose how they defined their experience of abuse.

**b. Sample numbers**

The original intention was to interview at least 30 female offenders; however a number of problems arose during the fieldwork which impeded the recruitment process. The initial approach of recruiting participants involved a bifurcated strategy in which female offenders were asked if they would like to participate in the research. For the first approach the researcher visited a number of probation offices across Wales to speak directly with female offenders to explain the research and ask if they would like to take part. It was integral that all women were approached in a safe environment so the preferred approach was visiting probation offices on 'women-only reporting' days (where only female offenders were allowed in the building) or at the Women's Specified Activity Requirement (SAR) (that only females attended). This ensured a safe environment where women would not be put at any risk by speaking with the researcher, in case, for example, the female offender was in a current abusive relationship and where any discussion of her relationship or abuse may have direct implications for her safety. This initial approach, however, did not facilitate high numbers of research participants for the following reasons:

- Women-only reporting days were only held once a week (and women-only reporting was also held on the same day at the same time in two of the biggest



probation offices – which meant that the researcher was only able to attempt to recruit research participants on a weekly basis);

- Women-only reporting had not been developed in all offices and therefore only a small number of offices operated women-only reporting sessions;
- Women-only reporting and the Women's SAR were not attended by *all* women and therefore it was often only small numbers of women attending. In addition, in many of the offices it was the same women reporting and attending every week, which therefore did not allow for a large number of women to be approached via this method.
- Finally, not all women attending women-only reporting or the Women's SARs had experienced domestic abuse and of course even where the women *had* experienced domestic abuse they were not necessarily willing to discuss this with the researcher.

As a consequence of the problems outlined above a secondary approach had to be developed to ensure a larger number of women were invited to participate in order to recruit the necessary amount of research participants. This secondary approach involved recruiting women via third-sector organisation Llamau that worked with victims of domestic abuse (as briefly mentioned earlier). Unfortunately as this approach only facilitated access to a further two participants, thus a third and final approach was developed. This final approach consisted of female offenders being asked by probation officers whether they would be interested in participating in the study. Although it was hoped that involving probation staff in the recruitment process would be avoided, due to the problems encountered with the initial approach this had to be re-thought<sup>33</sup>. Consequently, this final approach was selected firstly as it was felt that the probation officers would have built up a rapport with the women that they were supervising, and therefore this would provide a safe environment for the women to feel as though they could decline to be part of the research. Second, the probation officers would have an understanding of who might be willing and eligible to

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<sup>33</sup> The advantages and disadvantages of involving practitioners in the recruitment process are discussed in the ethics section later in the chapter.

participate in the study. In addition, probation officers were also able to identify women that were too vulnerable to be part of the study (for example, any women who had been recently referred to the MARAC were excluded from the study due to the level of risk they were experiencing). In this context therefore the safety of the women was arguably better protected.

Despite the change in the recruitment process, and the positive impact this had upon recruitment, during the study over 50 female offenders agreed to participate in the research, however, whilst the fieldwork was being undertaken there were 29 instances where women failed to attend their scheduled interview with the researcher. There were numerous reasons for women not attending, some of which were connected to the vulnerabilities that they experienced as current victims of domestic abuse, for example not being able to attend due to control enforced by their abusive partner. There were also other reasons why appointments had to be cancelled particularly in relation to child access issues, often a consequence of the abuse that the women had experienced<sup>34</sup>. In many cases, however, the researcher was not provided with notice that the interviewee would not be attending and instead the woman would just not arrive. Therefore, as a result of the sensitive nature of the research and the numerous vulnerabilities of the specific demographic of women (as both current and former victims of domestic abuse and offenders) achieving the necessary sample number was extremely challenging. As a result of the numerous challenges involved in the recruitment of participants and more significantly, whether those agreeing to participate would actually take part, as well as the time constraints associated with the fieldwork, a sampling modification had to be made to ensure that the necessary amount of data was collected thus allowing for meaningful analysis to be undertaken.

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<sup>34</sup> For example, one woman asked to re-schedule her appointment as she needed to see her solicitor to discuss gaining custody of her children. She later withdrew from the study because she was denied custody and she stated that she felt she could no longer talk about the abuse as she felt that was why she had lost her children.

Unfortunately practical constraints meant that it was not possible to complete any follow-up interviews during this research. Such an approach would have arguably been advantageous, as it may have allowed for the establishment of deeper relationships with the women who participated in the research, thereby leading to more personal and nuanced interview data and more scope to analyse the women's perspectives. However, the very real challenge of securing research participants within the context of a sensitive study of this nature meant that the option of follow up interviews was simply not viable, however desirable. The high number of women who initially agreed to be interviewed but who failed to attend their scheduled appointment also reflected the reality of the women's lives, which were often chaotic or dominated by other responsibilities (such as childcare). As a consequence completing follow-up interviews with the women was not a realistic prospect, particularly in light of the tight timeframes allocated to the fieldwork, as noted earlier.

**c. Sampling amendment – supplementary probation service practitioner sample**

It was therefore decided that a smaller supplementary sample of practitioners would be required to complete the research. Although the female offenders who had experienced domestic abuse remained the primary, and largest, sample, a smaller number of probation service practitioners were recruited for interview. It was hoped that the practitioner interviews would further contribute to the research, and in fact strengthen it, in a number of ways. First, drawing upon their wealth of experience of working with female offenders, the practitioners were able to provide their perspectives upon the relationship between domestic abuse and female offending, providing illustrative examples of where they felt this relationship existed; using examples from their caseloads. Second, the inclusion of the practitioner interviews enabled triangulation of data whereby the practitioner data was utilised to support, or challenge, the female offender data. Finally interviewing practitioners allowed for exploration of how the relationship between domestic abuse and women's involvement in crime is already being, or could be, addressed within probation service

(or CJS) practice and policy, allowing for the research findings to directly feed into policy and practice (where and if appropriate.)

#### **d. Sample composition**

At the end of the fieldwork, which took seven months to complete, a total of 42 interviews were completed with 40 research participants<sup>35</sup>. The number of interviews which were completed for this study reflect the range of practical challenges that this research evoked. The foundations of which emerged from the relatively inaccessible and chaotic demographic being researched followed by the implicit sensitivities involved in researching extremely taboo areas and issues of 'gatekeeping' of communities in some cases by probation staff. Finally the time constraints involved in doctoral research (which were also affected by the wide geographical spread of the Probation Trust Local Delivery Units (LDUs) where the research took place which could result in journeys to and from interviews lasting over two hours per trip) also had ramifications. Despite the aforementioned difficulties associated with researching the female offending demographic, an abundance of data was collected from the sample, which is outlined below.

#### **i. Female offender sample**

The main sample was composed of 25 female offenders: two participants were recruited via Llamau, and the remaining 23 recruited via the Wales Probation Trust. All of the female offenders categorised themselves as White British/Irish. They were aged between 22 and 54 years of age, with a mean age of 36 years. The women had committed a wide range of offences, detailed in a table, which can be found in Appendix III.

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<sup>35</sup> One female offender was interviewed twice, as was one practitioner, which accounts for the difference in the number of participants and number of interviews completed. The second interview was required for the female offender as she wished to end the first interview and resume at a later date due to the difficulties she experienced when attempting to concentrate for prolonged amounts of time. In regards to the practitioner the interview was split over two different days simply because the time she had initially allocated for the interview did not allow her to complete all the interview questions.

Unfortunately throughout the course of the research it was not possible to recruit a more diverse sample, particularly with regard to the ethnicity of the women who participated in this study. As outlined earlier, only two sampling criteria were specified and as a result no other aspects of the sample were controlled. Therefore no other sampling specifications were used in the context of the participants' ethnicity, social class, age, sexuality or other variables. Women were asked to volunteer their participation in the study, and while the sample included participants from different social classes (with the inclusion of a number of women from what could be perceived as middle class backgrounds) and a broad range of age groups, no Black and Minority Ethnic (BME) women volunteered their participation. This could have been a reflection of the much smaller number of BME groups that, first, live in Wales and second, the very small proportion of BME women who were serving their sentences in the community and were being supervised by the Wales Probation Trust at the time of the research<sup>36</sup>. Alternatively, or additionally, the lack of participation from BME women could be attributable to other barriers which may affect their capacity to take part in research, including language barriers or the type of abuse being experienced (such as honour based violence) which may restrict the women's movements if being monitored by her extended family.

## **ii. Practitioner sample**

The supplementary sample was composed of 15 Practitioners all of whom were recruited via the Wales Probation Trust, from locations across five LDUs. The practitioners occupied a range of different roles within the organisation with years of service ranging from 18 months to 32 years, with the figure for mean years of service being (approximately) 12 years. The vast majority of those interviewed were Probation Officers (PrOs) or Probation Service Officers (PrSOs), although practitioners

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<sup>36</sup> BME communities comprise around four per cent of the total population of Wales (Campbell, 2014) and at the time of the research, April 2012 – March 2013, BME women comprised only 3.9 per cent of the total number of women being supervised by the Wales Probation Trust (data provided directly from the Wales Probation Trust).

who occupied middle management, project based and strategic roles were also included in the sample. The specific details of the length of service and roles occupied by the practitioners can be found in a data table in Appendix IV.

All of the practitioners interviewed were female, although this was not a criteria specified for involvement in the research. This could be a consequence of what appeared to be a disproportionate number of female staff compared to male staff within the probation service as a whole (in specific reference to the lower hierarchies of the service – that of PrSOs and PrOs). It could also suggest that female practitioners may feel as though they are able to better understand the motivations or needs of female offenders (although this is simply conjecture). Finally, it could also reflect probation practice whereby it is generally female practitioners that are allocated with responsibilities specifically related to female offenders which included female staff supervising female offenders and championing the needs of female offenders. It could also be argued that domestic abuse may be perceived as a women's issue and as a result it is female staff that are allocated responsibilities relating to this issue. As a result female practitioners were arguably better equipped with the relevant and appropriate knowledge of female offenders specifically.

Here it is also important to briefly reflect upon some of the possible subjectivities of the individual practitioners who participated in the research. It is necessary to acknowledge that the practitioners' own experiences, either professional or personal (or in some cases both) would have shaped their perspectives and consequently the answers they provided in their interviews. Such experiences may have also initially contributed to the practitioners' motivation to become involved in the research. For example, some of the practitioners had prior experience of working in domestic abuse services and therefore, by their own admission, these experiences, and the knowledge gained from them, motivated them to become involved in the research, as they felt that they would be better informed than those staff without such experiences.

Furthermore, during the course of the research a number of practitioners disclosed their own experiences of domestic abuse victimisation to the researcher and subsequently stated how important they felt the research was. Given the prevalence of domestic abuse victimisation in women's backgrounds and histories it was not surprising that some of the practitioners, whether having disclosed their experiences or not, had themselves been victims of domestic abuse. This may also provide an explanation as to why it was only female practitioners who volunteered to be involved, due to the gendered nature of domestic abuse victimisation. This subjective form of investment in the research by the practitioners arguably also aligned with the female offenders' motivation for becoming involved in the research: namely, to attempt to facilitate change for women who had had similar experiences to them.

### **3.5 Ethical Considerations**

When researching a particularly vulnerable group the ethical considerations involved in studying them are magnified (Noaks and Wincup, 2004). Ethical considerations were therefore of paramount importance within this study due to the implicit sensitivities of researching both domestic abuse and criminal activities. Therefore, as Sieber (1993) also asserts, ethics are particularly entangled in the production of research on sensitive topics, where the consequences of people's involvement in such research could be either helpful or harmful. Thus, it could perhaps be argued that the primary ethical consideration of this research was the way in which the research participants were informed, supported and their rights clarified and asserted at all stages of the research process. As a consequence researchers have a duty to act to '...safeguard the proper interests of those involved in or affected by their work, and to report their findings accurately and truthfully' (British Sociological Association, 2002: 2). Therefore in this context, ethics refer to the way in which research is conducted, ensuring that a moral stance is upheld, research participants' rights are respected and that an objective or 'fair' picture is presented of what has been studied.

As a consequence of the particular sensitivities associated with researching domestic violence, Fontes (2004) describes traditional ethical guidelines as 'inadequate' for the purposes of researching violence against women. Therefore, it is argued that there are particular ethical considerations, when researching all forms of violence against women, which transcend those of other topics of research. As Downes *et al.* (2014) identify, researching forms of violence or abuse can involve complicated ethical dilemmas, specifically in relation to participants' (and their families') safety, issues which are often not addressed within standard ethical guidelines. The pivotal nature of the safety concerns involved in researching domestic abuse is highlighted by the need to understand that research participants' actual involvement may have a direct impact upon their safety<sup>37</sup> or could lead to a threat against their lives (WHO, 2005). The gravity of this cannot be understated, and the well-being of those involved in research should always take precedence. Both physical and emotional/psychological well-being was taken into consideration when planning and conducting this research.

Furthermore, the possible risks involved in such research should also incorporate the well-being of the researcher. The WHO (2005) identifies further areas of specific concern which should be addressed when researching domestic or sexual violence which include - the importance of informed consent, protecting privacy and confidentiality, and minimising participant distress - all of which will be discussed below. Finally, in addition to the specific ethical concerns of researching sensitive topics (such as domestic violence) there are also ethical implications that arise from the epistemological positioning of the research itself. As was raised in the epistemology and ontology section above, feminist epistemologies also raise concerns about the way in which knowledge is constructed (see Alcoff and Potter, 1993), therefore having direct implications for the way in which research can be carried out. Feminist researchers often pay particular concern to the ethical standards adopted in

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<sup>37</sup> For example physical harm could be inflicted upon a woman if her abuser were to find out about her involvement in the study, specifically if the perpetrator felt as though she had shared details of their relationship or the abuse (WHO, 2005).



their research practice as a result of recognising the way women's realities have been distorted by androcentricity and sexist bias within social research historically (DeVault and Gross, 2007). All of the ethical considerations that have been identified above have direct implications for the way that the research is approached both theoretically and practically. The ethical considerations that were identified within this research will now be discussed, and these discussions will be accompanied by the solutions that were employed to address and overcome them.

**a. Informed consent and participant recruitment**

Protection of the rights of research participants should be central to any research process (Noaks and Wincup, 2004). As a consequence, informed consent should therefore be a prerequisite to any research involving human participants. Informed consent is the process whereby research participants must be told that they are being researched and be fully informed about the nature and purpose of that research (Ryen, 2004). As all research participants involved in this study had experienced domestic abuse, something explicitly characterised by exploitation of power and the enforcement of control (Domestic Abuse Intervention Programs, 2011; Stark, 2007), it was of distinct importance that none of the women invited to participate felt pressurised or coerced into taking part. In recognition of how women's autonomy and decision making is often diminished within abusive relationships, several steps were introduced within the research process (discussed below) to specifically ensure consent was freely given (a practice also adopted by Downes *et al.*, 2014). Additionally, Ryen (2004) highlights the need to emphasise research participants' right to withdraw from the research at any time without problem (again a mechanism employed in this research to ensure the women involved were given as much control as possible over the research process).

Practically, a range of solutions to these ethical considerations were devised, and a range of processes were enacted throughout the fieldwork. First, to achieve true

‘informed consent’ efforts were made by the researcher to ensure that all prospective participants fully understood what was being asked of them when being invited to participate in the research. This was the responsibility of the researcher alone and at no stage were probation officers relied upon to secure the women’s participation, as practitioners’ involvement can evoke significant ethical issues – such as prospective participants feeling forced to participate (Martin, 2000). In addition, great care was taken to ensure that prospective participants fully understood what their participation would entail and most importantly, that participation was voluntary (an integral step advocated by WHO, 2005). It was therefore imperative to clarify all steps of the research process including: what participants were required to do, what the research process would consist of, and what the explicit purpose of the research was, to ensure informed consent was given.

This study implemented a number of practical processes and there were several opportunities to verify that informed consent had been achieved. First, participation in the study was voluntary and this was strongly asserted at all stages of the research process. At the later stage of the fieldwork, when practitioners were invited to aid the recruitment of research participants, as Martin (2000) notes in her work about research in prisons, the presence of ‘gatekeepers’ within the research process can present problems. When attempting to access respondents via practitioners how the information is provided to them should be as controlled as possible. Therefore all probation officers, when approaching women to ask if they would like to participate in the research, were provided with a briefing (see Appendix V) which summarised the key information that the women would require which included:

- An introduction to the research;
- Explanation of who the researcher was and clarification that she did not work for the probation service;
- Clear emphasis that participation was voluntary and it was the female offender’s right not to participate if she did not wish to;

- Explanation that participation would be anonymous and confidential (with some exceptions);
- Explanation of the purpose of the research;
- And explanation of what participation in the research would entail.

Care was taken to ensure that the language used in the briefing was accessible and the information was succinctly delivered. It was hoped that this process would have eliminated any lack of clarity about the research itself or the processes involved. Further procedures were also put into place throughout the fieldwork, as will be discussed below, to ensure that the research participants understood, at all stages, what they had agreed to. This part of the fieldwork ended the probation officer involvement in the practical process of the research. It is perhaps important to briefly reflect upon the involvement of practitioners within the initial stages of the recruitment process. There were, perhaps, some potential disadvantages accompanying their involvement, including pressures that the women who had been approached by their probation officers may have felt to participate in the study. This may, however, have been addressed by the women being given numerous opportunities to withdraw from the study during the additional stages of the research, such as when meeting the researcher and at the time of the interview itself. Fortunately the practitioners' involvement did not appear to have a negative impact upon the research process and instead facilitated greater levels of participation as a result of their knowledge of women who would be suitable to be involved in the research and also willing. Perhaps the most beneficial part of the practitioners' involvement in the recruitment process was their knowledge of which women were too vulnerable to be involved in the research (for example those who were involved, at the time of the research, in particularly dangerous relationships or those that had been referred to MARAC) which avoided causing further harm to women that may have otherwise been approached.

The second stage implemented to achieve informed consent was an individual meeting between researcher and participant, which took place prior to interview. The purpose of this was to clarify information about the subject and procedures of the research in order to ensure that the women fully understood what they were consenting to. An informed consent form (see Appendix VI) was also developed and this meeting provided an opportunity to review this with the women. A separate informed consent form was produced for the practitioner interviews (see Appendix VII).

There are some additional aspects of informed consent within research about violence against women that are still subject to debate (WHO, 2005; Ellsberg and Heise, 2002). For example, there is no consensus regarding whether the informed consent process in violence against women studies should include explicit reference to the fact that questions about violence will be asked, or whether it is instead appropriate to use this process simply to inform participants that sensitive topics will be discussed (WHO, 2005). The approach employed for this research was to be clear from the beginning that women would be asked about their experiences of domestic abuse. Due to the nature of the research, and to ensure informed consent, it was considered imperative that all women should be informed that they would be asked about their experiences of domestic abuse, and that they may find the research upsetting. This approach was considered vital to avoid further harm or distress.

Although the women that were interviewed could be viewed as vulnerable, due to their experience of domestic abuse (and particularly their experience of coercion and control) and their offending behaviour, they were in a position to provide informed consent<sup>38</sup>. First, the women's possible experience of coercion and control was explicitly considered through making all information provided to the women clear,

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<sup>38</sup> Downes *et al.* (2014) suggest there are problems with labelling survivors of abuse as particularly 'vulnerable' within research practice as their experiences of domestic abuse could instead increase their alertness to potential threats, heightening their ability to make decisions about research participation if they perceive that involvement may cause them harm. This is a contention which could be supported by the difficulties involved in recruiting research participants for abuse research, a challenge which itself demonstrates that survivors *are* able to exercise their agency via not participating at all.

accessible and emphasising that participation in the research was completely voluntary. With this considered, the women were able to give informed consent as they were all adults (aged 18 and above), had received all necessary information about the study and their agreement to participate was checked at three different stages (initial agreement, first meeting and throughout all stages of the interview). Comprehensive efforts were made to ensure that all information provided to them was accessible and at a level which was appropriate for them (clearly written in accessible language and terminology).

**b. Safety and protection from harm**

As a consequence of the implicit sensitivities of researching not only domestic abuse but women's offending, two often highly emotive subjects, a multitude of ethical considerations regarding the safety of participants and avoidance of causing further harm had to be considered throughout the research process. The UN (2012) highlights the need to take special care when researching any aspect of violence against women. Specialist ethical and safety guidance for researching different forms of violence against women have been developed by various agencies, and this guidance was referenced and adhered to throughout this research<sup>39</sup>. Domestic abuse can evoke strong emotional responses, particularly in reference to the interviewing process which can cause emotional trauma as a result of the research participant having to re-live painful or distressing experiences (WHO, 2005). Therefore, as a result of the emotional distress that research can cause participants, great care should always be taken by researchers to retain a high level of awareness of both the physical *and* psychological impact that their questions may have.

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<sup>39</sup> The WHO has produced two documents addressing ethical and safety considerations when working with victims of domestic abuse including *Researching Violence against Women: A Practical Guide for Researchers and Activists* (2005) and *Putting Women First* (2001).

The following sections will now present a number of key areas that were addressed to ensure that the safety of the participants, and the researcher, could be maintained including:

- The researcher's understanding of domestic abuse;
- Supporting research participants throughout the research process and after interview;
- Confidentiality and anonymity.

**c. The researcher's knowledge of domestic abuse**

One of WHO's (2001) key recommendations for researching violence against women is that those conducting the research must have a clear and informed understanding of the risks associated with violence against women and the risks posed to the women being interviewed. The risks that the women involved in the research may have faced will be discussed below, but considerations were made at all stages of the research including how the women were approached, confidentiality, the location of the interviews, how to conduct the interviews, the women's possible need for support after the interviews, and data storage. To draw an example from the interviewing process only, as the WHO (2005: 129) guidance illustrates: 'Talking face to face with respondents on highly sensitive matters requires sensitivity, skill, and the ability to interpret and respond to both verbal and nonverbal cues.' In the field of domestic abuse it is incredibly helpful for researchers to have an existing knowledge of domestic abuse to not only inform the research processes but also the researcher's own responses to the women's physical and psychological needs throughout the research itself. Therefore the researcher's employment history was of significance; having worked in the field of domestic abuse for over five years prior to commencing doctoral research. This experience provided strong foundations in the understanding of the

effects of domestic violence, the safety considerations and the practical signs to look for when assessing risk<sup>40</sup>.

#### **d. Supporting research participants**

Research should only be undertaken when the prospective benefits of the study outweigh the harm that could be inflicted by conducting the study itself (Fontes, 2004), a sentiment particularly relevant when researching victims of abuse. As a consequence there were several considerations that needed to be made in reference to the safety of research participants involved in this study, both physically and psychologically. A pivotal consideration when researching violence against women is that the involvement of victims in the research process could result in their 're-victimisation' (Hague and Mullender, 2005). This can be facilitated through victims having to re-live painful and traumatic experiences which can be exacerbated if the study is not approached sensitively and appropriately. As WHO (2001:22) identifies, in research addressing violence against women, '...the respondent may recall frightening, humiliating or extremely painful experiences, which may cause a strong emotional reaction.' Therefore it is the researcher's responsibility to recognise and address the specific sensitivities and difficulties involved in research of this kind (Hague and Mullender, 2005).

Avoidance of causing further harm to those involved in this research was of central importance, and a number of preparations were undertaken to address this. For this study the researcher met with a specialist domestic abuse counsellor to ask for guidance in regards to how to minimise any trauma or distress that the women may experience whilst being interviewed. Although the researcher recognised that providing counselling is not a part of a researcher's role, it was perceived as important to acquire knowledge about mechanisms that could be used to support the women

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<sup>40</sup> For example, knowledge of assessing risk had been developed via attending a Domestic Abuse, Stalking and Honour Based Violence (DASH) risk identification, assessment and management model course for a previous job.

through the interview process. In the meetings with the domestic abuse counsellor a number of key areas to address arose including the need to: provide a non-judgemental and non-hierarchical environment; recognise body language as clues for discomfort/distress; use clear and simple language; and give the women as much control over the situation as possible. In addition to meeting with the specialist domestic abuse counsellor the researcher also completed a 10-week accredited counselling course (Basic Counselling Skills I), delivered by Cardiff University's Centre for Life Long Learning. The course again helped the researcher establish a range of techniques to minimise any trauma involved in the discussion of sensitive subjects that were then practically employed during the interviewing process.

Although much of the ethical guidance and literature focuses on the negative aspects of research participation, if conducted sensitively and supportively, research exploring violence against women can in fact allow women to subvert their experience of victimisation and contribute to their empowerment (Hague and Mullender, 2005). This is consistent with the feminist approach taken for this research in that it sought to empower the women involved through giving them a voice where they previously may not have had one (see also Comack, 2000). A participant's psychological well-being can, however, also be affected by the way in which a subject is discussed. As WHO (2001) recognise, victims of domestic abuse are often blamed for the abuse perpetrated against them and they often feel extremely stigmatised. Therefore research addressing domestic violence should be approached from a non-judgemental and supportive perspective (WHO, 2005, 2001). In reference to this doctoral study the researcher also disclosed her previous employment history (within the field of domestic abuse), to the research participants to demonstrate her support of victims of abuse, in the hope of allaying any fears that the women may have had in regards to feeling judged by the researcher.

In addition to the psychological well-being of research participants, the psychological well-being of researchers should also be considered when studying different forms of



violence against women (WHO, 2005; 2001; Ellsberg and Heise, 2002). As Ellsberg and Heise (2002: 1601) note 'The most common risk for field-workers...is the emotional toll of listening to repeated stories of women's despair, physical pain, and degradation.' This was certainly something that was encountered by the researcher during this study. Listening to the women's personal and often very emotive recollections of their life events and experiences evoked a range of emotions, the most significant of which was guilt. The emotion of guilt was acutely experienced as a result of asking the women to re-live what were incredibly intimate, traumatic, upsetting and distressing experiences; guilt which was exacerbated by the researcher's understanding of the emotional impact such recollection would likely be having upon the women. These feelings were, however, somewhat remedied by the hope that the research findings would help facilitate some change within policy and practice which subsequently may improve the ways in which female offenders who are victims of domestic abuse are supported.

In addition, some of the women referred to the cathartic and positive effects associated with discussing their experiences which helpfully did allay some of the researcher's concerns. Similarly Downes *et al.* (2014) noted that victim-survivors do feel positively about research which provides them with the opportunity to 'tell their story'. Finally a considerable amount of sadness was experienced in reaction to the way in which the women involved in the study were treated by individuals closest to them. These feelings remained throughout the duration of the research, particularly as a result of the culmination of all of the memories the women shared, and this sadness was not easy to dismiss even after the fieldwork was completed. Consequently, although not often referenced in research, the emotions of those researching subjects such as domestic abuse should also be acknowledged as the research process is a joint undertaking which evokes emotions for both the research participants as well as those conducting the research. Importantly this research would support Fleetwood's contention (2009: 29), citing Young and Lee (1996), that '...emotions are not extraneous to research but are an unavoidable and integral part of social research...reject[ing] the possibility of emotionally objective [research].' In the

case of this research, in order to address some of what has been discussed the researcher ensured that she was able to discuss her experiences, in confidence, with a counsellor to ensure that any distress that she felt could be reduced.

As well as the psychological impact that participating in the research may have had for the female offenders, there were also implications for their physical safety, as participation in research about domestic violence could possibly lead to retaliatory violence from abuse perpetrators as punishment for discussing the abuse (for example see WHO, 2005; 2001). Therefore the location of the interview was of great significance within this research to ensure both the participants' and the researcher's safety. Adhering to the WHO (2005) recommendation that all interviews should be conducted privately, as mentioned earlier all interviews for this research were conducted with the women individually, without anyone else present, in a private room. In specific reference to those women that were in an abusive relationship at the time of the research, to ensure that the women's safety was addressed all interviews were scheduled for the time that the woman would ordinarily be meeting with her probation officer. This provided a legitimate explanation for the woman to be attending the office, and allowed for enough time for the interview to be conducted safely and privately. During the research, there were, however, two incidents that clearly reinforced the need to address women's safety. For example, one woman who had agreed to participate in the research had to leave the interview early to ensure that she had enough time to return to her abusive partner who would monitor how long her probation appointments would take and would instruct her to be back at his property by a certain time<sup>41</sup>.

Finally, avoidance of further harm also extends to when the interview has ended, so the study needed to address the respondent's psychological support needs beyond the interview process. In recognition that women talking about their experiences of

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<sup>41</sup> A second woman was also accompanied by her partner, whom she stated was not abusive, to her appointment and he had waited outside in the reception area whilst she met with the researcher.

domestic abuse (whether current or historical) may lead to a desire to receive further support after the interview, researchers in this field have an 'ethical *obligation*' to provide research participants with information about support services which could help the women involved in the research (WHO, 2005: 36, emphasis added). At the time of interview all participants were provided with information about the All Wales Domestic Abuse and Sexual Violence Helpline<sup>42</sup>. It should, however, be recognised that not all women involved in the research were in current domestic abuse relationships, nor wished to actually accept the information offered. Nonetheless it was deemed ethically fundamental to provide them with the appropriate resources should they require, or wish, to utilise them.

**e. Confidentiality and anonymity**

Confidentiality and anonymity are two fundamental ethical concerns which apply to all research but arguably have greater significance within domestic violence research, where much of the information shared can be highly personal (WHO, 2005). Therefore this can have explicit implications for women's current and future safety (WHO, 2005). In addition, the sharing of information can also have implications for children's safety. Therefore it is the researcher's legal duty to protect both the women involved in the research, and their children (Fontes, 2004). Consequently two separate, and sometimes conflicting, areas emerge from attempting to protect a participant's confidentiality. Merely participating in research about violence against women can put women at risk, for example, if the abuse perpetrator were to find out about the victim's involvement in the research. As a result of the life-threatening implications revealing details and names of research participants could have this placed confidentiality at the height of importance within the study. Many of the women that participated in this research were not involved in an abusive relationship at the time of

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<sup>42</sup> A credit-card sized information card for the helpline was offered to all interview participants, again with the safety needs of the women being considered. The size of the card allowed the women to easily hide it should this be necessary. The All-Wales Helpline was selected because it provided the most up-to-date information about both local and national services that would be available, which was therefore more effective than the researcher providing lists of localised services which could become out of date very quickly.

their interview; often they recounted their experiences of historical (or recently experienced) abuse, which allayed some of the concerns of immediate risk to safety. But some women that were interviewed were in abusive relationships at the time of interview and therefore steps had to be taken to protect their safety (i.e. the location of the interviews as discussed above).

There were, however, situations where a woman's confidentiality could not have been respected, due to legal and ethical implications.<sup>43</sup> All participants were informed of the constraints of confidentiality verbally and, in addition, all were required to sign an informed consent form that detailed all instances where confidentiality could not be retained (see Appendix VI). In the instances detailed above, where confidentiality had to be broken, the women would have been informed by the researcher that she would have to share the information that they had disclosed with the probation service.

To protect research participants from identification within research publications in the future, all interview transcripts were anonymised. Consistent with the feminist approach of the research it was decided that pseudonyms would be used in all written publications of the research, rather than referring to the women as 'Offender 1' or 'Offender 2' for example, to humanise the women's accounts. The researcher also asked the women to choose their own pseudonyms, again as an attempt to empower them and involve them in the research process. Where women chose not to select a pseudonym, with their permission, one was chosen for them.

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<sup>43</sup> Such circumstances were outlined by the Wales Probation Trust. Prior to the commencement of the interviews it was explained that confidentiality would have had to be broken if the researcher thought that the participant, or someone else mentioned in interview, for example her children, were at risk of serious harm.

**f. Addressing power hierarchies and reflexivity**

Another key characteristic of employing a feminist epistemological standpoint is reflected in the need to address power hierarchies that arise when conducting research, particularly that of the researcher-researched dichotomy. Stanley and Wise (1993) note that the traditional positivist requirement for objectivity within research often requires the researcher to be cut-off from and 'above' the experiences of the research participant (Humm, 1995). Consequently this may lead to women being treated as objects, producing research 'on' as opposed to 'with' women, which constructs highly imbalanced power relations. This research sought to reject traditional objective and detached approaches in favour of a more open, subjective and inclusive approach (Stanley and Wise, 1993).

To address the imbalance of power within this research a number of steps were taken. First, the subject matter of the research provided women with the opportunity to discuss their experiences in their own words. In a field of academia traditionally dominated by male academics and focused on male subjects, giving women themselves the opportunity to discuss their own experiences and accounts of their involvement in crime provides one opportunity to address unequal power relations. Second, as briefly mentioned earlier in the chapter, the method of data collection, semi-structured interviewing, was also chosen to give the participants greater control over the interviewing process. Empowering the women who were involved in the research, through giving them a voice and through their own selection of content, is in line with feminist research practice which seeks to empower, rather than exploit, research participants.

**g. Ethical approval**

The relevant documentation for ethical approval was sought and obtained from the College of Social Sciences Ethics Committee (the ethics application form and letter of approval are both available in the Appendices – Appendix VIII and IX respectively).

Further ethical approval also had to be received from the Wales Probation Trust via their Chief Executive and their Practice and Performance Committee that oversees any research being undertaken within the Trust<sup>44</sup> and from Llamau (the approval letters from the Trust and Llamau can be found in Appendix X and XI respectively).

### **3.6 Writing up and data analysis**

All interviews were audio recorded, with permission to do so given by research participants. Some brief notes were taken during and after the interviews, as part of the reflective process (Davies, 2000) to record any immediate thoughts upon what was said and to begin to note down any patterns in the women's narratives. This was important as analysis arguably commences at the beginning of the interview process when sitting down with the first research participant but becomes more directional after all interviews are completed, transcribed and reviewed (Gerson and Horowitz, 2002). The vast majority of interviews were transcribed verbatim, by the researcher in the days following the interviews so as to retain understanding of the nuances of the interaction and conversation (Davies, 2000). However, the choice was taken to pay for a professional transcriber to complete a small number of interviews. This was decided after a period of deliberation and specifically in response to the emotive nature of the interview content<sup>45</sup>.

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<sup>44</sup> It is understood that at the time of application to undertake research within the Wales Probation Trust no other PhD students had been granted such approval therefore this was the first time a PhD student had been allowed to undertake research within the Trust. It was requested that quarterly progress reports were to be provided to the Practice and Performance Committee and that they should be notified of any changes to the research as it progressed.

<sup>45</sup> The task of transcription was an incredibly difficult one as a result of listening to the women's stories, and their often emotional and distressed recollection of their experiences and repeatedly re-living this emotive experience through listening to the audio recordings on multiple occasions, over a very intense time period proved a particularly emotional task. One of the emotions evoked included guilt for asking the women to re-live such traumatic experiences, an aspect of the study which the researcher regularly struggled with throughout the fieldwork. This was however somewhat remedied by some of the women's gratitude for listening to their stories and through the women expressing hope that the findings of the research may help other women in similar positions to them.

The overarching approach to the data analysis in this research could be described as inductive, an approach often favoured by feminist researchers (Mason and Stubbs, 2010). As a result of the exploratory nature of the research topic, the study did not seek to test any pre-existing theories and instead an inductive method was employed to allow themes (and theories) to emerge from the women's narratives and the data itself (Stroh, 2000). In contrast to establishing themes or theories prior to the interviews an inductive mode of analysis, which allows the women's narratives, and the nuances and subjectivity of their experiences, to dictate the emerging themes complimented both the feminist and symbolic interactionist approach<sup>46</sup>. That is not to say that inductive analysis offers an unproblematic mode of interpretation, specifically when attempting to adhere to feminist ethics and a non-hierarchical approach. Significantly the researcher must attempt to make sense of the women's worlds and therefore prescribe some of their own interpretations upon the data; as Mason and Stubbs (2010:16) suggest:

*Feminist research on violence treads a fine line here because it is often working with 'data' on deeply personal and traumatic experiences of violation. Ethically, the researcher is bound to maintain the 'voice' of these experiences by avoiding a 'slice and dice' analysis that transforms them into easily digestible categories. It is the responsibility of the feminist scholar – a politics which may not be shared by her research participants – to reveal how these experiences function with other experiences, discourses, structures and power relations even if this does require their dissection and classification. In other words,*

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<sup>46</sup> In alignment with the feminist and symbolic interactionist approach to the research the decision was made not to undertake computer-aided data analysis. As a result of wishing to study the very micro-dynamics of the women's abusive relationships it was felt that attention to the language the women used, and the subjective nature of the meanings they attributed to this, that computer-aided analysis was not suitable. Furthermore the use of computer software is often aligned to a masculinist, positivist, data-processing culture (Stroh, 2000), again an approach ill-fitting the feminist theoretical approach taken.

*feminist researchers must do more than let these experiences speak for themselves.*

Therefore, although the words and experiences of the women themselves are at the centre of the discourse, it is ultimately the responsibility of the researcher to translate such experiences into coherent themes and theory for an academic audience. As a consequence a 'multivocality' (Snyder, 2008) is established drawing out the multiple meanings of women's experiences of victimisation, meaning attached to them by both the woman herself *and* the researcher (Mason and Stubbs, 2010).

The specific style of data analysis employed within this research was a thematic analysis, consistent with both the feminist and symbolic interactionist approach of the research. In this context thematic analysis was selected as it enabled examination of '...the ways in which events, realities, meanings, experiences and so on are the effects of a range of discourses operating within society' (Braun and Clarke, 2006: 81). In particular this method arguably helped examine the interaction between abuse perpetrator and victim, and the meanings allocated to this interaction by the victim herself, where actions and behaviour are often interpreted very differently by those outside of the abusive relationship. The establishment of the themes, which are presented in the following two chapters, were founded in the commonalities that existed across the female offender interviews (and which were often supported by the practitioner interviews). How the themes and subthemes were specifically established and the analytic processes followed for this research are described by Guest, MacQueen, and Namey (2012: 12) as:

*(1) read verbatim transcripts, (2) identify possible themes, (3) compare and contrast themes, identifying structure among them, and (4) build theoretical models, constantly checking them against the data.*



As a result the themes and subsequent theories that were established were grounded in the data itself but do combine both the perspectives of the female offenders and the researcher. What is arguably important in this approach is that the researcher's interpretations stemmed from, and were supported, by the actual data collected (Guest *et al.*, 2012.)

### **3.7 Presenting the data**

Prior to presenting the findings of the research, which follow in the next two chapters, it is important to provide a preface briefly addressing both the collection of the data and how it will be presented within the following chapters. Although the interviews with the women generated a wealth of detailed data from which the findings were developed, discussing what are often perceived as highly taboo subjects generated some challenges in relation to the data collection.

As Wilcox (2006) noted in her study, data collection within domestic abuse research can be affected by survivors experiencing difficulties in explaining and articulating their experiences of domestic abuse. As Comack (2000) elaborates, this is often referred to by feminist writers as the process of 'naming' which describes how women can sometimes find it difficult to define their experiences as domestic abuse. The data collected for this research would support Wilcox's (2006: 11) assertion that women who have experienced domestic abuse '...often found it hard to name their experiences as violence and [women] sometimes minimised their experiences.' Many of the women involved in this research only recognised physical violence as domestic abuse, as Donna's statement demonstrates:

When I had my first relationship, like, I was with him for 7 years. He wasn't really....., we never really had any domestic violence. He'd go

out drinking and just like scream in my face but there was no physical abuse (Donna, p3, line 16).

The challenges women face in viewing other forms of abuse, such as emotional or financial abuse, as part of domestic violence could arguably result from the use of the word 'violence' in the definition. Of course all women involved in the research were asked to self-define as victims of domestic *abuse*, and therefore they all identified at least some of their experiences as such. The differing dynamics and tactics employed by abusers within their relationships, however, were not always recognised by the women as a part of the domestic abuse. Yet, what did become apparent during the interviews, however, is that the further the women explained and discussed their experiences, the more understanding they seemed to develop regarding the different forms of abuse employed.

The women's actual direct experiences of domestic abuse may also have had repercussions for their articulation of events and/ or their willingness to disclose particular details of their relationships. The 'silencing effect' of domestic abuse (Hague and Mullender, 2005) may also contribute to a woman's actual ability or willingness to disclose details of her relationship, as, for example, previous disclosures may not have been believed or may have received negative responses. Silencing may also refer to survivors' inability to find the words or language to describe their experiences (see Comack, 2000). This may also directly relate to the specific forms of control exerted by the abuse perpetrator such as controlling of the victim's communications with others or indeed threats from the perpetrator that telling anyone about the abuse would result in punishment or retaliation (Comack, 2000). In addition, as many of the terms employed to describe experiences of abuse are also laden with stigma or reference stereotypical ideas of abuse this can also reflect 'social censure' which may impact upon a woman's willingness to tell her story (Comack, 2000). Finally, it is also important to reiterate the emotive nature of discussing domestic abuse and recollecting memories about traumatic events, as discussed earlier, which was

evidenced by the women's emotions during their interviews. As Hague and Mullender (2005) note, many barriers exist to participating in research about domestic abuse including research participant's personal struggles in addressing (and consequently having to articulate) their own, often painful, memory of events. As a consequence, although the women's accounts of their experiences were rich and detailed, it is important to acknowledge that they may have chosen not to, or may have been unable, to disclose or discuss every aspect of their experiences, due to the reasons discussed above. Therefore the courage of the women who were involved in this research must be recognised and acknowledged, particularly their strengths in recounting such personal and painful events in their lives.

The barriers that women can face when attempting to discuss their experiences of domestic abuse were particularly evident during the fieldwork process of this research, as it was difficult recruiting the necessary number of women required for the sample, hence why the sampling amendment was made. Women's reluctance to participate in this research could have been as a result of any, or a combination of, the range of factors outlined above. Although women can face a myriad of obstacles when attempting to discuss their experiences of domestic abuse some of those who took part in this research actually commented upon the positive effect being able to tell their stories had had for them. Participants feeling that their participation in trauma research had been a positive experience has also been documented by DePrince and Chu (2008); Cromer *et al.*, (2006); Newman *et al.*, (1999) and Kelly, (1988). In particular some of the participants expressed how they felt their involvement in the research was beneficial to them or stated that they appreciated the opportunity to be listened to, particularly in what they viewed as a non-judgemental environment. As this data extract from Charlie-Ann illustrates:

It's nice to be able to actually be completely honest and let it out, and not, oh, you know, 'you've done wrong by giving your kids away, or you've done wrong by this'. Do you know what I mean? It's nice

not.....you're not looking at me with disgust or anything, where anybody else would be. And I know I've made mistakes and I can't change them. I can only try to help 'em a little bit better for others in the future (Charlie-Ann, p29, line 5.)

Thus, despite a range of factors that may impact upon a woman's ability or desire to share her experiences it is imperative to state that such factors do not detract from the women's stories, as in whatever way they were expressed they are valid, informative and important. Further, the interviews with the women for this research did generate a wealth of data from which a range of conclusions were drawn.

**a. In her own words**

Prior to presenting the findings of this research it is important to briefly address the presentation of the data itself from which the findings were generated. The interview data included in the following chapters are presented verbatim as the absence of editing ensures the integrity of the women's statements is maintained (Ferraro, 2006). As Ferraro notes; often the language employed by and the way the women tell their stories is not 'clean', and as a consequence the resulting data may sometimes be difficult to read. Importantly this does, however, represent the complexities, difficulties and emotions involved in the recollection of painful memories, which are synonymous with the women's lives and experiences. In line with the feminist approach taken, it was important to place the women's voices and accounts at the centre of the discourse. Therefore, the interview text presented is depicted as closely as possible to how the women articulated their experiences in the hope of avoiding any suppression of emotion or attempt to control the ways in which women chose to express themselves. Consequently, the interview text also includes indications of women's laughter, crying and where words were given particular emphasis by the women. This replicates the approach taken both by Comack (2000) and Kelly (1988)

within their research as it helps illustrate the nuances of the women's expressions and the emotions behind the stories told.

The next two chapters will present the findings of the research which are firmly grounded in the experiences and accounts of the female offenders themselves, supported by extracts from the probation service practitioner interviews.

## **CHAPTER FOUR: RESEARCH FINDINGS – SUBJUGATION AND SELF-PRESERVATION**

### **4.1 Explaining the relationship between domestic abuse and women's offending: how a woman's experience of domestic abuse can influence her involvement in crime**

The following two data analysis chapters present the women's accounts of the ways in which their experiences of domestic abuse have influenced their involvement in crime. The foundations of these chapters are firmly embedded in the experiences and perceptions of the female offenders who participated in the research. Significantly the narratives drawn upon within chapters four and five reflect upon the women's words and descriptions both in terms of what they said and how they described their experiences. But, in addition, as a result of a deeper observation/ consciousness of the women's behaviour in the interviews themselves, the analysis contained within these chapters also reflect upon what the women *did not* say. Being conscious of what the women did not voice, specifically contextualised by women's domestic abuse victimisation and the control often exerted over their communications, was particularly salient when approaching the data analysis. Being sensitive to, or cognisant of, times when the women appeared to be withholding information or, alternatively, embellishing the facts, consequently allowed for a more nuanced and realistic presentation of the women's stories. This process was, however, something which, of course, was contoured by the researcher's perspectives and contemplation of the women's recollections of their experiences. Consequently the findings presented within these chapters do not simply report the stories recounted by the women who participated in the research but also reflect upon the unspoken, drawing upon the perceptions, understanding and analyses of the researcher.

The primary aim of the next two chapters is to introduce and explore the ways in which women's experiences of domestic abuse influenced their involvement in crime. Importantly the analyses will convey how the women's recollection of their

experiences and actions reflect the diversity of both the forms of abuse they experienced, and the range of crimes they committed, demonstrating the complexity and variety of the relationship between domestic abuse and women's offending. The women's narratives reflect and describe how their involvement in crime occurred as a consequence of the multifaceted means of coping that they employed to manage or escape the domestic abuse they were subjected to. Moreover, the women's description of events often illustrated how their means of coping were significantly restricted and constrained by the domestic abuse they experienced, limiting both their *opportunity* for action and the *type* of action available to be taken by them. The aim of the following data analysis chapters is therefore to present and explore the different means of coping that women utilised to respond to the domestic abuse they experienced that were identified in this research, and how such responses, determined and conditioned by the domestic abuse inflicted upon them, influenced their involvement in crime.

This chapter will begin with an introduction to the overarching theme of women's means of coping with, or responding to, their experiences of domestic abuse, which were identified in this research as having influenced their involvement in crime. The chapter will then outline the four subthemes established within this study which explore four different manifestations of the ways in which women's coping with, responses to, or attempts to escape domestic abuse influenced their involvement in crime. The first data chapter will discuss in detail the first two subthemes, which explicitly depict the limitations imposed upon women's means of coping as a result of the domestic abuse experienced. The second data chapter will introduce and examine the final two subthemes, which begin to illustrate women's more active forms of coping with, or responding to, domestic abuse. The order in which the subthemes will be presented therefore reflect a continuum of agency in the women's coping actions and opportunities, reflecting both their ability to cope with the abuse experienced, as well as the options for coping or actions available to them.

**a. How women's forms of coping with domestic abuse can influence their involvement in crime**

Most of the women's offending related to different forms of *coping* with domestic abuse, and the women's *responses* to the power and control exerted within their relationships by the abuse perpetrator. In particular, women's involvement in crime resulted from their responses to the distinct power *imbalance* they were subjected to, which was facilitated, created or imposed by the domestic abuse perpetrated against them. The women's subordinate position was also often compounded by the social circumstances in which the women found themselves (which could pre-date the domestic abuse or instead be introduced, and/or exacerbated by their experience of domestic abuse). In many cases the women's coping options were significantly limited, and in some cases this was as a consequence of the domestic abuse experienced. Alternatively their options for actions could be further restricted by societal factors including poverty or lack of education which compounded their lack of options. Therefore the crimes committed by the women involved in this study could be interpreted as a *by-product* of their experience of domestic abuse, or their attempt to cope with it, enacted via their means of responding to; surviving; resisting or attempting to escape (temporarily, permanently, figuratively or literally); or exiting either a current *or* previous domestic abuse relationship/ situation.

This analysis therefore acknowledges both the immediate and longitudinal responses to the domestic abuse women experienced, therefore influencing or affecting their involvement in crime either directly or indirectly. Importantly, this study's emphasis upon recognising the long-term consequences of a woman's experience of domestic abuse upon her behaviour and actions, and specifically her involvement in crime, is what differentiates this research from most of the existing literature. Much of the existing research has focused predominantly upon women's immediate responses to the domestic abuse they have experienced and, in particular, how women simply commit crime with, against or for (at the request of, or as a result of coercion/threats) their abuse perpetrator (Jones, 2008; Ferraro, 2006; Browne, 1987; Walker, 1984).



Although this research found evidence to corroborate existing studies, most significantly it demonstrated the need to adopt a broader viewpoint to adequately explore the ways in which a woman's experience of domestic abuse may influence her involvement in crime. In particular, this research affirms the need to specifically acknowledge the long-term effects of domestic abuse upon women's behaviour, including women's actions enacted outside of their abusive relationship, or indeed after the abuse had ceased.

**b. Women's diverse means of coping with, or responding to, domestic abuse**

The term 'coping' employed throughout the data analysis chapters is based upon Kelly's (1988: 160) definition which describes coping as 'the actions taken to avoid or control distress [where] women's coping responses are active, constructive adaptations to experiences of abuse.' This study employs this particular definition to recognise that all women's responses, whether perceived as passive or active, still represent some form of action taken by the woman to cope with or address the abuse she has experienced. In reference to this study's employment of a symbolic interactionist approach, Kelly's conceptualisation of coping is also relevant as it recognises the individual and subjective context of each woman's experience of abuse and her subsequent reaction to it:

*the responses of any particular woman will depend on how she defines her experience, the context within which it occurs and the resources which are available to her at the time and subsequently (Kelly, 1988: 160).*

Although the approach taken in this research attests to the agency involved in the women's actions and responses, it also recognises that not all responses or means of coping will indeed be recognised as agentic nor will they all have positive outcomes. Consequently, Kelly (1988) does note that the effectiveness of the women's strategies

may vary, both in the short or long term, and in addition the coping mechanisms that women employ may involve some 'costs' to them. For women who are subjected to domestic abuse, or coercive control, Stark (2007: 216) argues that agency and victimisation co-exist simultaneously and women attempt to exercise:

*...“control in the context of no control.” This seeming paradox is actualised in both the literal assertion of subjectivity in abusive relationships through open resistance, refusal, and the adaptation of safety and survival plans and when women nest their subjectivity in behaviours, control strategies or personhood while conveying seeming compliance to the perpetrator.*

Therefore the restrictions on women's behaviour enforced and conditioned by the domestic abuse perpetrated against them does not completely prevent women from taking some form of action, whether appearing passive or acquiescing to the abuse perpetrator. The various forms of coping actions taken by the women and how such actions influenced their involvement in crime will now be introduced.

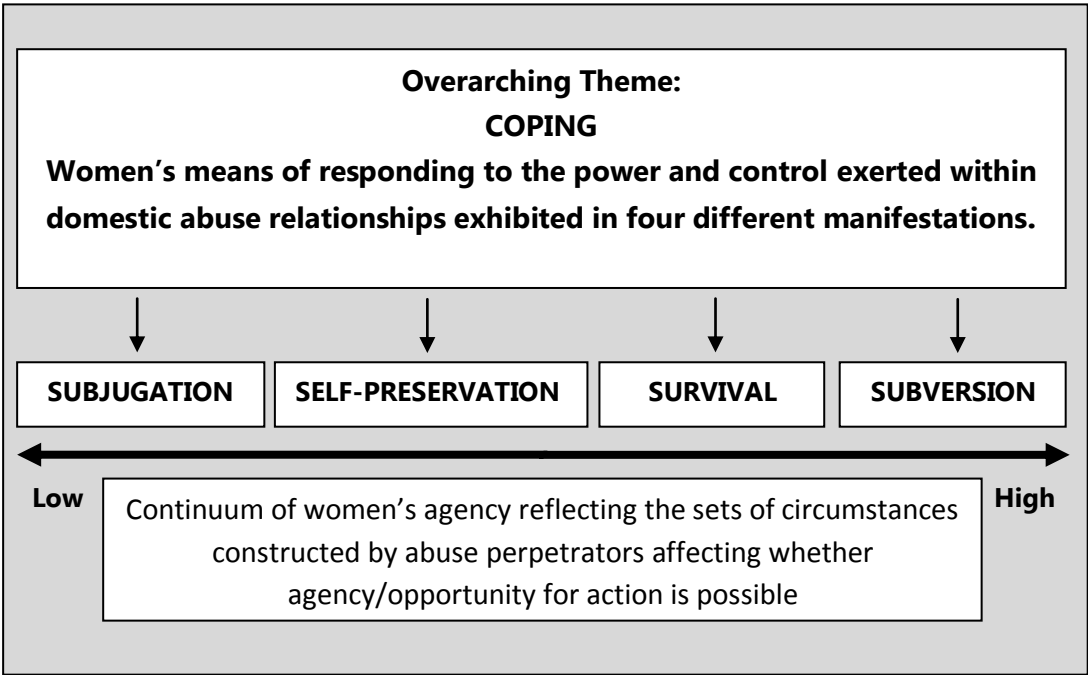
#### **c. How women cope: Subjugation, self-preservation, survival and subversion**

The subthemes were developed via an inductive approach to the data analysis, allowing the data itself to inform the identification and grouping of subthemes in response to the research questions. Drawing upon Kelly's (1988) theories of 'resistance, coping and survival' the titles of the subthemes were established to represent four distinct means of coping with domestic abuse that women in this research employed to respond to, resist or survive the domestic abuse they were experiencing or had experienced. The terminology employed attempts to describe the perceived motivations behind the women's actions or means of coping, which they employed in response to their experiences of domestic abuse and that consequently influenced their involvement in crime. The thematic titles were also chosen to illustrate the differing levels of agency involved in the women's various coping

behaviour or actions demonstrating the increased levels of agency when travelling along the continuum of coping mechanisms (as illustrated in Figure 2 below).

The subthemes identified in this study have been divided into the following four subthemes or categories with the first category focusing upon the behaviour and actions of domestic abuse perpetrators and the final three discussing the coping mechanisms utilised by the victims of domestic abuse:

**Figure 2: Exploring the relationship between domestic abuse and offending in women: Overview of themes**



The two data chapters will introduce, define and explore in detail the four subthemes introduced above. They will discuss women's involvement in crime providing a range of illustrative data drawn from interviews conducted with the female offender sample, demonstrating how their offending can be clearly contextualised by their experiences

of domestic abuse. They will also utilise data collected in the practitioner interviews where the content supplements or expands upon the women's perspectives.

**d. The wide-reaching effect of domestic abuse upon women's behaviour**

The findings of this research suggest that women's criminal offences can occur in a much broader context than is usually understood when examining the relationship between domestic abuse and women's offending. Rather than women simply offending against an abuse perpetrator, with an abuse perpetrator, or being forced or coerced by an abuse perpetrator to commit a crime, instead crimes can be committed by victims of domestic abuse:

- Without the abuser present;
- After they have exited an abusive relationship or situation;
- Many years after the relationship and/or abuse have ended.

It is of course important to assert that the subthemes presented below do not provide a generalisable theory of women's crime applicable to all female offenders who have experienced domestic abuse. Instead, the subthemes seek to provide further insight into, and explanation of, the complex relationship between domestic abuse and female offending, providing some examples of how a woman's experience of domestic abuse may influence her involvement in crime. This study will therefore replicate Segrave and Carlton's (2010) research, by providing an exploration of women's offending which is contextualised by, and reflective of, the realities of this population's prevalent experience of trauma - without generating theory that applies to all female offenders. As Comack (2000: 82) acknowledges, it is not possible to generate universal theory of women's offending as: '[the female offenders'] lives and the circumstances which brought them into conflict with the law are far too complex to be explained in some mono-causal or reductionist fashion'.

## 4.2 Subjugation

### a. Subjugation A: Using the Criminal Justice System as a tool of domestic abuse

...he wouldn't go away, that was why the conviction was there because I couldn't physically or mentally find the strength, the police couldn't stop him, he breached the bail conditions countless times and there was no getting rid of him and, like I say...he reported the offence himself which he drew it to attention anyway that he was back and forth to the property (Sian, p19, line 15).

The first subtheme that will be explored in this chapter, 'subjugation', differentiates itself from the remaining three subthemes in that it does not focus upon the behaviour or coping mechanisms of the women, but instead centres upon the actions of the perpetrators of domestic abuse. The term subjugation draws upon early radical feminist theory that identified male supremacy and female subjugation as firmly embedded in the roots of women's oppression within society (Donovan, 2012). Subjugation, which describes bringing something (or someone) under complete control - to make submissive or subservient - relates directly to the dynamics of an abusive relationship where a distinct power imbalance is created and maintained by the abuse perpetrator (and which is reinforced by a patriarchal society). In the context of this subtheme, the term subjugation represents abuse perpetrators' attempts to completely overpower, dominate and to control absolutely. It also references Downs' (1996) brief discussions of subjugation which stem from the actions of 'battered' women's advocates. The significance of Downs' discussion is that he referenced the advocates' desire for society to understand that a woman's subjugation is not a result of a woman voluntarily surrendering her will but instead victimisation is imposed upon the woman by her oppressor (the abuse perpetrator). In the context of this research, 'subjugation' therefore describes how abuse perpetrators employ the CJS as a weapon of abuse or further means of exerting power and control.

As the data extract from Sian above illustrates, subjugation demonstrates how, either as part of or as an extension of the abuse perpetrators enforce, they can facilitate or influence a woman's involvement in crime. As Sian describes above, her domestic abuse perpetrator constructed a set of circumstances that culminated in a criminal conviction for her as a result of his deliberate and sustained attempts at subjugation. Therefore this subtheme provides evidence depicting how an abuse perpetrator can subject or impose particular mechanisms of power and control which create an imbalance of power, weighted in the abuser's favour, subsequently creating a set of circumstances which can cause or facilitate the abuse victim's involvement in crime. For example, Sian's case highlighted how domestic abuse perpetrators can employ the CJS as a further weapon of abuse, or as a means of exerting control over the victim. Her case demonstrates the wide-reaching extent and all-consuming nature of domestic abuse, that clearly reflects the meaning of the term subjugation: to bring under control, make submissive or subservient.

Sian, aged 30, had experienced domestic abuse within three relationships over a period of 14 years and the data extract above refers to her second abusive partner, whom she had been in a relationship with for eight years. She described how her ex-husband, by accusing her of benefit fraud, employed the CJS as a means of exerting power and control over her after she had attempted to end their relationship. Not only did Sian's ex-husband report the offence himself, it appeared that as part of the domestic abuse he subjected her to he also actively constructed a set of circumstances to make it appear that she was guilty of the crime. Sian describes her ex-husband's actions:

Initially I just, well I wasn't with my husband, erm, but he was continuously turning up to my property, if I'd pick the kids up from school he'd push his way through the door as I got there, he wouldn't

leave for days on end, he'd steal my house keys so that he could let himself in and out. Erm, I then had a report that I'd been accused of benefit fraud and he did admit at one point that it was him who had reported it. Erm, but because he was seen continually coming in and out of property, with keys, erm, it looked like he was still living there (Sian, p16, line 17).

The interview extract above refers to when Sian had attempted to exit her abusive relationship with her ex-husband and was living alone with her children in a Housing Association property claiming single parent benefits. Her attempt to leave her ex-husband, which could be perceived as an effort to regain power from her abuse perpetrator, through re-building her life, seeking her own accommodation and living independently, was met with her abuser's retaliatory actions seeking to reinstate his power and authority within their relationship. Therefore it could be perceived that Sian's effort to subvert the imbalance of power within her abusive relationship was met with a stronger reprisal by her abuse perpetrator. Her ex-husband employed the CJS to punish her and restrict her options of escape from the relationship, as a result of his intent to regain control over her and their relationship. This reflects Wilcox's (2006: 24) finding from her research that:

*It was when women decided to seriously and overtly resist being controlled that the men [abuse perpetrators] increased their levels of abuse/ violence in order to reinstate and maintain their notion of "social order."*

The excerpt below supports Wilcox's theory of abuse perpetrators attempting to reinstate their notion of social order as it illustrates how Sian's ex-husband attempted to force her back into the relationship through facilitating her financial dependence on

him using the CJS to accomplish this. Sian described why she thought her ex-husband had reported the offence:

...just to try and make me financially dependent on him because if they stop my money, then I would have to go back to him and it was just more like harassment; it was just non-stop with him. Literally physically and emotionally draining...in the middle I got a life-time restraining order against him...he doesn't know where I am, so, I'm a little bit more protected now but it is literally the extent I had to go to, to get away from him was beyond a joke (Sian, p6, line 1).

Therefore it could be argued that the abuse perpetrator employed the CJS as a tool of domestic abuse, subjecting Sian to an offence, which she states she did not commit. As the data above describes, Sian perceived that her perpetrator's actions were motivated by his desire to force her back into the abusive relationship. Consequently, her ex-husband created a set of circumstances through his use of physical, emotional and financial abuse, from which she was unable to escape. Furthermore the above interview extract demonstrates the all-consuming nature of the domestic abuse Sian was subjected to and which facilitated her conviction - a situation clearly reflecting the subtheme of subjugation as this term denotes the process of bringing under control or making subservient or submissive. The data extract below demonstrates the extent of abuse enforced upon her and the levels of manipulation her partner engaged in to create the circumstances in which she was convicted of the offence, again illustrating her subjugation:

...he'd help me out with things he'd be like...well take out a catalogue, do it in my name... Erm, because our bank account was joint.....which all linked in with the benefit fraud then because they were saying well no, he has got things registered to this address...he signed his car over



to me...but he never gave me the log books or anything, I never signed for the car, erm, see he kept saying to me, it's my car, I'm lending you my car, I'm being nice, I'm letting you have it...so in my mind I'm thinking credit where credit's due but it was all just games to be honest. It actually surprised me how manipulative people can be (Sian, p20/1, line 20).

Instead of Sian committing an offence to escape the relationship, the data above illustrates how it was in fact her abuse perpetrator's manipulation of her circumstances that constructed a situation in which it could be perceived that she had committed a crime. Her ex-husband's motivations for facilitating Sian's involvement in crime could be viewed first as a means of punishing her for attempting to exit the relationship; second as an attempt to limit her options of escape; and finally as a means of re-introducing her dependence upon him through the financial aspect of the offence. Sian elaborates upon the ways in which the offence would have re-introduced her dependence upon her ex-partner:

It wasn't so much as to hurt me, it was to try and keep me with him because he wanted, he knew if I had no money then I would, in his opinion, I would be with him. He even tried using the kids with it as well because he'd tell me that if I, if he didn't, we couldn't be a normal family, he was gonna contact social services, he was going to get the kids removed from me, they'd live with him instead, so it was anything and everything. He wasn't interested in the kids...he wanted me and that what's all of it has been about, having that control over me and stopping me escaping from him and he used everything in his power to do it and that was, the benefit fraud was one of the big things he used (Sian, p19, line 21).

Sian's reaction to the situation she was subjected to could be interpreted as a passive means of coping with her abuser's actions, however, as Lempert (1996:281) found in her research '...passivity is an active strategy of survival' employed by domestic abuse victims as a means of self-protection. As the first interview extract in this subtheme demonstrated Sian's means of coping with the domestic abuse she was subjected to were deliberately limited by her abuser's actions, effectively debilitating her opportunity for action, culminating in her only option to submit to his control. Sian's choice to submit to her abuser's action was also compounded by the police's inability to address, or indeed, prevent, her abuser's behaviour which resulted from his distinct disregard for the law. Examples of this include his breach of bail conditions (not to contact her) and his enactment of abusive behaviour towards Sian whilst the police were present as she describes:

my husband had been quite shouty in my face, in front of the police, didn't care, erm, and the policeman just turned round and said "right stop it now before I get you done for intimidating a witness" and he still carried on doing it (Sian, p25, line 3).

Thus, the situation Sian was placed in by her abuser's actions, circumstances which were compounded by the lack of action taken by criminal justice agencies, effectively 'entrapped' (Richie, 1996) her into crime (see also Gilfus, 2002 and Welle and Falkin, 2000). Subjugation therefore demonstrates how, as a result of the domestic abuse they experience, women can be forced into submitting to an abuser's actions, which, in some cases, can lead to crime. Importantly, however, a woman's choice to submit should still be recognised as a form of *action* to cope with their experiences. For example, Lempert (1996) identified the disparity regarding people's perceptions of victims' actions asserting that although from the outside victims appear to 'acquiesce' to their abuser's control, instead victims would actively choose passivity as a strategy of resistance or survival. As Sian's case demonstrates, however, victims of domestic

abuse can be manoeuvred into situations, constructed and enforced by their abuse perpetrator, which can result in women's involvement in crime.

A further example of subjugation was provided by April who had been in an abusive relationship with her husband, a policeman, for 15 years. When April's husband became aware that she had fled the relationship, he falsely accused her of kidnapping their child, therefore utilising the CJS both as a means of punishing her for exiting the relationship, as well as employing it as a mechanism through which to locate her, as April explains:

...he tried to make out I kidnapped her, now how can you kidnap your own child? You know, it was all done [April leaving] through the domestic violence unit, they were the ones who said, look it's unsafe for you to stay here...But, um, they just said it wasn't safe for me and she [police woman] got me out of there, soon as she could and then of course because I'd actually stood up for myself then, I wasn't letting him tell me that you know, you're not going anywhere, you've gotta stay here that he just tried to have me for kidnap and it was just all nonsense (April, p5, line 5).

April's story highlights how her abuse perpetrator's position as a policeman enhanced his ability to exploit the CJS as a tool to re-exert his power and control over her. April's husband's position of authority and the knowledge (and access) which accompanied his role as a policeman further heightened the imbalance of power and control and assisted in his attempt to punish her for fleeing the relationship. As Yamamoto and Wallace (2007) highlight police officers' 'unique' access to information can result in them being able to identify locations of refuges or locate victims, thereby fleeing from a police officer who is an abuse perpetrator can be exceptionally difficult. This imbalance of power may also have been further compounded by April's husband's

possible observance of police occupational culture where members of the police are viewed as holding particular prejudices and values in relation to women (Rowe, 2014). In particular Rowe (2014: 129) noted that: 'sexist attitudes and machismo have been widely noted elements of police culture...'. Such attitudes have also arguably been reflected in the treatment of female victims of domestic violence and rape, particularly in relation to the police's failure to adequately support victims of such abuse (see Jordan, 2004). Thus, in addition to the power afforded to April's husband as a result of his authority as a police officer his treatment of her may also have been contributed to by wider police culture and the views held about women. April's situation was also further compounded by her inability to report any instances of previous domestic abuse which she stated was due to her husband being part of law enforcement. As Yamamoto and Wallace (2007) note, victims of domestic abuse perpetrated by police officers face a unique situation of 'powerlessness' whereby the abuser is often well known within the local community and well-respected by their police service colleagues. As a consequence victims are often unwilling to report their abuse or seek support. Hence, April's reluctance to report the abuse perpetrated against her could be perceived to have been further affected as a result of those people to whom she could report the incidents being her husband's colleagues. In addition to this, however, and in relation to police occupational culture, it could be that her husband's colleagues may have shared his views in relation to women and their treatment. The prevalence of sexist attitudes within the police service, the foundations of which may stem from its origins as a male-dominated institution, and how these attitudes impact upon the treatment of women as victims of crime have been widely documented (Rowe 2014; Jordan, 2004). Finally, April's reluctance to report the abuse she experienced may also have been compounded by April's awareness of the historical trends of criminal justice institutions' trivialisation of cases of domestic abuse and the negative treatment of victims (see HMIC, 2014; Buzawa, Buzawa and Stark, 2012; Saunders and Size, 1986) therefore culminating in a situation where April's avenues of support were distinctly limited.

April's situation visibly embodies the subtheme of subjugation as it demonstrates the wide range of mechanisms available to her abuse perpetrator to continue or extend the abuse he inflicted upon her. His role within law enforcement provided him with privileged access to, and knowledge of the CJS, which he employed as a further mechanism of abuse. Despite his attempts to both punish April for leaving the relationship and to locate her she was not convicted of kidnapping, as she recalls:

No [I wasn't charged], I, I just got taken to the police station with...the woman who was working in the refuge and she just ripped them apart basically, she just told them they was being stupid and all this was, was to try and find out where I lived because all they wanted, they wanted me to give an address of where I was staying and it was like, no! (April, p5, line 20).

Although this experience was only briefly mentioned by April, it is important to include in this chapter as it demonstrates how the CJS can be employed by perpetrators as yet another mechanism within the arsenal of available weapons which domestic abuse perpetrators utilise. In addition, the concept of subjugation also illustrates how the position that the domestic abuse perpetrator occupies within society can further exacerbate the imbalance of power that victims are subjected to, subsequently heightening their vulnerability.<sup>47</sup>

Further evidence of abuse perpetrators employing the CJS as a means of exerting power and control over their victims was established through the practitioner interviews. As these two practitioners describe:

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<sup>47</sup> April will be discussed again in the next chapter as her experiences of domestic abuse had a deeper, longitudinal effect upon her behaviour and means of coping which subsequently influenced her involvement in crime many decades after she had exited her abusive relationship.

...the case I mentioned, benefit fraud, as well that was a weapon used against her. Well if you do this, or I'm gonna report you for benefit fraud...it's always like that fear, that weapon (Practitioner Two, p6, line 25).

[Women] actually sometimes end up being before the court because that's another aspect of control that the man may have over them whereas they [the victims] would ordin...would never, um, be brave enough, or whatever, to, to take that action against the, the man. In a way that's sort of the height of being a victim, you know, of victimisation then isn't it, because we're actually dealing with people for being perpetrators of a crime that they're really the victim of, you know, so turns, flips the whole thing on to its head and it's really, really difficult, um, to deal with (Practitioner 15, p12, line 42).

As these practitioners emphasise, subjugation can include when women are subjected to the power and control of their abuse perpetrator who employs the CJS as a further tool or 'weapon' (Practitioner 2) of domestic abuse or as a further means of exerting control over the abuse victim. Threatening to report domestic abuse victims to the police, probation or escalate accusations to the court were clearly identified by both the female offender and practitioner samples as mechanisms which could be employed as part of the domestic abuse inflicted upon victims. As Practitioner 15 specifically identified, domestic abuse perpetrators would, in some cases, accuse their victims of actually perpetrating domestic abuse, a process that Practitioner 15 identified as the 'height of being a victim.' In such contexts the CJS can arguably further victimise the domestic abuse victim; this is often compounded by the victim's inability to report any prior experiences of domestic abuse, seek help or escape the relationship. This form of subjugation was apparent in Mary's interview, where she had been convicted of domestic violence against her abusive partner. Mary had experienced domestic abuse in her relationship for over 20 years and described acting

out against her abuse perpetrator, in self-defence, on one occasion. She viewed her abusive partner's actions of escalating his accusation to court as a means of punishing her for attempting to exit the relationship as well as punishing her for subservience:

I blew once and then I got into trouble for it like, but even the police were saying because he'd made.....which is fair enough, if they've got to.....you know, if I'd made a complaint against somebody and they said we'll just leave it then, you know, but I'd be annoyed as well, if they're just doing their job, you know, but. Oh yeah he done it to punish me 'cause it's like well she's, yeah, she's well 'cause obviously 'cause I hit him he's thinking, oh hang on a minute she's got the last, she's not having the last say now and that's why he, he went all the way to the courts (Mary, p29, line 5).

Abuse perpetrators threatening to report their victims to particular agencies as part of the domestic abuse they inflict has previously been acknowledged in a similar context to the one identified in this research. Existing research (Domestic Abuse Intervention Programs, 2011; Hester, Pearson and Harwin with Abrahams, 2007; Craven, 2005; Humphreys and Thiara, 2002; Richie, 1996) has demonstrated how domestic abuse perpetrators use threats of reporting their victims to agencies such as social/children's services or government departments, such as the Department of Work and Pensions (DWP), as a means of exerting control over them. For example, abuse perpetrators may threaten to report their victim to social or children's services where they would inform social services that the victim has committed child neglect or abuse, whereby this action is undertaken as a means of controlling, manipulating or abusing the victim. The Duluth Power and Control Wheel (Domestic Abuse Intervention Programs, 2011: n.p.) references this type of controlling behaviour as it includes 'threatening to report her [the victim of domestic abuse] to welfare' as an example of a means of coercion and threat employed by domestic abuse perpetrators. Humphreys and Thiara (2002) also identified perpetrators' use of threats to report women to child protection

services as a tactic of domestic abuse. Furthermore, in the study undertaken for the researcher's Masters degree, one research participant recalled how her abuse perpetrator actually facilitated her involvement in crime through such threats. In this case the woman had been accused of child neglect and explained the circumstances surrounding the alleged offence:

*...my children got injured by the heater and got burnt and I got scared 'cause I was going to take them to hospital you know, to seek medical assistance, but he [the abusive partner] told me that if you take them to the hospital social services will come and take your child away, because from his previous marriage from his ex-wife and his, and his other children, he had social services involved and had all these stories about what they [social services] did and what they're like so he really scared me, so I never actually took the kids to the hospital, just dealt with the injuries as best as I can (Roberts, 2006: 83).*

The data extract above demonstrates how an abuse perpetrator can control or manipulate a woman's behaviour simply through mentioning the possibility of social services intervening in her life, an effective threat inferring that the women's children may be removed from her care. Tactics such as this were acknowledged by Humphreys and Thiara (2002) who identified that 58 per cent of women who had contact with children's statutory services were concerned that their children may be removed from them. Humphreys and Thiara recognised this as a deliberate tactic employed by abuse perpetrators to maintain power and control over their abuse victim. Within the subtheme of subjugation, this process of employing a particular agency to control and manipulate a victim's behaviour and actions is replicated but instead through the use of the CJS rather than children's or social services.



**b. Subjugation B: How a woman's experience of domestic abuse can affect her ability to carry out her sentence**

...I'm on licence, he's ringing the police saying that, um...'cause I'm with my new partner...he's phoned the coppers saying I'm living up there, I'm out in the pub, I'm doing this, I'm doing that [breaching my licence conditions], do you know what I mean, where I ain't, and his, he've told [children's agency], the woman, that he'd be happy if, um, I had nothing to do with the kids now, he got a new wife, he wants a new life and he's trying to get me back to jail. That's, he said that to [children's agency worker] (Summer, p 7, line 28).

The data collected in the women's interviews, elicited the need for further expansion of the subjugation subtheme. The women's narratives indicated that their experiences of domestic abuse could have much wider repercussions for their broader interaction with the law and criminal justice agencies. A small number of female offenders indicated that their experience of domestic abuse had interfered with their ability to carry out their sentences, a finding that was also echoed in the practitioner interviews. Although only a minority of women identified their experience of domestic abuse as impacting upon their ability to comply with their order or licence<sup>48</sup>, these findings are of particular importance as they arguably have implications for criminal justice policy and practice in reference to the management of female offenders serving their sentences in the community.

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<sup>48</sup> The small number of women that indicated that their experiences of domestic abuse had influenced their ability to comply with their sentences could also reflect the smaller number of women that were experiencing domestic abuse at the time of interview. As most respondents were not experiencing domestic abuse at the time of the research, and they were describing their experiences retrospectively, this could therefore explain why their experiences of domestic abuse would not have therefore affected their ability to comply.

As Summer's interview extract above demonstrates, abusers can also use women's sentences, or the victim's involvement with criminal justice agencies, as a weapon of domestic abuse; as a means of exerting further power and control or inflicting additional abuse upon their victims. Summer explained that her ex-partner explicitly stated how he was trying to instigate her return to prison and actively attempted to interfere with her licence conditions. As Summer had only recently been released from prison, any breach of her licence would have had a significant impact upon her, including the possibility of her being recalled to prison. Therefore, a secondary component of subjugation refers to abuse perpetrator's ability to use women's doubly subordinate position, as both victim of domestic abuse and as a female offender, to further dominate the victim and to exert or reinforce the distinct imbalance of power present within domestic abuse relationships.

This aspect of subjugation was also identified on numerous occasions by probation service staff. Practitioner 6 highlights how abusers would utilise the women's sentences as a means of exerting further power and control:

... they hold that string over [the female offenders] by saying I'll send you back to prison, you know, you've got kids, we'll take, you know, you won't be able to see your kids when you're back in prison, look what I can do, I've got the power to do it, you're, you're stuck or, you know, yeah I've got, yeah loads of examples of people just, you know, threatening that really to their partners... (Practitioner 6, Part 2, p19, line 15).

Practitioner 2 also illustrates how domestic abuse victims are particularly vulnerable, as a result of their doubly subordinate position as victim of domestic abuse in combination with being subject to strict conditions or requirements as part of their sentences, to this type of manipulation:

...I think in cases of domestic violence, because women are on an order they've got to comply with certain conditions, I think, in a way, they're almost more vulnerable. Particularly if you've got a partner who is very manipulative, they can use that and use that fear and intimidation and 'if you do this, I'm going to tell probation you were doing this'... (Practitioner 2, p6, line 29).

The data from both practitioner interviews demonstrate how the CJS and the woman's involvement with it can therefore be employed, by the abuse perpetrator, as an additional weapon of power and control, and the significance of this is that this aspect of abuse can cause women further problems with the law. An extension of this secondary component of subjugation also illustrates how interference with women's ability to comply with their sentences is not always deliberately enforced by the abuse perpetrators but in addition can also manifest as a by-product of the woman's general experience of domestic abuse (i.e. the levels of control women can be subjected to within the relationship). For example, Skye spoke of how her day-to-day experiences of abuse affected her ability to serve her sentence in the community:

...I had probation but I weren't attending because of [abusive ex-partner], 'cause I was too scared to go to town because...if I went to town, I'd go back home and he'd hit me or whatever and say well, why, what was you in town for, for so, so, so long and that, I've been timing you, you've been about 3 hours, 4 hours, it only takes you about an hour to get to probation and back, do you know what I mean, it don't matter where I've gone, do you know what I mean as long as I'm, as long as I'm home I'm alright, do you know what I mean, he didn't like that whatsoever (Skye, p12, line 15).

The extent of power and control that victims of domestic abuse can be subjected to, and subsequently how this could impact upon a woman's ability to comply, was also evidenced during the interview process for this research. During one interview a woman had to ensure she left at a pre-arranged time as her abusive partner monitored the timeframe of her attendance at probation. Again, a large number of practitioners also referenced how a woman's experience of domestic abuse can interfere with a woman's ability to carry out her sentence including Practitioner 15 who elaborated upon the range of effects a woman's experience of abuse can have upon her ability to comply:

...it could be a whole range of things, the partner could be literally preventing them from attending either because they don't want them to attend or just by, they don't want them to leave the house at all, or whatever. It could be issues of shame whereby they don't wanna come in and present because of they've got injuries or because they don't wanna talk about the issues that are coming up before them. Um, it could just lead to that such chaos.....you know, chaotic or other issues that they aren't able to comply, that they aren't able to manage their time effectively, um, so all sorts of things really but I think, yeah, it can definitely have an impact... (Practitioner 15, p39, line 3).

This coincides with the findings of Vickers and Wilcox's (2011) research which identified a range of ways that women serving sentences in the community can be affected by their experience of domestic abuse including female offender's abusive partners also attending probation (as an offender and consequently leading to a woman's reluctance to visit the probation office, something which was referenced by numerous practitioners in this research); and female offenders being accompanied by abusive partners to their probation appointments or being followed by their abuser to their appointment. Therefore a perpetrator's abusive behaviour can have a significant impact upon a woman's ability to comply with her sentence. In addition, however, a

woman's status as an offender can also be exploited by abuse perpetrators as her '...involvement with the justice system can [also] be an effective means of maintaining power and control over [her]' (Vickers and Wilcox, 2011:25). Importantly, Vickers and Wilcox highlight that for women experiencing domestic abuse complying with an order or licence may therefore not be their primary priority as coping with the domestic abuse they are experiencing can often supersede this. This perspective is supported by Skye's experience as her abuser's actions prevented her from attending probation despite the consequences of this (i.e. she ended up in breach of her probation order requirements), since her priority was to avoid physical abuse from her partner. Richie's (1996) study also recognised that abused women would prioritise what was requested or demanded by their abuse perpetrator as the risk of not doing so had greater consequences for the woman than a criminal offence, particularly where women had experienced death threats from their abusers. Therefore, as this research demonstrates, 'women's law violations [in their range of different forms] become part of coping with, resisting and surviving experiences of abuse' (Comack, 2000:83).

The subtheme of subjugation demonstrates how perpetrators of domestic abuse can actively facilitate a woman's involvement in crime by employing the CJS as a weapon or tool of domestic abuse. This finding replicates actions taken by perpetrators which are already recognised as a mechanism of domestic abuse where the threat of reporting victims to statutory agencies, such as social services, is employed as a further means of abuse or control (Domestic Abuse Intervention Programs, 2011; Hester *et al.*, 2007; Humphreys and Thiara, 2002; McWilliams and McKiernan, 1993). In the case of subjugation it is instead criminal justice agencies and the threat of reporting an aspect of the victim's (actual or fabricated) behaviour to them that replace children's or social services as the mechanism through which the threat will be enacted. In summary, the cases included in this section demonstrate how subjugation can facilitate or cause a woman's involvement in crime, report a victim's (in some cases only alleged or indeed fabricated) crime, or escalate offence charges:

- As part of the abuse inflicted within an abusive relationship;

- As a means of punishing the victim for attempting to leave or for having left the relationship;
- Or as a means of attempting to draw the victim back into the relationship.

The broad context in which subjugation can occur demonstrates the influence and extent of abuse enacted by domestic abuse perpetrators and the many varying contexts in which domestic abuse can influence a woman's behaviour or actions, including after she has left the relationship.

The secondary component of subjugation also presents an important finding as it has direct implications for probation service practice and policy. As the interview data highlighted, a woman's experience of domestic abuse can influence her ability to carry out her sentence in the community. This is a finding which therefore elaborates upon Women's Aid's (2011) statement that female offenders in the community may continue to experience domestic abuse whilst completing their sentences, and demonstrates the detrimental effect this can have upon them. As was also identified by Vickers and Wilcox (2011), the effects of the domestic abuse experienced by women serving their sentences in the community are diverse and can impact upon: a woman's ability to attend supervision meetings, her ability to comply with conditions or requirements, and consequently can facilitate breach and/or recall. The secondary manifestation of subjugation therefore further details how domestic abuse perpetrators can employ the CJS, or indeed the victim's involvement in it, as a mechanism of power and control.

Although not all cases of subjugation can be defined as deliberate, whereby the domestic abuse perpetrator intentionally uses the CJS as a means of controlling their victim, a woman's more general experience of domestic abuse can also impact upon her ability to comply with her sentence. The latter can affect a woman's involvement in crime as a by-product of the domestic abuse she experiences where she is subjected

to severe levels of power and control. One example, highlighted in Skye's interview data, demonstrated how the levels of control she experienced, such as being timed when attending probation and the physical assaults she would experience when 'late', stopped her from leaving the house altogether. Therefore subjugation clearly demonstrates one manifestation of how a woman's experience of domestic abuse may influence her involvement in crime referencing the all-consuming nature of the domestic abuse perpetrated and the actions of the abuse perpetrators used to limit, restrict and constrain women's opportunity and choice of options for action.

The next subtheme will begin to further explore women's means of coping with their experiences of abuse and how such forms of coping can influence their involvement in crime. Travelling slightly further along the continuum of women's agency, the next subtheme will present how women's choice of coping mechanisms, contoured by their lack of opportunity for action, are limited to actions for self-preservation rather than allowing the women to directly address the domestic abuse in more active ways.

### **4.3 Self-Preservation**

It is, it's...self-medicating the brain. It's like you go to the doctor, the doctor gives you a Valium, to keep you calm, do you understand? But to me, heroin, at that time, was my, was my drug, you know, I was self-medicating, to, to just shut off from the world (Robin, part one, p12, line 27).

The second subtheme 'self-preservation' examines the mechanisms employed by women to manage or cope with the domestic abuse they experience. Specifically self-preservation references women's attempts to avoid harm or to address the physical or psychological pain caused by their experiences and how, as a consequence, these attempts affected their involvement in crime. In particular this subtheme explores

women's use of drugs and alcohol as a form of escapism utilised either *during* or *after* the abusive relationship. As the data extract above from Robin demonstrates, and as both Wilcox (2006) and Moe (2004) identify, women's substance use is often a mechanism utilised to suppress or prevent feelings associated with or evoked by the domestic abuse they experience/ have experienced. As was demonstrated in Robin's case, and as Humphreys, Thiara and Regan (2005) found, survivors of domestic abuse reported the use of substances as a means of responding to, or coping with, the domestic abuse they experienced often as an attempt to numb either physical or emotional pain (see also DeHart, 2004; Moe, 2004).

Although women's drug use as a means of coping with abuse and trauma has been well visited within existing criminological literature (see for example Chesney-Lind and Pasko, 2013; Davidson, 2013; Women's Aid, 2011; Segrave and Carlton, 2010; Kaysen, Dillworth, Simpson, Waldrop, Larimer and Resick, 2007; Ferraro, 2006; Wilcox, 2006; De Hart, 2004; Moe, 2004; Rungay, 2004; Richie, 1996) and in itself is an illegal activity, this subtheme elaborates upon existing theories by acknowledging the *long-term* effect of the coping mechanisms which women employ and how such coping mechanisms can influence their involvement in crime. Therefore this section will briefly evidence how women's forms of coping with domestic abuse, such as their use of drugs or alcohol, can escalate into crime or facilitate their involvement in crime as a by-product of their means of coping with domestic abuse. In addition, this section will expand upon these already widely acknowledged theories by demonstrating how the long-term effects of women's attempts at self-preservation can also influence their involvement in crime.

#### **a. Prevalence of substance misuse as a means of coping with domestic abuse**

Within the backgrounds or histories of the female offenders interviewed for this research there was a high prevalence of substance use. Twenty-one of the 25 female offenders interviewed for this research disclosed use of drugs or alcohol, or indeed



both<sup>49</sup>, many of whom stated that this was a means of coping with, escaping or 'blocking out' the domestic abuse they were experiencing or had experienced. May describes how she used alcohol as a means of coping with her experiences of domestic abuse:

I hid, I hid behind that bottle see, to get rid of the black eyes, to get rid of the hurt, you know, he never said he loved me once and yet I put up with him for four years. The hitting, he'd say sorry, I'd take him back, the hitting would get worse then, you love being hit, he used to say to me (May, p15, line 17).

As May's interview extract emphasises and Kaysen *et al.* (2007: 1274) identified, 'coping motives are a critical component in explaining trauma-related alcohol use.' May, who had multiple convictions for drink-related crimes including a large number of drunk and disorderly offences, identified how much of her offending related to her alcohol abuse:

It's...a lot to do with domestic abuse, the black eyes.....hid behind the bottle. It's all to do with.....every man I've had they have put me down into a gutter and I mean literally in the gutter, you know, I'll feel like, tryin' a, I was trying to climb that ladder and I was sliding back down it like a piece of slime (May, p11, line 29).

As the data extract from May's interview above demonstrates, her alcohol misuse appears inextricably linked with the erosion of her self-esteem following her experiences of domestic abuse within multiple relationships. As May expresses in the

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<sup>49</sup> Substance use was either disclosed by the woman during interview or identified in her probation record in her OASys assessment.

data extract above, she had attempted to escape the domestic abuse but kept 'sliding back down' and as a result turned to alcohol as a means of 'hiding' from the domestic abuse, after which her dependence on alcohol culminated in her becoming an alcoholic. Her alcohol dependence, seemingly introduced by her experiences of domestic abuse appeared to be exacerbated by her lack of self-esteem. Her lack of self-worth, something clearly affected by her multiple experiences of domestic abuse subsequently led to further dependence upon alcohol which, in turn, led to her convictions for a number of drunk and disorderly offences. Therefore, it is important here to recognise how May's diminished sense of self-esteem and self-worth, rooted in the domestic abuse she experienced, contributed to her employing alcohol as a coping mechanism and it was under the influence of alcohol that most of her crimes were committed. It is, however, important to recognise that not all women who use alcohol as a coping mechanism will become an alcoholic, or indeed commit offences under the influence of alcohol, but for May this could be perceived as the pathway to offending that she followed. May's circumstances also demonstrate that for some women they are unable to directly and actively address the domestic abuse they are experiencing, and as a result adopt avoidance coping strategies, such as use of alcohol, as a form of self-medication (for further discussions of coping traits and styles see Moos, 1995; Lazarus, 1993; Lazarus and Folkman, 1984). The findings of Kaysen *et al.*'s (2007: 1280) study of domestic violence victims' motivations for alcohol indicated that:

*...self-medication is a viable explanatory model in that those with more severe trauma symptoms who believe that alcohol is a useful way to cope are at greater risk for heavy alcohol use and maladaptive coping.*

As Kirkwood (1993) identifies, the erosion of women's self-esteem is a key dynamic of domestic abuse, compounded by the abuse perpetrator's manipulation of their victim's circumstances in which women feel degraded, isolated and separated from external perspectives on themselves and their relationships which could otherwise provide a means to address or improve their feelings of self-worth. Therefore, women

choosing to employ mechanisms to symbolically escape from domestic abuse, including use of drugs and alcohol, can be understood in terms of their experiences of physical and emotional abuse. In addition the erosion of women's self-esteem, facilitated by their experience of domestic abuse, may also contribute to understanding women's involvement in crime. Actions taken by an abuser to shatter or erode a woman's self-esteem can subsequently lead women to believe that there is no opportunity of a future for them, particularly if they feel there is no possible escape from the relationship. As a consequence of such a belief women may then take little concern in their own well-being and disregard the criminal consequences of their coping mechanisms. For some women involvement in crime may be perceived as of little importance compared to their need to manage or cope with the abuse they are experiencing or have experienced (see also Ferraro, 2006; Richie, 1996). As May stated, until she began being supervised by probation and addressing her experiences of the trauma underlying her alcohol abuse, she did not feel she had a future: '...there was no light at the end of that tunnel for me' (May, p16, line 7). Therefore May's case demonstrates how her offending manifested as a by-product of her means of coping with her experiences of trauma, and the lengths that she needed to go to figuratively escape the domestic abuse she was subjected to. In addition, her diminished sense of self-esteem, rooted in her experiences of domestic abuse, compounded with her alcoholism to create a set of circumstances in which May had little regard for how she would be negatively affected by the means of coping she employed. The negative consequences of the coping mechanisms May utilised included her conflict with the law, which she felt was of little significance as she felt she had been '...hit...into a gutter' (May, p13, line 2) and there was nowhere lower to go.

Robin also described how she turned to drugs as a means of symbolically escaping the domestic abuse she had experienced:

I just turned to heroin from there just to switch off from what was going on and it turned from that to...just got out of control, so I started

selling heroin myself just 3 years ago and ended up doing a 3-year prison sentence, which done me the world of good, put things into perspective (Robin, part one, p6, Line 1).

Although a drug user prior to her experience of domestic abuse, Robin described turning to a stronger drug, heroin, after her abusive partner murdered a friend in her presence (an action arguably motivated by her domestic abuse perpetrator's wish to instigate fear and exert control over Robin). As she explained in the data extract above her motivation for using heroin was to figuratively escape from her experiences. In particular, it appeared that she specifically wished to avoid the feelings evoked by the culmination of the abuse she experienced which comprised of the incident when her abuser, arguably as an extension of the abuse he inflicted upon her, accused her of the aforementioned murder. Robin elaborates on how her means of coping led to her offending:

I liked how it [Heroin] made me forget, I liked how it made me.....and then I realised, oh my God, I'm going.....it's like three levels when you're using heroin. You're beginning, oh, this is good, this is great, this is making me feel so comfortable and relaxed, and I can forget everything. You've got the second stage which you think, right, where's my next fix coming tomorrow. You're thinking a day ahead. Then it gets to the point where you think I have to go out and either sell my body, commit a crime or, um, sell some drugs to.....to get my next fix (Robin, interview 2, p17, line 18).

Robin's experiences illustrate how her means of coping with domestic abuse extended later into her life, including after she and her abusive partner had separated. Her need to manage the effect domestic abuse had upon her, and particularly her need to continue using drugs as a means of coping with her experiences, led to her

involvement in crime. Robin's experiences corroborate Moloney, Van Den Bergh and Moller's (2009: 428) findings that recognise women's use of substances as self-medication or as a coping strategy can subsequently '...lead to imprisonment directly via drug [or alcohol]-related offences or by increasing the tendency for criminal behaviour.' Robin's case also illustrates the long-term effects of experiencing domestic abuse and how many women continue their use of substances, as coping mechanisms, *after* the abuse has ceased or after they have exited the abusive relationship. As Kelly (1988: 159) recognises, women who have experienced different forms of abuse continue to be '...actively engaged in a struggle to cope with the consequences...'. Therefore Kelly's statement here is important in that it points to both the active and long-term nature of women's responses to, or means of coping with, the domestic abuse they are experiencing or have experienced in the past. Women's means of coping therefore extend far beyond those utilised during the immediate experience of abuse itself. Instead, the coping mechanisms employed by women during their abuse may extend into their lives after exiting the abusive relationship or when the domestic abuse has ceased, yet still have a significant impact upon the women's behaviour and actions. This concurs with Kelly's (1988: 160) findings that 'coping strategies were used during the assault(s), in the immediate aftermath, and over time' and in Robin's case the means of coping she employed both during and after the relationship led to her involvement in crime as she needed to find the means to support her continued drug use. This long-term impact of women's forms of coping was also described by Practitioner 6:

...you're talking about people that have probably suffered abuse for a long time and are now responding or you're talking about people that have suffered abuse when they were younger and got out or whatever but still suffer in the long term, you know, so it could have been slowly using substances or coping mechanisms, you know, maladapted coping mechanisms that have now reached the point where they're now out of control and, and you know, they're now offending to manage the coping mechanism, you know...(Practitioner 6, part two, p9, line 11).

Both May and Robin's stories clearly evidence how women who have experienced domestic abuse can turn to different forms of substances as a means of coping and, as a consequence, how this may lead to their involvement in crime. In reference to the cases discussed above it may be argued that the circumstances created by domestic abuse perpetrators can restrict women's options of response or opportunities to exit the relationship subsequently only affording figurative forms of escape. Forms of coping, such as the use of drugs or alcohol, are often viewed as passive or inactive forms of coping; however, it is important to recognise the limited contexts and opportunities in which women, who are subjected to domestic abuse, may have for any form of action or indeed escape. Consequently, Wilcox (2006: 31) insists that such acts of coping or escapism employed by victims of domestic abuse should not be misinterpreted as passive but instead should be acknowledged as '...agentic acts of self-preservation (even though they may appear to be self-destructive).' Lempert (1996: 281, emphasis added) supports Wilcox's assertion and suggests that passivity instead can in fact be employed as an active approach of self-preservation; she elaborates: 'From the viewpoint of the actor, passive resistance was a strategic mode of *action* undertaken in preservation of self.' It is, however, crucial to temper these discussions with acknowledgement that although such actions may be agentic, the consequences of such actions can still be problematic or involve negative outcomes for the actor.

The subtheme of self-preservation was also evidenced in the practitioner interviews, including this description by Practitioner 15:

The alcohol use or, and/ or drug misuse will become a coping mechanism for where there are things going on in like that are unmanageable for the person...in terms of domestic violence...even if [women are] not into drug misuse and offending generally, they will

quite often use alcohol as a coping mechanism to, to sort of hide away from some of the issues and then that can lead into offending then whether it be in terms of violent or aggressive or disruptive behaviour, or whether it be, um...the acquisitive side of offending, in terms of the need to get money for substances, and there can be issues of child neglect and things that come around that side because they're, it's partly to do with the issues they're suffering and partly to do with their coping mechanisms which then make the situation worse for the children involved and so they, they may often be, um, offenders on that side of things (Practitioner 15, p9, line 6).

In this interview extract Practitioner 15 further elaborates upon how women's coping mechanisms can influence their involvement in crime manifesting as a by-product of the domestic abuse they are experiencing/ have experienced. In reference to this Practitioner 15 mentions cases of child neglect where, as a result of a woman's dependence upon alcohol or drugs, used to manage her experiences of domestic abuse, she is unable to adequately care for her children. Therefore the woman's criminal activities are not deliberate but instead manifest as a by-product of her attempts of self-preservation or to cope with domestic abuse. It must also be acknowledged that in some instances alcohol or drug use can be actively encouraged or indeed introduced by the abuse perpetrator (Women's Aid, 2011; Ferraro, 2006; Jones, 2008; Moe, 2004; Inciardi, Lockwood and Pottinger, 1993). A perpetrator encouraging or introducing their victim's substance misuse can act as a means through which to facilitate further dependency or it can allow for an extension of control and a woman's involvement in crime can occur as a by-product of this particular dynamic of domestic abuse. Consequently, in contexts such as this, a co-occurrence, or blurring, of the two different subthemes can occur; where actions of both self-preservation and subjugation can take place or be present. To elaborate, this can manifest when a woman uses substances as a coping mechanism but where this coping mechanism has been introduced by or is later further exploited by her abuse perpetrator. In reference to the latter an abuse perpetrator will therefore employ the woman's substance

misuse as a further tool of power and control employing it to reinforce the imbalance of power to the victim's disadvantage. What is also significant to note about all of the subthemes identified in this research is that they are not mutually exclusive; instead the findings of this thesis suggest that the women's means of coping are fluid, experiential and responsive to the differing experiences of domestic abuse. As will be demonstrated below and in the next chapter, this research established that women would exhibit behaviour that falls under multiple different subthemes at different stages in their lives. Therefore women would employ coping mechanisms experientially and adaptively, using different coping mechanisms at different times in response to the specific context of the abuse they were experiencing or had experienced. Therefore women may employ different coping mechanisms, for example:

- at different times during the same relationship but in response to different types of abuse/ circumstances;
- the coping mechanisms employed by a woman may change from one abusive relationship to another;
- women may employ different coping mechanisms inside and outside of their abusive relationships.

The boundaries between each of the subthemes are therefore not static or rigid, instead they are malleable and flexible thus reflecting the nature of the women's actions/ coping strategies that may blur, overlap or traverse across a number of categories. Consequently this blurring of different subthemes represents the dynamic and adaptive nature of women's behaviour and actions in reaction to the abuse experienced and the circumstances in which they find themselves. Therefore the women's employment of varying different coping strategies, or indeed in the case of subjugation the inability to act, can be explained by the women 'developing situationally responsive strategies to survive' (Lewis, Griffing, Chu, Jospitre, Sage, Madry and Primm, 2006: 350).



The co-occurrence of two subthemes, self-preservation and subjugation, can be seen in August's offence which occurred after she had left her abusive partner due to his infidelity. August had suffered from post-natal depression, which she felt had been exacerbated by her partner's affairs, and she occasionally turned to substances as a means of coping with the domestic abuse, and feelings of depression, she experienced. August was convicted of child neglect as a result of an incident where her abuse perpetrator provided her with drugs that incapacitated her for three days whilst she was the sole carer for her two young children. She explains the circumstances of the offence:

What is was, when me and him split up, we didn't see each other for like 2 months, well, then, um, one night, on a Saturday night it was, my mother had the children...I had 'em back on the Sunday and on the Sunday night...it was like a drunken text on the Saturday, so on the Sunday when I got the children into bed he was like, oh, can I come and see you? So I said, yeah, and come over with the drink and Valium...I had them [the valium] and in the morning then he left me with the 2 children and obviously, 100ml of Valium for someone who is 7 stone and I can't handle 'em, I genuinely can't. Well that whole week then was a bit of a blur really, 'cause I was on my own with the children, I was completely a mess, he shouldn't have left me with them, but he went back then to his other girlfriend and so it, the girls have said to me that they think he just wanted to give me them Valium to like make me unaware what he was up to, sort of thing. Like, I dunno if that was the intention...but obviously something happened with my baby and he had a burn on his hand, and I went...down the hospital, I was completely honest, I said I dunno how it's happened, I dunno. Well, he followed me down the hospital, come in saying, oh, she's a bad mother, she's this, she's that and I screamed back saying it's your fault, you should have never have given me that 100ml of Valium and left me with the children. So all this was getting logged

down in the hospital so I never left the hospital with my children again, so, but um, they said that even then, you know, he was abusive and very control...like, you know, just in his ways (August, p8, line 4).

During the time August was incapacitated by the Valium, her child's hand was burnt, however she was unaware how this happened. Subsequently, when she took both children to the hospital and explained what had happened, they were removed from her care and she was later convicted of child neglect. Therefore this example demonstrates how August's attempt at self-preservation (her occasional drug use) was, arguably, further exploited and used as a form of punishment by her abuser. As the event took place after August had left the relationship it could perhaps be perceived that her abuser's actions were taken to subject her to a form of punishment for the separation. This is arguably evident in her abuser's actions, which appear to deliberately demean and question her role and responsibilities as a mother. As the Freedom Programme notes, abuse perpetrators may use children as an integral part of the domestic abuse they inflict (Craven, 2005). In this situation August's abuser may be perceived as having taken on the role of the 'bad father' inflicting emotional abuse by constructing circumstances in which August may be viewed as an inadequate or irresponsible mother. As Stark (2007) notes a key component of men's control strategies derive from women's perceived gender roles and the responsibilities linked to this, such as taking primary responsibility for the care of the children. Therefore the subjugation in April's situation is enabled by her abuser exploiting her drug use to construct a situation in which April's role as a mother is questioned by statutory services. The level of subjugation is further exacerbated by the removal of August's children and the resulting criminal conviction for child neglect.

Additionally the subjugation is further reinforced as despite the part her abuser played in the offence; giving her the drugs which incapacitated her; leaving her alone and unable to care for the children, one of whom was his own, it was August *alone* that was charged and convicted of neglect. Her abusive partner was not charged for any

part in the offence; creating circumstances which exacerbated August's experience of abuse. Hence, the response of the CJS, which may be seen to reflect society's perceptions of women's roles as primary carers, extended the abuse August was subjected to. As Gilfus (2002) found women's arrest and incarceration can result from a woman's experience of abuse when she attempts to protect her children from the abuse, or in August's case, when she is unable to protect her children from abuse/ the consequences of abuse.

**b. The longitudinal effects of women's coping mechanisms upon their involvement in crime**

Women's use of substances, employed as a means of coping with their experiences of domestic abuse and how this may influence their involvement in crime has been well-visited within the existing literature. Therefore the discussions of self-preservation in the remainder of this chapter will further develop the subtheme by addressing a less well-acknowledged aspect of women's use of substances; elaborating upon the longitudinal effects of substance use/misuse upon women's offending. When exploring women's involvement in crime it is important to look more broadly than women's immediate need to cope or 'contend with' (Comack, 2000) domestic abuse, and instead examine women's coping mechanisms in a long-term context. As referenced earlier, Kelly's (1988) research identified that women employed coping strategies not only during, or at the time of their assault (or assaults), but also after the event/s, (including both in the immediate aftermath and over longer periods of time). During this research many of the women interviewed described how domestic abuse had more indirectly influenced the means of coping they employed, including both inside and outside of the domestic abuse relationships they had been involved in<sup>50</sup>. The women therefore recalled how the coping mechanisms they established/drew upon to manage the domestic abuse they were subjected to could be employed at the time of their abusive relationship as well as, in addition, after the abuse had ceased. In

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<sup>50</sup> Further contexts of women's long-term responses to their experiences of domestic abuse will also be discussed in the following chapter.

some cases the women's coping responses could manifest months or even years after they had exited the abusive relationship or after the abuse had ceased.

Linda, who was convicted of drink-driving, when asked if she felt that the domestic abuse she had experienced had influenced her involvement in crime, stated:

Oh definitely. Because of the drinking, because I never drunk before, very little and then it got when after the abuse, I, you know I felt that I didn't have anything else and it was my comfort story to myself basically, oh it's alright Linda, you can have a drink, have another one, have another one and that's how it got until in the end I just couldn't stop myself, I was drinking so much that I'd just pass out and I wouldn't remember. I'd get up the next morning, wouldn't remember what I'd done the night before (Linda, p13, line 25).

In Linda's case she was convicted of a drink-driving offence a number of years after she had exited her abusive relationship but, as the data extract above illustrates, she perceived that the foundations of her offence were established within this relationship. First, her abusive partner had encouraged her dependence upon alcohol, an action that could be perceived as her perpetrator attempting to increase his control over her, as she elaborates:

Whereas I wasn't a drinker before I met him, you know, I never went out...we were out every night and drinking every night and that's how basically the relationship went, it all revolved around drink and for, for two and half/ three years that's a lot of drink to build up in your system and then of course with the abuse and everything it just gets

worse. Yeah, so everything revolved around drink in that relationship right up to my last offence... (Linda, p 24, line 6).

As this excerpt demonstrates not only did her abuse perpetrator actively encourage her drinking but Linda also states how, as a result of the abuse he perpetrated against her, her drinking increased. This was a coping response identified in a longitudinal examination by Downs and Miller (1994) who found that a woman's use of alcohol could increase as a direct response to her experiences of abuse (cited by Galvani, 2010). Furthermore, as Women's Aid (2011) note women may develop dependencies upon substances, either alcohol or drugs, as a coping mechanism to deal with the abuse they are experiencing/ have experienced.

Second, both during the relationship and after its cessation, drinking alcohol provided Linda with a sense of 'comfort'; a way to escape her experiences of abuse as well as the consequences of the abusive relationship which left her isolated from her friends and family:

I felt I didn't have anything else so I was drinking then more or less every night and then it got that I was drinking every night and I was taking it out on my family then because, because I was hurting I wanted everybody else to feel the pain that I was feeling and I was making them feel that pain by being vicious and horrible to 'em and then I'd cry my eyes then out then because I was upsetting people and I was, you know, and I'd be doing things that the next day I wouldn't even remember I'd, I'd done and it got that I, until after that drink drive, it got that I thought, oh that's, that was the kick that I needed to say you've gotta stop this (Linda, p 11, line 24).

As previous studies have shown, alcohol use, in response to experiences of abuse, in the long-term context can be found to be motivated by ‘...various coping-oriented reasons [including]...to reduce negative effect...’ (Kaysen *et al.*, 2007: 1273). Therefore it could be argued that Linda employed alcohol as a coping mechanism during her experiences of domestic abuse and she continued to use alcohol as a means of coping once she had left the relationship, arguably in an attempt to reduce the negative effect and psychological distress her experiences evoked (Kaysen *et al.*, 2007). This choice of coping mechanism, as she explains, was also influenced by what she perceived were her limited avenues of support: ‘I felt I didn’t have anything else’ (Linda, p 11, line 24). Linda’s diminished sense of self-esteem and her isolation from other support networks may have also contributed to her feeling she had limited, or no, people or places from which she could receive support.

Crucially, however, in addition to the traumatic effect of Linda’s experiences of domestic abuse, shortly before her drink-driving offence she experienced some additional traumatic events. Six months prior to her drink driving offence Linda’s brother died and also her ex-husband began a relationship with a woman younger than their daughter. She said: ‘All happened together and [I] just couldn’t cope’ (Linda, p 18, line 5). Therefore in Linda’s case it appeared that the cumulative effect of the multiple traumatic events that she had experienced compounded her dependence upon alcohol. Similarly, DeHart (2004) had identified that many female offenders in her study had experienced multiple traumas during their life-span, which had had a cumulative effect. In particular, she described how many female offenders had experienced multiple traumas which could be termed ‘poly-victimisation’ which describes women’s multiple experiences of different types of victimisation (such as domestic violence and childhood violence) and the repeat nature of such abuse/trauma. DeHart (2004: vii) states that:

*the varied impacts of poly-victimisation have potential to create ripple effects in multiple arenas in the women’s lives, causing overall*

*disruption and pushing women out of the mainstream. Often, the intersection of events and losses seemed to create uniquely difficult situations.*

Therefore DeHart's findings could also arguably apply to Linda where her multiple experiences of trauma or loss evoked her coping mechanism of substance misuse, and which later constructed her pathway to crime. As Linda's coping mechanism was established as a result of her experience of domestic abuse, her experiences of domestic abuse could be seen to have indirectly affected her involvement in crime. It was the long-term effects of the coping mechanisms she established during the abusive relationship, which spilled over into her actions after she had exited this relationship that led to her involvement in crime. Therefore, as Women's Aid (2011) note, the use of substances as coping strategies may provide relief or comfort in the short-term, however, in the long term the consequences of this type of coping strategy may instead be counterproductive.

Linda's involvement in crime could therefore be perceived to be a by-product of her experience of domestic abuse, and additional traumas. Her experience of these traumas arguably induced a specific coping response, which seemingly facilitated her dependence upon alcohol and consequently her every-day habits which led to her driving whilst under the influence of alcohol. To elaborate, her drink-driving offence could be viewed not as a deliberate choice but as a consequence of the coping mechanisms she employed to manage the domestic abuse she had experienced and the effects this had had upon her wider life and behaviour.

It is important to recognise, from Linda's case, that cumulative experiences of trauma may also contribute to the coping mechanisms that women employ. As Kaysen *et al.* (2007) note alcohol use, including alcohol use disorders, have been linked with an individual's exposure to repeat or multiple interpersonal traumatic events. In addition,

cumulative experience of trauma may also impact upon a person's ability or capacity to recover from further trauma (Krause, Kaltman, Goodman and Dutton, 2008). In reference to Linda, her cumulative experience of trauma, beginning with her experiences of domestic abuse may have exacerbated her choice of coping mechanism, consequently increasing the alcohol dependence which then subsequently influenced her involvement in crime.

Jo, aged 45, was also convicted of a drink-driving offence, her first and only conviction. The circumstances leading to Jo's offence further evidenced the indirect and longitudinal effects of domestic abuse upon women's involvement in crime. Her story exhibited many similarities to Linda's, as both had begun drinking during their abusive relationships as a response to the domestic abuse they experienced. Furthermore in both cases their abusers actively encouraged their drinking and it appeared to be the long-term consequences of Linda and Jo's use of alcohol, employed as a means of escaping their experiences of abuse, which led to their offences. Jo explains how her drinking began:

I wasn't really happy in...the [second] marriage, he was a workaholic, he wasn't very nice to my two children, um, and not long after I had [daughter]...I started drinking during the day 'cause I was working from home and...like even my Mum said...the fact he didn't try and stop it she thought, felt he actively encouraged it, to keep some control. And so I, so had a real problem with, with drink, that was about oh gosh, I dunno, 5 or 6 years ago, something like that, I'm OK now but, well I say I'm OK now you'll soon see.....you'll see from...my offence in a minute [both laugh] it'll all be linked in! (Jo, p9, line 8).

Jo had been involved in two abusive marriages; in her first she had predominantly experienced physical abuse but in her second marriage she described the abuse as



‘mental torture’ (Jo, p8, line 22) and it was during her second marriage that her drinking began. Jo viewed her use of alcohol as a means of coping with her experiences of domestic abuse and she also viewed the ‘problems’ she had experienced as deriving from the abusive relationships she’d experienced:

A lot of my problems have arisen through possessive relationships and that type of thing, isn’t it? I suppose, when it came to a head it was, you know, drinking had been my coping mechanism but then I didn’t drink at one time but then I was actually encouraged by my husband so...I was sort of pressurised by him to be like that and then, yeah, because, because [most recent ex-partner] was so self-centred [laughs] yeah, so, so wrapped up in himself, you know, I went off on one and.....(Jo, p30, line 3).

The context to Jo’s drink driving offence seemingly related to the long-term consequences of her previous abusive marriage. This appeared to combine with her current abusive partner’s dismissal of Jo’s distress which was evoked by the consequences of her former experiences of domestic abuse which included the loss of the custody of her children. Therefore, as DeHart (2004) states, it is important to enhance understanding of the impact of women’s victimisation over the ‘life-span’ particularly in relation to women’s psychological functioning. Jo further elaborates upon the ‘trigger’ to her offence:

I can pinpoint exactly what triggered it, what triggered it off and why it happened, um, I’d, I’d bumped into my son the Sa.....on the Saturday night, um, who I hadn’t seen for a good 4/5 years and it was all, was all quite sort of emotional, it was fine, but he came back to my house and it was all, you know, you can imagine can’t you, 19 year old. Um, so anyway in the morning went down to see [most current ex-partner]

and...I said oh I've seen [son] blah-de-blah and, er, he virtually dismissed it and I was, I needed someone to talk to, to talk to about it... (Jo, p18, line 25).

For Jo the apparent trigger of her drink driving offence was unexpectedly coming into contact with her son, whom her former abusive husband had taken to live with him at the time of their abusive relationship. She further explains:

And err, he all sort of dismissed it...I said you've got no idea have you?...I said I've just...seen [my son] and you've dismissed it as if it's not important, I said I have got children, me, 'cause I don't see them day to day, doesn't mean they don't exist. He said oh well, well you should've said... so [I] went to go home, well 'course went, drove down to the Spar, where I bought, I bought a bottle of wine right, but I also bought a bottle of port, not meaning to actually drink it that day, but like for Christmas time, went back to my house right and err, oh it was all a bit of a blur after that. I um, drunk the bottle... [pause] God! Got in the car, right, 'cause a friend of mine lived up, about half a mile up, away, got in the car went to drive up to see him and um, well I can't even remember, had an accident on the way, right, luckily what it was, my car broke down and I just rolled into someone's, um, car,...[makes a sound of police sirens] course they arrested me there, because they'd...these people had reported [the incident], I couldn't even remember that that had happened (Jo, p19, line 5).

It could be argued that it was Jo's memories of the domestic abuse she experienced, or more precisely the consequences of her experiences (i.e. her children remaining with her abusive ex-husband), that triggered her coping response, which was to consume alcohol. It could be perceived that for Jo seeing her son prompted painful memories of

the domestic abuse she had experienced and the long-term effects this had upon her life which caused an emotional reaction, which was dismissed by her (then) partner. Consequently Jo's method to deal with this arguably painful encounter was to turn to alcohol to ease the psychological pain (DeHart, 2004) that stemmed both from the abuse she had experienced and the inter-related loss of the custody of her children.

Therefore, as Runggay (2004) suggests, women's involvement in crime may derive, to some degree, from the impact the woman's victimisation has had upon her psychological health. In particular, high levels of psychological distress and dependence upon alcohol and/or drugs was identified by Green, Polen, Dickinson, Lynch and Bennett (2002) as associated with prior victimisation. It is necessary, however, to assert that such associations between victimisation and psychological problems/ substance misuse do not simply indicate a causative relationship with involvement in crime, 'they do, however, suggest a complex adaptation to traumatic experiences, in which multiple behavioural problems...may be intertwined and may perhaps mutually reinforce or exacerbate each other' (Runggay, 2004: 7).

In summary, the research findings here suggest that a more longitudinal focus upon women's coping mechanisms, in response to their experience of domestic abuse, is required to further explain and contextualise the ways in which a women's involvement in crime may have been influenced by their experience of domestic abuse. Rather than simply focusing upon the immediate effects of drug or alcohol use upon women's behaviour alternatively, or indeed in addition, it is the long-term consequences of such coping mechanisms that may also contribute to understanding women's motivations or reasons for offending. These findings demonstrate the unique contribution of this study to criminological literature as most existing studies have not comprehensively acknowledged or addressed the longer-term consequences of women's experiences of domestic abuse upon their criminal behaviour and actions. This chapter has also emphasised women's inability to respond directly or actively to

the domestic abuse they are experiencing or have experienced as a result of the domestic abuse perpetrated against them.

The next chapter will elaborate further upon the long-term consequences of women's experiences of domestic abuse and will travel further along the continuum of women's agency, exploring women's more active responses to the domestic abuse they have experienced.

## CHAPTER FIVE: SURVIVAL AND SUBVERSION

This chapter will explore the final two subthemes, 'survival' and 'subversion', travelling further along the continuum of women's agency in coping with domestic abuse. These subthemes therefore demonstrate women's more active<sup>51</sup> forms of coping with the domestic abuse they experienced. Again, this chapter will explore how the women's means of coping, referencing both their immediate and longitudinal responses to the domestic abuse they experienced, influenced or affected their involvement in crime.

Survival will be discussed first, presenting a selection of the different manifestations of actions taken by the women to survive the abuse they experienced and consequently how such attempts at survival influenced their involvement in crime. Both women's immediate and long-term survival responses will be discussed as the chapter progresses to women's delayed, or displaced, attempts to survive domestic abuse, therefore referencing both the short-and long-term effects upon women's actions.

### 5.1 Survival

#### a. **Survival: Women's immediate responses to their experiences of domestic abuse – Escaping domestic abuse**

I've...gone out like, after my boyfriend's beaten me up, I've walked down the street and I've smashed every, like seven car windows walking down the street just to get locked up like. I've walked into shops and picked things up in front of security guards and walked

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<sup>51</sup> Although the women's means of coping within the subthemes of survival and subversion appeared to advance into more obviously active manifestations it is important to note that such actions may not necessarily also be described as adaptive. Within these final subthemes the means of coping employed by the women would arguably still not be perceived as psychologically healthy for them, instead their actions merely more actively began to address (and attempt to shift) the imbalance of power they were subjected to. Although the women's actions did appear to adapt, the adaptations they were able to make were still significantly restricted as a result of the domestic abuse they experienced.

out...I've done that about 30 times.....Yeah, to go to prison, go back to prison. Safer I am, it's the only place I am safe like, behind the last steel door (Charlie, p3, line 16).

The third subtheme of 'survival' reflects a range of actions taken by women to survive their abusive relationships. It also explores how the consequences of these actions influenced the women's involvement in crime. As illustrated by the data excerpt above, for a number of the women who participated in this research it was the actions they took to minimise, avoid or escape the domestic abuse that they were experiencing (or had experienced) that affected their involvement in crime. It is Kirkwood's (1993:137) definition that will be employed throughout this section as she states that survival '...refers to action taken first to minimise the frequency of occurrence and degree of abuse...and second to reverse or transform its effect.' This definition reflects both the *processes* and *agency* involved in the forms of coping with domestic abuse that women employed both during, or indeed after, their experience of victimisation. Women are not simply passive recipients of domestic abuse (Stark, 2007; Kirkwood, 1993) but instead they actively adopt and develop skills and mechanisms to survive their experiences (Stark, 2007; Lempert, 1996; Kirkwood, 1993; Kelly, 1988). As Stark (2007: 216) asserts women do exercise agency when experiencing abuse but such agency is exerted within distinctly limited contexts:

*...they [victims of abuse] are living in a conscious and self-determining relation to domination, albeit a relation that is severely constrained by objective limits on their choice and action...agency and victimisation live one within the other in abuse and the presence of one is evoked by the other...*

As Charlie's data extract above illustrates, for some victims of domestic abuse their lives are characterised by their on-going attempts to prevent or avoid abuse. For some

women with limited options for (legitimate) means of escape from their relationship, offending provides an opportunity to facilitate an exit or possible respite from the abuse. Charlie, 28, described how her fear of being killed by her abusive partner<sup>52</sup> motivated her involvement in crime where she utilised the CJS as a mechanism to escape her relationship. She also describes how she used the CJS to flee the wider consequences of the domestic abuse she experienced, which included poverty and being forced into prostitution:

It was either my boyfriend was going to beat me to death or I was going to commit crime to go to prison, where I'm going to be safe [gets upset] do you know what I mean? I'm actually gonna be able to eat, I'm not going to be pimped out for money for drugs I don't want to take anymore, like. I wanna just eat food so I go to prison and I can actually eat like, do you know what I mean? Like I said when that steel door shuts it's the only time I can actually breathe properly (Charlie, p4, line 9).

Charlie's recollection of her experiences resonate with Segrave and Carlton's (2010) findings that for some women imprisonment can provide an escape route, or facilitate a reprieve, either permanently or temporarily, from domestic violence. One of the practitioners interviewed further substantiated this finding, recognising that some of the women she had supervised had employed the CJS as a mechanism to escape domestic abuse either temporarily or permanently:

...and there're also some people who want to go to prison to remove themselves from the situation as well, that you know they have to do,

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<sup>52</sup> Fear of death is recognised by Kelly (1988) as a common response to victims' experiences of abuse or assaults. Charlie's fear can also be substantiated by the high numbers of women that are murdered by their current or former partners; in England and Wales on average two women are killed every week by a current or former partner (Smith *et al.*, 2012.)

they do an offence, you know, serious enough or persistent enough 'cause they know that when they go to prison it's their only place of safety and sanctuary and that they need some time out and even if they're going to return to the abuser they still needed that... (Practitioner 6, Part One, p12, line 7).

As this research has demonstrated, for some women the only available means of exiting or indeed escaping domestic abuse was committing a criminal offence (see also Segrave and Carlton, 2010). The woman's involvement in crime therefore results in her incarceration and consequently provides a feasible, or the only available, route of separation or escape from a range of hardships experienced outside of prison including domestic abuse (and poverty, which could also be associated with experience of abuse). Importantly many imprisoned women's lives<sup>53</sup>, prior to their incarceration, have been characterised by experiences of multiple forms of trauma (Segrave and Carlton, 2010), as was referenced earlier in discussions of DeHart's (2004) research. Segrave and Carlton's definition of trauma incorporates direct and indirect experiences of a range of forms of abuse/violence both past and/or present. Significantly Segrave and Carlton (2010: 288) understood trauma to be a '...recurring and normalised constant within the lives of criminalised women...' leading to lifestyles which centred upon the women's need to survive, a finding further substantiated within this research. The findings of this research suggest that criminalised women's experiences of trauma, including their experiences of domestic violence, provide an important context to their behaviour and, in some cases, their pathways to crime, thus concurring with Segrave and Carlton, (2010).

Victims of domestic abuse intentionally committing crime to initiate their own arrest as a strategy to escape abuse was also identified as a tactic employed by 'battered' black women in Richie's (1996) study. She identified how women from her sample used the CJS to meet simple survival needs which included using jail as a form of safe

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<sup>53</sup> Referring to the prison population in Victoria, Australia (Segrave and Carlton, 2010).



accommodation. In concurrence with Charlie's description that she could 'finally breathe' behind the prison doors, Richie's participants also expressed their relief that once in prison they found safety from violence for the first time in years. For Richie (1996), however, this behaviour highlighted a troubling trend; how 'functional' offending could become for victims of domestic abuse, specifically in cases where they viewed imprisonment as one of very few routes to access safety. Importantly, however, it should be noted that women's use of imprisonment as a 'break' from abusive relationships does:

*...not suggest that the potentially positive outcomes from this 'break' were a reflection of any inherent rehabilitative qualities of the institution itself [instead] prison is the only option rather than the desired option (Segrave and Carlton, 2010: 295).*

Alternatively, this suggests that, in some cases, the protection or support afforded to victims of domestic abuse within the community may not be sufficient to ensure their survival or safety. Instead, prison facilitates a forced and complete separation from the domestic abuse perpetrator and the abuse they inflict upon their victims. Importantly, however, any inferences of the possible positive outcomes of employing this tactic to escape domestic abuse should be tempered by acknowledgement of the generally negative implications of imprisonment. Imprisonment can also have numerous negative and harmful effects upon women who are incarcerated including the process of imprisonment itself causing further trauma. For example, Segrave and Carlton (2010) argue that women's treatment within prisons can dehumanise and infantilise them, causing significant harm. The negative impact of imprisonment upon women is also widely acknowledged within both academic and policy-based literature, often referencing the problems related to the prison system itself being organised in relation to, and continuing to be focused upon, the needs of men (Corston, 2007; HMIP, 2006; Carlen and Worrall, 2004; McIvor, 2004; Carlen, 2002; 1998; 1983; as just some examples).

Critically, the inappropriateness of using imprisonment as a means of escaping an abusive relationship has been acknowledged (Segrave and Carlton, 2010). What the data extracts from this research suggest, however, is that such actions could be perceived to reflect the desperate situations and conditions domestic abuse victims experience, which are constructed by the abuse they are subjected to. Furthermore, the women's actions may arguably provide a form of commentary upon the inadequacies of both criminal justice and other community responses to domestic abuse victimisation which, for some women, do not provide the protection or support they require. This theory is also supported by Kraft-Stolar *et al.* (2011) who suggest that failure to support victims of domestic abuse in the community consequently creates situations whereby victims are themselves more likely to take actions to manage the abuse they're experiencing, actions for which the CJS often criminalise women<sup>54</sup>. This perspective is again further substantiated by Charlie, who had convictions for multiple offences. When asked to elaborate upon her reasons for committing crime stated that her crimes were motivated as a result of her '...complete and utter fear of dying like' (Charlie, p5, line 3). Charlie had accessed a range of support services in the community, including refuge, but still feared severe physical assault or being killed by her abuser. Consequently, her declaration may be perceived to support Segrave and Carlton's (2010: 295) statement that the lack of adequate support mechanisms available to victims of domestic abuse in the community '...renders imprisonment the only 'alternative' option - the only way to interrupt cycles of abuse, addiction and /or financial pressure that leads to lifestyles focused on survival.' Clearly some victims of domestic abuse may utilise the sanctions of the CJS in an attempt to solve complex social problems. This perspective is supported by Practitioner 6 who stated that:

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<sup>54</sup> See also Welle and Falkin (2000) who suggest that the lack of intervention by law enforcement to protect victims of abuse within the domestic sphere may directly contribute to women's involvement in crime. This lack of protection leaves women with limited routes of escape from the abuse which they felt led to vulnerability to coercion and compliance with their abuser's demands. Browne (1987) also noted how the lack of societal support or intervention also left women vulnerable to situations where they may have to use violence against their partners as the only means of escape from their abusive relationship.

...even though there [are] support agencies out there to do it all, what have you, they [victims of domestic abuse] may have tried that and failed that because the abuser's always found them, or re-hooked them back in emotionally, but when you're in prison the obviously the abuser can't...you know, they can still get to you via letters and contact and whatever, but they're physically removed from you in prison, it's the only one place an abuser can't turn up and gain access in the middle of the night to somebody...even if they were moved into a refuge or whatever, you know, they can still get there and a lot of females use prison as an excuse and say well I can't, I can't make calls or whatever 'cause I've got no credit or you're not allowed a visit, when they really are allowed a visit you know, but they can't get away with that if they're in the community (Practitioner 6, part one, p12, line 15).

Unlike the services that are available in the community where abuse perpetrators may still be able to access their victims, (for example: outreach services where the victim remains in her home, or refuge where women can in some cases be located by their abuser), imprisonment facilitates a physical separation which not only provides safety for women but can aid their motivation to exit the relationship permanently. Employing imprisonment as a means of escaping domestic abuse, however, at best, only serves as a 'stop-gap' in the women's lives (Segrave and Carlton, 2010).

The findings of this research also suggest that, in some cases, criminal justice representatives (including magistrates and judges) also viewed imprisonment as an acceptable route for victims of domestic abuse to access help or support for their victimisation. According to a number of practitioners interviewed some CJS representatives saw prison as an appropriate, and safe, form of accommodation for

female offenders who were victims of domestic abuse. Some also viewed prison as a place where victims of domestic abuse could gain access to much needed additional resources for the wider effects of their victimisation (for example counselling or substance misuse programmes). Similarly, the judiciary viewing prison as a form of 'respite', for women with chaotic lifestyles, was also identified by Malloch and McIvor (2012) who reiterate the damage that imprisonment can cause women. In addition, the interview data also evidenced that in some cases female offenders would also be allocated additional requirements on their order in response to their domestic abuse victimisation. For example Practitioners 2 and 12 stated:

I think sometimes, if the woman presents and they've got quite complex needs, even if the crime isn't, isn't that serious they'll be given quite an intensive order, so they'll have a lot to do and it's because OK this woman's got complex needs so we're going to throw everything at them [laughs] but what you're doing is you're up-tariffing someone, you're making, you're giving them a sentence which it, which it.....doesn't meet.....doesn't fit the crime which they did just because they're perceived as being complex with a lot of needs, it's like, oh well, we'll do this, this and this, and give them a really intensive order and that'll sort everything out and that's not the case (Practitioner 2, p 11, line 20).

...sometimes the court have sent people to prison 'cause they think they'll be safer there, you know, away from their domestic abuse, abusive relationship but then that has such a big impact on everything else it's not, it's not the best thing for them (Practitioner 12, p11, line 22).

This type of practice, termed 'up-tariffing', was mentioned by a number of the practitioners (Practitioners 2, 7, 9, 11 and 15) describing how women can be allocated more severe sentences to account for their support needs rather than receiving sentences which reflect or respond to the severity of the crime/s committed. This concept of 'up-tariffing' is also referenced in the literature addressing the sentencing of women including, for example, the recent publication by Hedderman and Barnes (2015). Importantly, however, Practitioner 15 recognised that it should not be the responsibility of the CJS to provide such support:

...[the courts] see a woman come before them with a multitude of issues who's in complete chaos and they think prison is a way of helping her sort that out, which sometimes is for a short-term thing but...that's not what it's there for...(Practitioner 15, p12, line 12).

Interestingly the process of 'up-tariffing' female offenders was visited by Barry and McIvor (2010: 34) who noted that:

*Balancing a woman's needs for assistance and support against the risk of up-tariffing them was reported to represent a constant dilemma for practitioners in the absence of alternative 'welfare-oriented' disposals.*

Therefore it is important to discuss this briefly as again such actions arguably reflect upon the perceptions of the effectiveness, and also the actual availability, of community-based responses to domestic abuse. In addition, this process may also suggest that the CJS may further victimise women who have experienced domestic abuse by sentencing them to sanctions which reflect their support needs rather than the crimes they have committed. Interestingly, this also suggests that a woman's experience of domestic abuse may not only impact upon her involvement in crime but

also upon her sentencing in terms of the severity of punishment she receives for her actions<sup>55</sup>.

Finally, as Practitioner 6 elaborates, for some women it is the additional or peripheral consequences of leaving an abusive relationship that may also contribute to their desire to go to prison:

...they tried to leave the relationship, or they tried to exit, or they've tried to move on and they've either been pulled back by the partner or pulled back, or what the alternative is, is so bleak that, you know, they don't want to be in either, they don't want to be in an abusive relationship but they don't want to be out there on their own, independent, you know, they're not used to living on their own, they're not, they're used to not functioning independently and, and they're missing all that intimacy and attachment or what have you and they're also struggling to deal with all the kind of general life things, the bills and life and all the other problems that they didn't have when they were in a relationship so they can't cope with either worlds, so the only world they can see that they can cope in is the prison world where it's all kind of done for them and they just have to kind of wake up and live and breathe (Practitioner 6, part 2, p2, line 30).

Therefore this demonstrates the wide-reaching, and long-term, consequences of exiting domestic abuse relationships where women may not only wish to escape the abuse but may have additional concerns in relation to their ability to cope in the community outside of the abusive relationship.

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<sup>55</sup> As this was not part of the original research focus it therefore will not be explored further here; however, this is an important finding which could be further explored within postdoctoral research.

Concerns a woman may have about attempting to leave or escape abusive relationships often pertain to the practical realities of leaving (Kirkwood, 1993) including; access to material resources (such as money and housing), support available after exiting the relationship, and the implications of living independently (Abrahams, 2007). For some women many aspects of normal social functioning, such as managing money and household bills, personal freedom (including gaining and/or maintaining employment) and self-dependency, have been controlled or restricted by their abusers. Stark (2007:274) refers to such behaviour as the 'micromanagement of everyday life' where the freedoms denied to victims of domestic abuse are the '...taken for granted fabric of everyday affairs...'. Such high levels of control which deprive women of any significant autonomy or freedom, Stark (2007) states, can therefore result in women becoming frightened to exert any form of 'choice.' Therefore for women who have been subjected to such levels of control being able to live independently outside of their abusive relationship may appear extremely daunting.

Again the actions of domestic abuse perpetrators in attempting to maintain control over all aspects of their victims' lives further limit and restrict their victims' options for survival outside of the abuse. Therefore for some women prison could be seen to provide an environment where the responsibilities of the outside world, such as finances and accommodation, continue to be subject to someone else's control. This perception can be easily understood when contextualised by the woman's experience of domestic abuse. As a result of the control enforced and the trauma experienced during their abuse consequently women may experience long-term psychological consequences affecting their ability to perform routine tasks meaning they may also lack the skills or ability to live independently (Gorde, Helfrich and Finlayson, 2004). Subsequently after an abusive relationship has ceased victims may experience difficulties in organising their own lives and making decisions for themselves and their families (Abrahams, 2010). As Abrahams (2010) identified, domestic abuse can often destroy all sense of self-worth in victims and can diminish their self-belief and confidence. As a result many of the women's worries, after having left their abuser,

refer directly to how to function outside of this relationship including managing alone, living independently and being able to make decisions both for themselves and their children. Consequently the long-term impact upon women's self-esteem could subsequently manifest in a:

*...lack of confidence in themselves and their abilities...[resultant] from the abuse...[which after exiting the abusive relationship] meant a lot of anxious internal debate on what they should be doing and what were the best options (Abrahams, 2010: 87).*

Linking from the previous discussions, women using the CJS as a route of escape, or to instigate a reprieve from the domestic abuse they experience, was a tactic replicated by other women interviewed for this research. Donna used the CJS to escape her abusive partner temporarily when she anticipated a severe physical assault. Donna, aged 30, was convicted of assaulting a police officer, actions which she described as motivated by her need to escape her abusive partner. The data extract below provides a context to her offence:

Yeah, with [abusive ex-partner], it was getting like really serious, the violence...He was hitting me. [I] wasn't allowed out or he'd want to come out and if we'd go out, we'd go together. Then he started...saying "I can see the way he's looking at you, blah, blah" "Oh, you're giving him a cwttch [hug]" But I said, yeah he's my friend, you were with me, I'm introducing you. Like, he wouldn't say nothing to the boys...we went to the one pub, he seen one of my ex-boyfriends, knowing I was with him just before I got with him. He's like, "oh [your ex-boyfriend's] over there mmm", I was like, "yeah and?" "Well I've seen you say hi to him", "well I'm not going to ignore him, he's never done nothing wrong to me"...he just.....was niggling all night and I



knew what was gonna happen when I got home or when we got out of the pub that he was gonna hit me anyway. So the police drove past and I jumped in the middle of the road to stop 'em. I said...he's kicking off...can you just give me a lift home? He said we ain't no taxi service, and...[was] basically gonna drive off and I just sat in the car and I refused to get out. And they said, no, no, no, dragged me out see, like in other words, we don't deal with domestics, they were saying. So, I did, I hit the copper because at the end of the day I knew if I went home it was gonna be worse. When he's sober in the morning he'd be alright. So I got arrested for assault on a police officer, but I knew I was safer there than going home (Donna, p7/8, line 13).

In this situation Donna's actions arguably reflected her desire to escape an expected imminent physical assault by her partner, actions which could perhaps have also been motivated by the limited options of escape/avoidance available to her. Her behaviour is clearly contextualised by her statement that '...I knew what was gonna happen when I got home or when we got out of the pub...' (Donna, p7, line 24) which indicates Donna's individual and subjective knowledge of her abuser's actions, and the violence she knew would follow the incident. When asked to elaborate upon the type of physical assault her partner would typically subject her to she stated 'Well he'd pull my hair, drag me and stamp on me' (Donna, p8, line 12). Donna's actions during this incident could therefore be perceived as her response to the actions of her abuser, which to Donna signalled an impending physical attack, behavioural signs that only Donna could interpret. These signs reflected her abuser's previous violent behaviour and enabled Donna to predict his future actions. Women's behaviour can therefore be enacted in response to their abusive partner's behaviour where only the victim understands the significance and can anticipate what will follow. This supports Ferraro's (2006) research which identified how abuse victims' expert and nuanced knowledge of their abuser would inform and influence their multiple coping strategies helping them to avoid or prevent harm to them or others. As the United Nations (2013:6) confirms:

*Threats of violence [or indeed abuse] are sometimes explicit but may also be implied, for example manifesting in comments or actions that might seem insignificant to an outside observer but that may signal an imminent attack for a victim.*

Stark (2007) also visits this in his theory of coercive control, as he identifies both the 'situationally specific' and 'subjectivity' of abusive 'technologies' employed by abuse perpetrators to control their victims. As was previously discussed in the methodology chapter, these technologies are often explicitly relevant to the abuse victims only, and would be interpreted very differently by those outside of the abusive relationship. The result of emotional, physical, and/or financial abuse, or even threats of such, can significantly limit or restrict women's choices and consequently their behaviour.

Consequently, in this situation it could be argued that Donna's fear of her abuser exceeded her fear of the CJS, fear arguably evoked by her abuser's previous threats and actions. This perspective is supported by Ferraro (2006) who describes the all-consuming control of an intimate partner and how a woman's fear of her abuser may exceed her fear of the law:

*the coercion that occurs within intimate relationships...involves every aspect of a woman's life. She is not only concerned about immediate consequences for failure to obey, but about the longer-term effects on her children, extended family, and her abusive partner. The tentacles of authority within abusive relationships have a much greater and more tangled reach than those of authorities who have no ties to their subject (Ferraro: 2006: 203).*

Therefore Donna's actions could be contextualised by this statement:

*the meanings the woman attaches to the violence [or behaviour of the abuser] and the resources she believes she has shape strategies for living with [surviving], or ending, the violence (Mills, 1985:107).*

Donna's perceived limited options of escape from her abuser therefore arguably led to her actions to attempt to survive the domestic abuse. As Chang (1989) also asserts, women employ problem-solving or coping strategies in an attempt to control (or therefore survive) the abuse/violence they experience whilst in addition attempting to keep the 'self' intact. As Donna later described, she had developed these particular tactics to facilitate her escape, and be able to avoid physical assault using the (somewhat limited) options available to her: 'with the offences, like I said, I hit the police officer because that's my escape out' (Donna, p17, line 18).

Practitioner 15 elaborates upon how women may become entangled with the CJS when subject to domestic abuse. She suggests that the primary priority for women subject to domestic abuse is simply to survive abusive incidents. As a consequence their actions often respond to the immediacy of their situations and the women therefore do not consider, or alternatively do not have the opportunity or capacity to comprehend, the implications and long-term consequences of such actions. For example, women could, understandably, be perceived as having limited foresight when threatened for their lives or with serious harm, once again demonstrating the limited and constrained context to the women's 'choice' of behaviour or actions. Furthermore, the (possibly criminal) consequences of such attempts to survive therefore become insignificant compared to the threat of death from the abuse perpetrator. Or, for those women who are already criminalised, their experience of abuse may contribute to their re-offending:

And I think also if, when people are in a situation where their home life is so chaotic, dangerous, you know, concerning to them although this might not be the reason they offend it might be the reason they don't, they can't stop offending, it's because that's not their priority, they're, you know, the, the sort of sanctions of the criminal justice system in comparison with what they're actually dealing with are minor, so, you know, they're not worried about whether they're going to prison or whether they've got to go on an order or not, they're worried about whether they're gonna get killed...(Practitioner 15, p17, line 21).

Practitioner 13's statement below also suggests that women's actions are primarily motivated and contoured by the abuse they experience and the woman's immediate reactions to it, with her being unable to think about or process anything outside of this:

I think the law side of it probably doesn't even come into much of her thinking process...the fear of him, or her, um, the partner [abuse perpetrator] probably far outweighs whatever else could be going on for them (Practitioner 13, p7, line 24).

As Richie's (1996) study identified, victims of domestic abuse would often act in any way necessary to placate abusers, whether legal or illegal, as the result of not doing so was of far greater consequence, including being severely physically assaulted and in some cases, threatened with death.

To explore further implications of women's actions when attempting to survive abuse, importantly the practitioner interview extracts above also suggest that a woman's experience of domestic abuse may impact upon her ability to comply with her

community-based sentence. As was referenced in the subjugation section in the previous chapter, when women are already serving community-based sentences it is also possible that their experience of domestic abuse may impact upon their ability to cease offending. Many of the practitioners described the lives of female offenders who had experienced domestic abuse as 'chaotic' referencing the numerous concerns a woman may have to contend with<sup>56</sup>. When women are experiencing domestic abuse if their primary priority is to survive the abuse their ability to address their offending behaviour arguably would not take precedence over their need to survive. Or, indeed as Practitioner 13 suggested, the women would not necessarily have the opportunity or time to consider what implications her actions may have in relation to the law.

When asked about whether she felt her experience of domestic abuse might increase her risk of offending Ellie, who was already serving a community-based sentence, said:

If I reoffended myself then I would make sure I would go to prison to get away from that person [abuse perpetrator] and I would literally would do anything to get myself locked up, so then I feel safe and obviously prison ain't the answer but... (Ellie, p24, line 7).

In this case Ellie had experienced IPV on one previous occasion with an ex-boyfriend, and was experiencing familial domestic abuse from her sister whilst attempting to complete her order. Ellie stated that the possibility of her re-offending could be influenced by her need to escape the domestic abuse she was experiencing. In order to facilitate her escape she had considered offending again through committing a very serious offence so that she would be sent to prison, as she felt this was the only route

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<sup>56</sup> Female offenders were described as having multiple needs including domestic abuse, substance misuse, mental health issues, financial issues, accommodation problems and child access/protection issues, as just some examples, in many cases these needs often appeared to be directly related to the women's experiences of domestic abuse.

of escape from her situation. Significantly the discovery that some female offenders may find it difficult to complete a community-based sentence due to their on-going experience of domestic abuse may have implications for probation practice and policy, as the practitioner interview extract below suggests:

...so, therefore what you're doing to try and address the offending, if that's the real reason for the offending [domestic abuse], is never gonna have any impact because, you know, you're saying oh well you shouldn't be doing this and so this is gonna be the punishment in order to put you off doing that but actually if what they're suffering is so much more serious than that, that is like a drop in the ocean to them and what we actually need to be doing is addressing those underlying reasons and giving them some hope that they can come out of that lifestyle, if we're ever gonna have any impact on them (Practitioner 15, p17, line 30).

Clearly some women's fear of their abusers can far outweigh their fear of the sanctions of the CJS. In contrast to viewing prison as a form of punishment, both Charlie and Ellie viewed incarceration as a mechanism they could utilise as a means of surviving their experiences of domestic abuse, viewing prison as a place of safety and escape. In contrast to viewing prison as a place of punishment, with all its inherent restrictions upon behaviour and freedom, some women view it as a place of 'sanctuary' (Practitioner 6). This juxtaposition arguably draws attention to the severity of abuse women can experience and the extreme tactics some women employ to escape their abuse. Such actions reflect both the extreme nature of the abuse women can experience, and also perhaps pass comment upon the perceived inadequacies of community-based responses in addressing and alleviating domestic abuse. Conclusively therefore Charlie, Donna and Ellie's behaviour arguably strengthens the statement that '...the connections between abuse and law violation become

intertwined in a woman's struggle to live through and with her endangerment' (Comack, 2000: 101).

**b. Survival: Women committing crime as a 'cry for help'**

I think...sometimes it [crime/offending] is, sometimes it is pre-planned and there's thinking in it and they're often the ones that are like cries for help, you know, that maybe that they're really suffering, they're really dealing with this real kind of personal trauma that nobody close to them, you know, friends or family know of and it's too hard for them to disclose to anybody, so the only way they can disclose is to do something like commit an offence that would then basically bring them into other, you know, bring attention to the situation and they're basically disclosing without making a disclosure, so there's that, there's that kind of category (Practitioner 6, part one, p11, line 4).

This data extract supports Richie's (1996) previous comments regarding the 'functionality' of committing crime where victims of domestic abuse utilise the CJS as a means of accessing help, support and safety. This practitioner describes such actions as a 'cry for help.' This type of behaviour was exhibited by Nancy who was convicted of stealing from her employer, who, when asked why she felt she had committed the offence stated: '[Long pause] I don't know what to say to be honest, it's just, is it a cry for help? I don't know, I don't know, I don't know' (Nancy, p13, line 15). Nancy had experienced a type of domestic abuse from her son, namely adolescent-to-parent violence (APV), defined as: '...any act of a child that is intended to cause physical, psychological or financial damage to gain power and control over a parent' (Cottrell 2001: 3). For Nancy her situation was characterised by a lack of understanding and support for the abuse she was experiencing, from both her husband and her wider support network, circumstances that Nancy found both troubling and upsetting:

All the time, err, he [my son] was calling me names and it was just horrible and I'd say to [my husband]...that he's [son's] being horrible to me and the way he's talking to me and, you know, and I'm trying to correct him and he's not having it and, erm, [husband] never supported me, he always thought that I was the one who had the problem, not him. And all the way through his life [son's] he's just called me names and put me down all the time and [crying]...but at the end of the day it was the sup.....the support I wanted from my husband and I never got it, he always thought that it was me (Nancy, p3, line 18).

For Nancy it could be argued that the lack of understanding, from her family, of what she was experiencing and the lack of support she received as a result (or indeed her own lack of understanding of where to seek help from), contributed to her involvement in crime as she may have felt there was no other route available to her from which to seek support. It may, however, be perceived that Nancy's experiences were also contoured by her social class. As she was from a middle-class background this may have further exacerbated the stigma she perceived as associated with her situation and, in turn, may have inhibited her help-seeking due to her embarrassment about her situation. Although domestic abuse is recognised as a phenomena that transcends social class, research also recognises that domestic abuse victimisation is often most prevalent within lower class communities or for individuals of a lower socioeconomic status (Ventura and Miller, 2007).

Nancy further elaborated upon whether she felt the APV she had experienced had influenced her involvement in crime: 'My Mum thinks so, erm, she knew I wasn't getting the support from [my husband] and I think she thought that something had to happen...' (Nancy, p5, line 13). For some women accessing support for their experiences of domestic abuse can be very difficult, particularly if the abuser's control is all consuming or when other barriers exist such as family members being unaware of



the abuse (perhaps as a result of the psychological and insidious nature of the abuse) or instead being unsupportive. In Nancy's case the barriers she faced could perhaps be seen to have been further exacerbated by a 'double stigma' associated with being abused by your own child (Holt, 2013). This combines the stigma associated with being a victim of domestic abuse compounded by being perceived as a failure as a mother or attempting to parent a 'problematic' child (Holt, 2013). Consequently victims may perceive that no other route to receive support is available and subsequently may commit crime as a means of accessing support without having to directly disclose their experience of abuse. As this practitioner elaborates:

...they could, in some ways, want services to become involved to kind of take that [domestic abuse] away... but they have to come to probation...[so] that they can get away from him and use it as a route out maybe or a route to get support I think that comes at a very late date in the relationship, I don't think it happens quite early on but I think sometimes that helps women to be involved with the service where the perpetrator doesn't have a choice in that, that they have to come here so it's a way of kind of getting away from, or speaking about the situation (Practitioner 13, p7, line 27).

It is also necessary, however, to note that women committing crime as a 'cry for help' may not be a conscious or deliberate act. As the practitioner data above demonstrates 'they could, *in some ways*, want services to become involved' (emphasis added) which infers they may not be sure how to facilitate this, and involvement in crime provides one possible option. When interviewed Nancy was unable to immediately articulate or explain why she had committed the crime; it was only after some discussion that she said she thought it might have been a cry for help. Therefore it may be the benefit of hindsight that helped Nancy define and explain her behaviour as a cry for help.

For some women there may be limited opportunity, or routes available, to access support for their victimisation, or more broadly support for the wider consequences of their victimisation (for example, mental health or substance abuse issues). As a consequence offending can function as a mechanism that facilitates access to much needed support services<sup>57</sup>.

The circumstances in which women commit crime to access social support are also arguably contributed to by a number of wider social factors which may stem from inadequate (or perhaps more appropriately termed, under-funded) statutory and community-based provisions that attempt to address women's social problems (Malloch and McIvor, 2012). In specific relation to domestic abuse victimisation, community-based provisions are seen to be particularly important for women in addressing their support needs (Kelly, Sharp and Klein, 2014). In recent years, however, community-based services and provisions have been significantly reduced and/or reconfigured. First the economic climate, and in particular the effects of austerity measures, have resulted in a reduction of funding for many women's support services in the community (including specialist domestic abuse service provisions) thus affecting levels of support available and women's access to this. Second, austerity measures have also impacted upon other means of support that victims of domestic abuse may need to access such as housing and welfare benefits (Kelly *et al.*, 2014). This has resulted in both a reduction in the availability of key community-based services and their ability to provide suitable means of support.

Whilst the foundations of women's offending are perceived as being grounded in a range of social, political and economic disadvantages, specifically associated with women's subordinate social positioning within society (again something which domestic abuse both stems from and reinforces), the absence of community-based resources to address these problems has therefore led to a process of criminalisation

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<sup>57</sup> Although the appropriateness and effectiveness of such approaches, particularly the further harm that involvement in the CJS can cause women, has already been discussed earlier in the chapter.

(Malloch and McIvor, 2012). Therefore as research has indicated, many female offenders have backgrounds of social deprivation and often have multiple and complex needs which are often not addressed by either their families or by statutory services (Women's Aid, 2011) therefore leaving the CJS to function as an avenue through which some form of support can be sought.

Violet, who had been convicted of numerous counts of violence and assault against men or policemen, also evidenced how some women may commit crime as a cry for help and stated that as a result there is a need for criminal justice services to recognise the *underlying* reasons explaining why women offend, particularly if they continue to exhibit a pattern of re-offending:

Yeah, I would have, I would have noticed, if I was a copper, I would've noticed that. I would have thought, why's she re-offending, innit? Or why's she got so much anger? Would be the first question, and that... Open your eyes, innit. Like if somebody's re-offending, why are they re-offending? You know, there might be some reason behind it, 'cause you don't know these days, it could be a cry for help. Could be just like obviously somebody being a nuisance, innit, as like loads of people are but I think when, that's more with men, innit? I find, but if it's with women re-offending, where, it's not as common, is it, for women to re-offend? So if they are, why, why aren't you taking notice innit? (Violet, p15, line 14).

Therefore understanding the ways in which a woman's experience of victimisation may have impacted upon her behaviour and actions is imperative when examining women's pathways to crime, and could have implications for criminal justice policy and practice. Women committing crime as a way to escape or exit an abusive relationship, either permanently or temporarily, was also identified by Richie (1996) who found that

some of the women involved in her study used arrest or imprisonment as a strategy to avoid abuse. Yet, as Practitioner 13 suggests such actions often represent the last available route of action women may take:

...I don't think it happens a lot either but I think for some women, it is, they've come to the end of the road really and they don't know where else to turn and sometimes yeah they do come and then they do tell you...you know, that they need services, they need some kind of support to get out of, of what they're doing, but I think it takes a long time for that (Practitioner 13, p8, line 3).

Analogously, some victims of domestic abuse also employed the CJS as a mechanism to access support for their experiences of domestic abuse. This could be perceived as a 'choice' taken by the women but contoured by the all-consuming control exerted by the abuse perpetrator meaning that no other option to access support was available. This type of behaviour could be explained by the concept of 'space for action' introduced by Kelly *et al.* (2014: 12):

*Since [coercive control/domestic abuse] is ongoing rather than episodic, its unrelenting nature means that women have little volitional space between abusive incidents to exercise autonomy. Many have a sense that the abuser is omnipresent...It is in this narrowing of life and options that women's 'space for action' is diminished.*

Clearly women can be substantially restricted in terms of both their 'space for action' and the types of actions they are able to take to address their domestic abuse victimisation, and this research evidenced that committing crime was one such path that women may use to gain access to support. This discovery is also important in its

recognition of how women's agency functions in this process. Although the women's actions were often enacted under very particular constraints, their behaviour still comprised an active response to their experience of abuse, although with detrimental consequences for the women themselves.

**c. Survival: Immediate responses to experiences of domestic abuse –Retaliation, placation and offending as a by-product of women's experiences of domestic abuse**

This final section addressing women's immediate responses to domestic abuse will be very brief as the majority of the theories presented within it simply support or reiterate the findings of existing studies. First, this research found evidence to support the findings of Ferraro's (2006), Richie's (1996) and Walker's (1984) studies which demonstrate how women can commit violent crimes against their abuse perpetrators in a form of self defence or self-protection. For example Donna (and some other women involved in the research), described committing violent offences against her abuse perpetrator due to fear, often resulting from years of abuse. For those women that did assault their abuse perpetrator such actions often simply manifested as the only means of surviving an extremely violent assault against them. Alternatively, as Donna described when asked how her perpetrator had reacted to her assaulting him, some women could no longer remain inactive during violent assaults and instead chose to act to protect themselves:

He was shocked I think, because he thought, well she normally lies there and takes it, but I stood up for myself like. You've got to in the end innit, there's only so much you can take (Donna, p24, line 22).

Second, this research also evidenced how women could become involved in crime as a result of being coerced or forced by abuse perpetrators, or simply to allay or prevent the anger of the abuse perpetrator, therefore supporting the statement that 'women

participate in illegal activities as survival strategies...and to placate abusive partners' (Ferraro, 2006: 198). Interestingly, one such form of placation exhibited in this research was enacted by a woman in response to the actions of her partner whom she denied was abusive towards her. Her crime was perverting the course of justice as she lied to provide her partner with an alibi, and she describes the context to her crime:

He, got arrested for section 18, GBH, grievous bodily harm, and, he got into a fight with, um, his ex-partner's, he was with for 11 years, uncle. The fight went pretty terrible 'cause he was drinking..., where they just had a fight, well he wouldn't stop, he was like stamping on him on the floor and the man was put into a coma for months, he was lucky to pull through to be honest. I lied, I said that he was in my house and even though I went to work I said he was in my house at the time, I come home from work, he was there but he wasn't, he didn't come in until 12 o'clock in the night. I finished work at 10, I went home, I thought well I'm tamin' [mad] with him, he's not even here, he was supposed to walk me home as well, I was waiting by the gate where I was working and he wasn't there, I was even more fuming. So I, I was just pee'd off with him to be honest until he come home, 12 o'clock and I thought don't even speak to me, I just turned my back on him, I said I'll speak to you in the morning when you're sober, you're doing my head in. In the morning when he woke up he said Donna I think I've killed someone. I jumped out of bed, I thought what? He had all like blood down him and all that, I said I'm phoning the police, he said don't phone the police. Well his sister rung me, she said the police just been up here her Mam's door, they've just come to my door, they're looking for you. I said I'm gonna ring the police just to say where you are, just, I said I'll say you was here all night...stick to the story I said to him. I said we was watching this film, they're gonna go into details, what film we was watching, what we was doing when I come home from work I said so you stick to the story. He said yeah, I said

everything I said, but he give a different story 'cause he didn't want to...get me in trouble but either way I was getting in trouble because I lied for him anyway. So I got arrested for perverting the course of justice, they was gonna give me three years prison, but they give me um, two years suspended sentence, community service, tagging, I had it quite hard like (Donna, p21, line 7).

Therefore in Donna's case it could perhaps be argued that her actions were taken in response to what she felt was required of her by her partner. Influenced by the subtle threat his actions could be perceived as inferring: that if she were not to behave as he would wish her to her family may be subject to the violence he inflicted upon his ex-partner's family member. Although Donna denied her partner had asked her to lie on his behalf it could perhaps be argued that her behaviour was influenced by a desire to ensure that she had done whatever she could to protect him in order to avoid any possible consequences, for herself or her family, at a later date.

The most significant discovery within this final section established how women's offending could manifest as a by-product of their experience of abuse where this type of behaviour was predominantly found to be in relation to crimes of child abuse or neglect. This finding arguably reflects the centrality of the woman's experience of abuse, where surviving the abuse takes precedence and, as a consequence, a woman's ability to care for her children is diminished, as this practitioner notes:

I mean there'd be other ones where, as a by-product of domestic abuse then there's allegations of child neglect or failing to protect your child, or the child not going to school and those sort of, because surviving that relationship becomes paramount (Practitioner 9, p7, line 5).

In addition if women use substances as a means of coping with their experiences of abuse this can also negatively impact upon their ability to care for their children:

[current female offender's] offending is, erm, to do with her children, erm, like neglect of her children, erm, not sending them to school, erm, and that's because, so it's an indirect link, her drug and alcohol use has gone up, as a result of her [abusive] partner, so she's, when she's tried to get hold of it but she's not able to cope with her children (Practitioner 3, p 8, line 35).

Stark (2007: 253) refers to contexts such as those mentioned by the practitioners as 'the battered mother's dilemma' describing how abuse perpetrators' behaviour can force women to have to choose between acting to protect themselves or acting to secure the safety of, or take care of, their children, where the latter could have fatal consequences for the women. Psychologically such circumstances could cause 'cognitive dissonance', a term coined by Festinger (1957), whereby the woman is placed in a position of tension and discomfort (or indeed trauma) facilitated by holding beliefs that strongly conflict with one another (such as a woman acting to survive domestic abuse whilst understanding that the actions taken to be able to do so directly or indirectly cause harm to her children). To provide a specific example, a mother, when told to harm her children by her abuse perpetrator, would comprehend that what she is being instructed to do is wrong. Her actions would be accompanied by experiencing conflict between her actions and her beliefs (and she would likely experience significant discomfort in doing what has been asked); however, she would be compelled into obeying as a result of her understanding of what would happen to her should she not comply with her abuser's request. Therefore such circumstances facilitate situations of forced compliance (or indeed complete restriction upon choice of behaviour) where there is a significant discrepancy between the actions taken by the abuse victim and the actual beliefs held by them (Malim and Birch, 1998). Stark further elaborates upon such dilemmas describing how the abuse perpetrator:



*...repeatedly forces a victimized caretaker to choose between taking some action she believes is wrong (such as physically disciplining her child in inappropriate ways), being hurt herself, or standing by whilst he hurts the child. Confronted with these dilemmas, victims attempt to preserve their rationality and humanity by selecting the least dangerous option... (Stark, 2007: 253).*

These circumstances, facilitated by abuse perpetrators, arguably construct situations in which victims are forced to make choices about how to act when in reality there is no real choice to be made, they are simply forced to 'choose' the least dangerous option for them. Thus, such circumstances, often also exacerbated by the additional social problems these women may experience, can lead to women's involvement in crime through perceived child neglect or abuse where the woman is unable to protect or indeed care for her children. The following practitioner interview extract illustrates this point:

I think from the child neglect point of view, it's, again it's been, in my experience of that, where a woman has just been struggling to cope because her main focus has been on keeping the relationship at a level where things are gonna tick and nothing's gonna go wrong, so the priority's been on the partner, the money has gone on the partner's drug misuse, for example, that's then left the family unable to kind of survive but, again, through kind of the fear and control, whilst the woman was able to recognise that her children weren't having adequate care she felt she didn't have the power to kind of stand up to her partner and then we go down the route of we've got a situation of neglect 'cause things have really escalated out of control (Practitioner 11, p6, line 27).

Notably, there can be a lack of understanding by criminal justice agencies of the specific constraints women who are victims of domestic abuse are forced to act under (or are unable to act under). In particular how such limitations can impact upon women's behaviour and actions, specifically those of a mother/caretaker, can lead to further punishment of the victim of abuse (as was briefly discussed earlier in reference to August's case). As Stark (2007: 253) notes 'Ignorance of the constraints under which a caretaker is responding often leads agencies to mistakenly hold her culpable and respond punitively, thereby aggravating rather than relieving the dilemma'. Not only does such a response fail to recognise the often distinctly limited range of actions available to domestic abuse victims, but implicit within this treatment of women are biases associated with socially constructed gender roles (Stark, 1999). The specific expectations associated with mothers, who are viewed as the primary caregiver and 'protector' of their children, can consequently lead to additional punitive enforcement by the CJS, actions which reflect their perception that the woman has failed in this role (Stark, 1999). Consequently these findings could provide important lessons for criminal justice practitioners where a more comprehensive understanding of the holistic effects of domestic abuse upon a woman's behaviour is necessary. Such considerations are supported by the London Safeguarding Children Board (2008) who recognise that a mother's experience of domestic abuse may diminish her capacity to be able to protect or adequately take care of her children, circumstances which reflect the woman's preoccupation with her own survival of her abusive relationship. Therefore when attempting to understand a woman's behaviour, CJS agencies must acknowledge: '...restraints on the mother's liberty as the key element in battering, [and therefore recognise that] accountability for harming the children falls squarely with the batterer' (Stark, 1999: 106).

**d. Survival: The longitudinal effects, or consequences, of a woman's experience of domestic abuse upon her behaviour**

When someone experiences trauma [domestic abuse] then everyone responds to trauma in different ways depending on their own kind of socialisation, their own personality, their own skills, their own resources available to them and some people kind of respond to trauma immediately and some people might not respond to it until years after the event, until something else maybe triggers it off or what have you, so I think the trauma's linked to the um to the offending because it's usually, it's usually a coping mechanism to deal with the trauma (Practitioner 6, part 1, p9, line 27).

As was referenced earlier in the previous chapter, women's attempts to cope with their experiences of domestic abuse, including their actions to survive their experiences, can also extend beyond their *immediate* responses to domestic abuse, such as women attempting to escape their current abusive relationship or their attempts to avoid physical assault, which have been outlined above. Here, again, Kelly's (1988) discussions resonate, in particular her recognition that experience of abuse can have a longitudinal effect upon women's coping behaviour and actions. As detailed earlier, Kelly identified that coping responses to victimisation can be employed at the time of the assault, in the period immediately after and in the longer term. In some cases Kelly noted that coping responses could facilitate permanent changes in behaviour. Therefore, the link between a woman's experience of domestic abuse and her involvement in crime may manifest indirectly where '...the path that led them into conflict with the law began with abuse' (National Advisory Council on Violence Against Women - NACVW, 2001:19).

For Grace, it was the long-term context of her struggle for survival that influenced her involvement in crime. Grace was convicted of benefit fraud, which was her first and only offence, and she describes the circumstances of the offence below:

Well what happened is, I'm signing on, obviously, and when I had [youngest daughter] [my new partner] used to come round, was meant to come round just two days a week to see her, well he could see her five days a week as long as he didn't stop over, but when I was ill, he'd stop over a couple of nights to have baby and then when she was coming up two [years old], he said well, we might as well just move in together but I didn't sign off straight away because it was like a safety net, I could chuck him out [gets emotional] I know it sounds awful, but I could chuck him out and I'd still be safe. Oh I'm horrible in' I?...And that's where I went wrong, because I wanted to feel safe [crying] (Grace, p13/4, line 17).

As Grace describes the benefits she continued to claim when her new, but non-abusive, partner moved into her accommodation, provided her with a 'safety net' of financial resources. In complete contrast to the circumstances she found herself in when attempting to exit her previous abusive relationship, where she had no financial resources, in her next relationship Grace wished to retain some financial resources should she need to flee the relationship. Although Grace's new relationship was not abusive, the long-term consequences of her previous abusive relationship provided a clear context to her behaviour. When asked what motivated her to continue claiming the benefits when her new partner moved in she stated:

Safety net, just because I didn't know if he [current partner] was gonna [pause] a month he moved in and I was like everyday wondering.....ooohhh!... I just thought, you know, I've just had a baby,

is he gonna think oh she gets more attention. Is he gonna start on her? 'Cause he [ex-partner] did start on the little ones but I protected them soooo much, I was worn out protecting them. 5 minutes late home from school - where are they? Even when I knew where they were, it was like, no, it's OK, I told them they could go...excuses, excuses. [Long pause] I used to say to the kids Dad's in a bad mood, go to your bedroom, go to bed, just be out of the way 'cause that way they don't get it, you get it [crying] (Grace, p15, line 10).

This data excerpt demonstrates how Grace's past experiences influenced the behaviour she enacted in her new relationship. Specifically Grace describes her concern about the possibility that her new partner could begin to exhibit abusive behaviour, a concern which reflected her ex-husband's actions as the domestic abuse he inflicted began when her first daughter was a similar age to the daughter she had with her new partner. Kelly (1988), drawing upon Susan Schechter's<sup>58</sup> conceptualisation that the impact of domestic abuse manifests in a series of losses for women, notes that two such losses can include loss of trust and loss of control. How such losses impact upon women's lives, in the long-term, depends upon the complex interaction between the assaults the women experienced, the women's means of coping and the support received from others (Kelly, 1988). Thus it could be argued that as a consequence of Grace's past experiences, once in her new relationship she wished to maintain some control over her situation, both financially and psychologically. As women's control over both their material and personal resources is often removed by their abuse perpetrator this can result in a loss of identity and subsequently culminates in a loss of power within the relationship (Kirkwood, 1993). Therefore it is perhaps unsurprising that after leaving an abusive relationship women wish to re-establish control within their lives, one manifestation of which is financial security or control over material resources. As Kelly *et al.* (2014) note, financial security is of a pivotal

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<sup>58</sup> Kelly's reference to Schechter [no date] refers to personal communication between them and does not provide a date of this communication. However, this conceptualisation is later echoed in Schechter's (1982) *Women and Male Violence: The Visions and Struggles of the Battered Women's Movement*.

nature for women attempting to re-establish their lives after exiting abusive relationships particularly in how economic resources affect survivors' 'space for action' and specifically the choices they are able to make in their lives and relationships.

To facilitate her financial security Grace equipped herself with resources, her own money accrued from her benefits, providing a safety-net should she need to exit this relationship should her new partner's behaviour become abusive. Therefore Grace's description of events demonstrate how her behaviour directly reflected, and responded to, the abusive behaviour of her ex-partner and how her means of coping transferred into her new relationship. Root (1992) states when a woman has experienced trauma the reality she constructs after this experience can appear far less safe or secure and as a consequence she may become more alert to potential threats. Therefore women's long-term behaviour after their experience of abuse, when responding to future events, can result in the activation of specific survival behaviours, as seen with Grace's actions. Analogously, for some women their former or historic experiences of abuse can have a significant and longitudinal impact upon the women's future relationships and their actions within these relationships (Comack, 2000). As Comack (2000: 94) identified in two of her research participants (and as can also be identified with Grace) their experiences of abuse '...initiated a lengthy process of coping and adapting' which continued after the abuse had ceased. As Grace describes the benefits she continued to claim functioned as a 'cushion' (Grace, p14, line 4), a tool to help protect her from further or future abuse enabling her to flee if necessary, a response initiated and contoured by her previous experience of domestic abuse with her ex-husband.

The practitioner interviews further confirmed how some women's behaviour may be affected in the long-term as a result of the previous abuse experienced:

there's those sort of very obvious, immediate concerns you would have and then with [women] that have experienced it [domestic abuse] in the past...there's gonna be other things like how it might have affected their life, you know, in terms of future relationships and sort of what choices are they gonna make about future relationships and, you know, how it's just maybe impacted on how they can cope with their day-to-day lives and manage their money...(Practitioner 8, p 9, line 17).

Importantly both Grace's experience, and the practitioner's anecdotal evidence, highlight how women's means of coping with their experiences of domestic abuse can extend far beyond their immediate responses to the abuse that was inflicted upon them. As was referenced previously, instead, as Kelly (1988) asserts, women's experiences of violence or abuse can have long-term consequences, however she employs the word 'consequences' instead of long-term effects:

*...to emphasize that there are a range of possible impacts, some of which are physical, some emotional/psychological, some behavioural and some material. The word 'effects' tends to be limited to changes in individual psychology, whereas the aftermath of victimization also includes subsequent events and circumstances which are precipitated by, or attributable to, assaults [or experience of abuse] (Kelly, 1988: 186).*

Therefore a woman's experience of domestic abuse, as Grace's case illustrates, can have long-term consequences for her behaviour and actions where such behaviour is shaped by, and can be attributed to, her previous victimisation. The type of behaviour exhibited by Grace, may also be seen to support Root's (1992) theories, which emphasise the permanence of the effects of trauma upon the behaviour of those who

have experienced it, where subsequently the victims' construction of their personal realities would also permanently change. Importantly, as a result of such changes, Root stated that this would evoke '...innate survival templates that, once activated, [would] guide [victims] in filtering subsequent...events' (Root, 1992: 246). Therefore it could be argued that Grace's previous experiences informed and determined her perceptions of, and interactions with, her new partner.

Grace's case also demonstrates how the broader circumstances in which domestic abuse occurs can also contribute to women's involvement in crime. Specifically, for some women, economic dependency upon an abusive partner can trap them in an abusive relationship or make it very difficult for them to leave (Sharp, 2008). As Kirkwood (1993) identified, for many women who have left an abusive relationship their most prominent concern to ensure their survival is accessing accommodation and building their economic resources. Although Grace had managed to establish economic independence and had accessed suitable accommodation it was her previous lack of financial resources, which had prevented her from being able to escape her past abusive relationship. As a consequence her previous experiences impelled her future actions to continue to claim benefits when her new partner moved into her accommodation as she felt this provided her with a safety-net to enable her to exit the relationship should any abuse occur. As Root (1992) elaborates the meaning of an individual's experiences is contributed to, and conditioned by, their situationally-specific (and often individual and personal) past experiences. Therefore a woman's historical experience of domestic abuse (one form of trauma) may therefore determine her responses when faced with a similar (or possibly similar) situation in the future. Perhaps it was Grace's fear of experiencing abuse from her new partner combined with having to sacrifice her own economic independence (which she felt would leave her more vulnerable within the relationship) that influenced her involvement in crime. It could be that these concerns and actions were influenced and defined by Grace's previous experiences of domestic abuse and the consequent means of coping that she developed after leaving the relationship.



The financial context of crimes committed by women who were victims of domestic abuse was something identified by Moe (2004) who developed three specific pathways that women subject to domestic violence could take into crime. Pathway 3 described the women's need '...to survive financially or emotionally after the termination of a violent relationship' (Moe, 2004: 133). Moe's pathway referred explicitly to women committing crimes as a result of economic necessity in order to survive their abusive relationship or to be able to flee it. Grace's actions therefore could be perceived as a long-term or displaced application of Moe's third pathway where Grace's actions were taken as a preventative measure, as Grace viewed her economic independence as a necessity should she experience abuse again. Finally Ferraro (2006) also recognised how women's crimes can in fact respond to the wider consequences of domestic abuse relationships, such as leaving them. One of the women involved in Ferraro's research committed crime to supplement her income after she had left an abusive relationship and needed extra resources to support her children. Therefore as Covington (2007: 3) asserts: 'Survival (of abuse and poverty) and addiction are the most common pathways to crime for women' (at this point it is also perhaps important to recognise that both poverty and addiction can manifest as consequences of a woman's experience of abuse).

Behaviour such as Grace's arguably has consequences for both criminal justice policy and practice, and particularly the supervision of female offenders. Grace's case demonstrates the need for a careful history-taking of female offenders, specifically in reference to how a woman's previous experience of domestic abuse may have a longitudinal impact upon her offending behaviour or criminogenic needs. Importantly the pathways approach suggests that a 'whole life' perspective (Belknap, 2001) should be adopted when attempting to identify the causes of women's criminality (Bloom *et al.*, 2014). Such an approach recognises that women, across their lifetimes, are at greater risk of particular social phenomena such as domestic or sexual violence victimisation, and concurrently pathways research has established that these issues

are prevalent within the lives of female offenders (Bloom *et al.*, 2014). Therefore pathways research has established that histories of personal abuse and destructive relationships are key factors which can produce and sustain women's criminality (Bloom *et al.*, 2014). The need to take a more comprehensive approach to female offenders' needs is highlighted by Gelsthorpe and Hedderman (2012) in their suggestion of nine lessons of 'what works' in terms of provision for female offenders. They advocate the need to take both a holistic and practical approach to address the social problems that may be linked to women's offending. Significantly, the results of this research suggest that domestic abuse represents one such, specifically gendered, social problem. This standpoint is further reinforced by Women's Aid (2011) who present the case for criminal justice agencies, in particular NOMS, to acknowledge and respond to women's experiences of domestic and sexual violence:

*Access to practical assistance and opportunities to deal with the damaging physical and psychological effects of abuse are therefore critical in maximising women offenders' ability to avoid future involvement in crime (Women's Aid, 2011: 15).*

The chapter will now conclude with a discussion of the final subtheme, which further explores the long-term consequences of a woman's experience of domestic abuse upon her behaviour and actions. This subtheme represents the end of the spectrum of women's agency; exploring women's most active responses to the domestic abuse they experienced and how these forms of coping influenced their involvement in crime.

## **5.2 Subversion**

Well I wasn't, I, I, it just instantly inside me I thought *No!* Hang on a minute, my children have seen this [domestic abuse], all these years

and I feel, I felt, I've always felt guilty about that, but my children have seen this all these years and I'm not having another man subjecting them to that, again. So, like, automatically in my head it was there, I'm going to hit him, something, I'm gonna do something, I'm not going to let him get away with this...(Shayan, p11, line 9, original emphasis).

The final subtheme to be explored in this chapter pays particular attention to the long-term effects, or consequences (Kelly, 1988) of a woman's experience of domestic abuse upon her actions and how this behaviour can subsequently influence her involvement in crime. Notably, all of the offences discussed within this subtheme were committed after the women had exited their abusive relationships, but their actions could still be attributed, in some way, to their past experiences of domestic abuse. Therefore this subtheme demonstrates the longitudinal, and indirect, effect domestic abuse can have upon women's behaviour and consequently their involvement in crime. This final subtheme will therefore examine the possible '...psychological legacy of victimisation' (Rumgay, 2004: 4) which may influence women's longitudinal responses and interactions with others.

This subtheme appears almost at the end of the spectrum of women's agency (as referenced in the themes table in the previous data chapter – Figure 2), representing women's more active forms of coping or responding to their domestic abuse victimisation. 'Subversion'<sup>59</sup> captures victims' attempts to re-address, or indeed reject, the imbalance of power they had been subjected to within their domestic abuse relationships. In particular, it focuses upon actions taken by women to either literally, or symbolically, take back some form of control. As the data excerpt above from Shayan (who was convicted of Actual Bodily Harm – ABH) illustrates, her crime was committed when she acted out against a man who was not her abuser but someone

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<sup>59</sup> Although the term subversion may be perceived as having positive connotations and relates to women attempting to take back control from their abuse perpetrators, enacted in symbolic retaliation for past abuse, in the cases of the women involved in this research subversion did not have positive implications and instead the women's actions of subversion involved negative consequences for them.

whom she knew to be abusive. Shayan's actions could therefore be interpreted as a delayed reaction to the domestic abuse she had experienced enacted upon somebody symbolic of her abuser. Significantly, attacking her sister-in-law's abuser could be viewed as an attempt to subvert her own status as a victim via her taking back power from someone who perpetrates abuse, perhaps responding to her previous *inability* to be able to do this within her own abusive relationship.

It was a number of years after Shayan had exited her 11-year abusive relationship with her ex-husband when she committed the offence of ABH. The data excerpt above demonstrates how her behaviour was enacted in response to abuse she, and more specifically her children, had experienced as she stated: 'I'm not having another man subjecting them [my children] to that [witnessing abuse], again' (Shayan, p11, line 11). In particular her actions seem to have been triggered by the guilt she felt regarding her children witnessing the abuse she had been subjected to, as she elaborates upon the catalyst and meanings of her offence:

she's [sister in-law] like had men that have been horrible to her in her time and she's always tried to do the best for her children and I think, so a little, so little bit of her, she reminds me of me, she's like a tough girl and that and she deserved a bit better and her children, I love her children to bits even now they still come down the house and that...they would come and tell me, oh he's doing this to my Mammy, he's doing that to my Mammy, and I was thinking to myself...I suppose it was just the fact that, that, the tipping point of it...[the abuse of my sister-in-law] happened in front of my daughter and I think it was because only once my daughter ever witnessed [domestic abuse]...with him [my ex-husband]...something's just gone ping in my head right, 'cause I'm thinking is it something to do with like women?... 'cause my daughter have seen it, even though my sons had seen it all that time, soon as, the moment my daughter had seen it I

was like no, I'm not having my girl seeing it and then she's seen it in front of another bloke and that's tipped me over the edge. But I think perhaps I'm just protective over...the women...the female part of it and I'm thinking that a female isn't weaker than a man like and just trying to show that (Shayan, p17, line 1).

What could be interpreted from Shayan's actions, as described above, is how symbolic they were as her sister-in-law's situation mirrored Shayan's own previous situation, so it could perhaps also be argued that she saw her own life reflected in her sister-in-law's experiences of domestic abuse. Shayan's actions were arguably enacted in projected retaliation for her own experiences of abuse to protect both her daughter and her sister-in-law. Furthermore, as she had escaped her own abusive relationship, she was consequently able to take action to protect her daughter from witnessing further abuse where previously, when involved in her own abusive relationship, she was unable, or did not have power to take action. In this context Shayan symbolically subverted the control that her abuser had over her by taking back power and control in a situation that reflected her own experiences of domestic abuse.

The weapon used to commit the assault was also distinctly symbolic, again linking her behaviour to her own experiences of domestic abuse. Shayan used a saucepan to attack her sister-in-law's partner and to her the saucepan was representative of the domestic abuse that she had been subjected to as much of her abuse was experienced in the kitchen whilst she was cooking: 'the worst part of the abuse was at home...little things like cooking...he's come behind me and like grab[bed] me by the hair' (Shayan, p5, line 28). She further explains why she chose this particular weapon in her attack:

Little bit of me as well, which I never admitted because I think this is a bit pre-meditated, a little bit of me.....I picked the saucepan up because I thought to myself.....and I've thought, you know like the

cooking thing innit, I thought like while he was attacking me while I'd be cooking.....is all I ever had to do...while I stood there cooking was pick a saucepan up and whack him on the head with it and then he would have stopped. Which, I know it's wrong, but just to protect myself from that and a little bit of me took that saucepan that day to try and show her [sister-in-law] look, when he's filling you in, in the house or something, just pick a saucepan up and hit him with it and that's it then, you're gone (Shayan, p11, line 18).

The data extract above demonstrates the long-term consequences of the abuse that Shayan experienced, and how specific situations triggered particular memories for her, consequently initiating her coping responses. Therefore, the crime she committed could be seen to be a symbolic enactment of what she, retrospectively, feels she could have done to escape her abusive relationship. Her actions may therefore be perceived as a means of addressing her feelings of anger and guilt about staying in her own relationship and, specifically, her children witnessing the abuse over the years (which could be seen to be the trigger of this attack). Her inability to act out against her own abuser, during her abusive relationship, is therefore displaced through attacking someone symbolic of her abusive relationship. Her actions could therefore be read as an act of rebellion at being controlled previously in her former relationship as well as a rebellion against women's collective experience of abuse. This is further corroborated in the interview extract below:

I think that erm, because I know how much it, domestic abuse, affected me as a child, how much it's affected me as an adult, how much it's affected my children, from them witnessing it...if I know that someone else is subjected, a woman or partner, to that and children it just like it makes me just want to stop it...I see perpetrators of domestic violence – they the weak ones, it's not, it's not the victim, they're the ones that are weak and I know by hitting them it's not, it's

not the way to teach 'em, to me it's like, that's the way that they control everybody else, so I just think, right, hang on a minute, let's see how you likes it. 'Cause this is what you were doing to people and it's not just like, your hit is not just hurting that person...it's also having a ripple effect throughout a lot of peoples' lives. So I just, that's how I feel but I just, react the wrong way I suppose (Shayan, p 12, line 3).

Shayan's attempt to gain control over the abuse perpetrator was also attained by reversing the role of victim and perpetrator, subjecting him to the type of abuse he had subjected his victims to '...let's see how you likes it' (Shayan, p12, line 10). Therefore, the actions she took allowed her to both literally and symbolically subvert the role of victim by removing the abuser's ability to exert power and control, where instead Shayan took control over the abuser. Importantly, however, her actions were taken against someone *other* than her own abuser therefore demonstrating the levels of power and control she was subjected to in her own relationship where, arguably, she was unable to take such actions in response to her own experience of domestic abuse. Therefore it was Shayan's previous experience of domestic abuse that, although indirectly and years after she had exited her abusive relationship, affected her responses in another situation associated with domestic abuse.

Women attacking or retaliating against someone symbolic of their abuser was identified in Richie's (1996) study. As briefly referenced in the literature review chapter, when identifying six paths to women's crime Richie established Path 2 entitled 'projection and association' where crimes were directed at '...men other than the batterer in a symbolic or projected retaliation for past abuse'(Richie, 1996:110). The criminal actions of all of the women that Richie identified as taking this pathway demonstrated the long-term consequences that the domestic abuse the women had been subjected to had upon their behaviour and actions reflecting frustration, anger and emotional damage. The long-term effects of a woman's experience of domestic abuse upon her future behaviour is further reinforced by Street *et al.* (2005: 246) who

assert ‘...that traumatic sequelae are never “erased” and may re-emerge in contexts similar to the original traumatic event...’. Consequently, in reference to this research Richie’s and Street *et al.*’s findings could be directly applied to Shayan’s behaviour. To elaborate this study identified two further examples of women who had committed crimes against someone symbolic of their abuser.

April, aged 43, committed her only offences, assaulting a police officer (twice), 12 years after she had exited her abusive relationship with her ex-husband. Again, as was demonstrated by Shayan, April’s actions can be interpreted as particularly symbolic as April’s abusive ex-partner was a policeman. The context to her offence was that she had requested police attendance when her new partner’s son had come home threatening to stab them both with a drug needle:

...one night the eldest boy come in and he was gonna stick everybody with a pin [needle] and give us all HIV. Now we don’t know whether he’s HIV or not...it all kicked off and the police were called and, I dunno the police just seemed to take their side, and it was like, he’s just been waving a needle around, gonna stick us with a needle and, you know, it just all kicked off and I’d been put on medication as well and between the medication and me being irate, I just when off the rails, I just saw red and I just got done then for assault on police (April, p 9, line 18).

April had been in an abusive marriage, with her husband who was a policeman, for 15 years and had been subjected to physical, emotional and sexual abuse. April’s case clearly demonstrates the long-term psychological impact that abuse may have upon a victim and their behaviour, and could be seen to reflect Root’s (1992:242) assertion that a woman’s experience of trauma can ‘...shape their subsequent perception and interaction with self, others and the world.’ Consequently April’s actions also provide



further corroborating evidence of Richie's (1996) theories, referenced above, detailing how women commit crime against people representative of their abuser in a symbolic retaliation for previous abuse. For April it was seeing the uniforms, which triggered particular memories of the abuse she experienced:

I just saw the uniform and I thought, do you know what, you did nothing for me, nothing for me...so I ended up getting 4 counts of assault against police but it's, it's not the people they were, it was the uniform, do you know what I mean, I just saw red and it was like don't just, don't, don't come near me, just don't touch me, just, but no, they just got in my face and it was like no, *I'm not having it, I'm not having it*, I just spiralled off because all I could see then was.....obviously having, having been married to a copper and the abuse I took off him, I just, I, every time I see 'em I just, I just go into, well obviously the fight or flight isn't it and that's the mode I go into all the time, whenever I see 'em [police]. Even walking through town is just like pppfffttt, it's just a nightmare (April, p9, line 27, original emphasis).

April's recollection of her offence illustrates how the sight of the police, and the memories the police and uniforms evoked for her, triggered a particular reaction in her which she describes as 'fight or flight' as a means of protecting herself from further abuse. As Crowell and Burgess (1996) recognise, experience of domestic abuse is associated with a host of both short-term and long-term effects, including psychological symptoms in reference to the latter. They note that the types of psychological symptoms that victims of domestic abuse exhibit are similar to those of victims of war and natural disaster including disorders such as Post Traumatic Stress Disorder (PTSD).

Post Traumatic Stress Disorder, as a condition, can occur shortly after the precipitating event (this could be within months), or instead may develop years after the traumatic event, but may last indefinitely (Rabkin, 1993). Two relevant symptoms of PTSD which relate specifically to forms of coping include: sufferers re-living previous experiences of trauma and hyper-arousal (Nolen-Hoeksema, Fredrickson, Loftus and Lutz, 2014) which could be triggered by events or incidents that remind them of the original trauma experienced. For April it was the sight of the policemen and their treatment of the situation that appeared to trigger her coping responses. Her reaction on this night was specifically symbolic as at the time of her abuse, as a result of her husband's position as a policeman, after most assaults April was unable to report the abuse he perpetrated against her as she would have had to report the incidents to his colleagues (who were also his friends). The times when she did report the incidents (after severe physical assaults), the police did not provide protection and instead supported her husband. When asked whether she felt the abuse she had experienced had impacted upon her involvement in crime April stated:

Yes, yeah, because I wouldn't have...behaved the way I did with those police if it wasn't for, for the way he was with me and the fact he is a policeman (April, p18, line 11).

April's behaviour could also be perceived to be a delayed response to the abuse she experienced at the hands of her policeman husband, enacted as a means of protecting herself from abuse that she psychologically associated with the police uniform. In this case April attempted to take back control in the situation by retaliating against the police: 'I'm not having it, I'm not having it', a displaced response resultant from her inability to protect herself at the time of her own domestic abuse, consequently her response is evoked during a later incident where she is able to fight back. Yet, in April's case not only did the police directly symbolise her abuse perpetrator but it could also perhaps be suggested that they also represented the CJS which April perceived as having failed both to protect her from the abuse she experienced and to

punish her ex-husband for the abuse he committed, leading her to act out in her frustration:

...I just think that if justice had been done in the beginning, that I could've just put it to bed, but because it wasn't and because he's constantly, like I say, just, he's just making his presence felt all the time.....like I say even when he, he's living abroad he's always, I think, I think if justice had been done in the beginning then I could've drawn a line under it and thought right well they're not all bad...I just think if things had been sorted out and if justice had been done, the first time, then I wouldn't have carried these feelings on and I wouldn't have been the exploding time bomb that, that I turned out to be (April, p21, line 11).

April's dissatisfaction with the CJS's treatment of her situation, in reference to its inability to protect her from the abuse that she experienced for over a decade, perhaps facilitated the development of her feelings of frustration at the complete absence of protection it afforded her, subsequently contributing to her offence. In support of this she stated: '...you just feel let down by the system and it's just like, you're, you're just sticking up for him because he's a copper...' (April, p22, line 3). This extract not only demonstrates her anger at the lack of protection provided by the CJS but also references her husband's police colleagues' corroboration in the abuse via their failure to act upon his actions, as she confirmed: 'They're just a *law unto themselves*' (April, p13, line 6, original emphasis). April's statements consecutively reflect first upon the inadequacies of the police response to domestic abuse cases (HMIC, 2014) but also reference police occupational culture, and specifically their historical reluctance to intervene in 'domestics' (Buzawa, Buzawa and Stark, 2012).

April's case arguably illustrates the long-term impact that a woman's experience of domestic abuse may have where the interactions between abuse perpetrator and victim can shape the woman's behaviour years after she has exited the relationship. Consequently it led her to conclude:

I just think they [CJS agencies] should take it [domestic abuse] more serious and understand that it's not just, I've been hard done by so I'm gonna take it out on the world, that there is underlying problems, just because something have been dealt with, years ago, or you think it's been dealt with, doesn't mean that it has because you just put it into boxes and every now and again those boxes burst open and that, that, that can make you behave in a way that can be totally out of character...Like I said it's the old reaction and whatever, for every action there's a reaction and, and there is, but they don't see that, they don't, they just think oh well she's been bad now she's going to be bad all the time and it's, it's not, if you nip it in the bud you can stop it, you know, just take people more serious and don't just say oh it's a domestic, 'cause it's never just a domestic, never, never...(April, p23, line 26).

Finally, Violet, aged 33, had committed a range of offences, predominantly against the police (possibly viewing them as a symbol of the CJS which failed to provide adequate support/protection during her rapist's trial<sup>60</sup>), and men in general, as a result of what she described as her '...grievance against men...' (Violet, p6, line 17). Violet had experienced a range of traumas throughout her life including witnessing domestic abuse between her parents as a child, and she had been raped by an acquaintance as an adult. As an adult she had also been involved with an abusive partner who had used his knowledge of her rape as a form of abuse within their relationship (he did so

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<sup>60</sup> During interview Violet described how her rapist had repeatedly breached bail conditions by appearing outside her house during the time after the rape, whilst he was awaiting trial.

through re-enacting the exact type of violence that was perpetrated against Violet during her rape). All of the offences that Violet had committed occurred after her rape and after she had exited her abusive relationship demonstrating the psychological impact both forms of abuse had upon her behaviour, specifically in relation to protecting herself and her body:

I knows why I got in trouble innit at that time, yeah it was all because of the rape, my head was screwed, so yeah...it's my body, yeah it's my body don't touch me unless like, unless I say it's OK like (Violet, p7, line 4).

Therefore Violet's actions could be read as a deferred response to her previous experiences of sexual and domestic violence, where her actions explicitly conveyed her distrust of men; distrust manifesting from her previous victimisation. Importantly mistrust of men is a common response exhibited by survivors of domestic and sexual violence<sup>61</sup> (Kelly, 1988). In her study Kelly (1988) found that this distrust stemmed from the women's desire to prevent future experiences of abuse and therefore reflected their desire to avoid further victimisation. In addition victims of sexual violence may also experience feelings of powerlessness and loss of control after their assault (The London Rape Crisis Centre, 1999) which, as Violet's behaviour arguably demonstrates, could lead to behaviour enacted to retain control over interactions with men after the assault. In Violet's case her behaviour could also be perceived as explicitly related to the control she now wished to retain over her body and her mechanisms of self-protection specifically regarding being touched. For many survivors of sexual assault exerting and retaining control over their bodies after the assault is deemed to be an essential part of their recovery (Mindlin and Reeves, 2005). In particular, as a result of their bodies having been violated victims can become sensitive to being touched by anyone else, actions which reflect their need to protect

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<sup>61</sup> Although Kelly (1988) identified this as a common response she also established a range of other factors that shape the women's attitudes towards men including who the perpetrator of the abuse or assault was and the specific context of the abuse or assault, as just two examples.

themselves from further abuse (London Rape Crisis Centre, 1999). In Violet's case her actions clearly corroborate these suggestions, but, in addition her behaviour could also be perceived as compensating for her inability to act out against her abusers previously.

Violet's actions, like April's, could again be perceived as being clearly connected to and reflective of her previous experiences of victimisation. Although their experiences were in the past, when faced with particular situations that represented or reminded them of the abuse they had previously experienced, they subsequently responded to protect themselves. As this extract from Violet's interview confirms:

I kept getting in fights with men, a man couldn't...'cause I, like, I'd had a nervous breakdown, come here to try and switch off like to get away from it, but I hadn't had no help or nothing...I just kept getting in fights. A man would put their hands on me, I'd be fuc...I'd kill 'em, I would literally stamp on them and then a policeman would come and arrest me and it's a male arresting me, trying to arrest me and grab me up, I was getting violent with him. So in the first three months of living in [town] I had 27 charges against me for violence against men, innit, huh! Sounds bad don't it? (Violet, p6, line 19).

The long-term consequences of a woman's experience of domestic abuse upon her behaviour, and how this may influence her involvement in crime, is further substantiated by the data extract from a practitioner interview:

...if they are out of the relationship it doesn't necessarily mean that the actual relationship is causing it [the offending], it's the damage that the relationship's caused, so you could be in or out of the relationship, it's irrelevant sort of sometimes, it's the, erm, usually it's

probably more risk when you're out in terms of re-offending, than when you're in, 'cause when you're in you're just kind of, you're probably not re-offending as much, you're just living, that trauma (Practitioner 6, part 2, p8, line 16).

Ferraro's (2006) research also provided evidence of the long-term consequences of a woman's experience of domestic abuse upon her behaviour. Ferraro refers to the abuse perpetrator's 'gaze', describing women's internalisation of their abusive perpetrator's commands and control, which led to the policing of their own behaviour to ensure it complied with the perpetrator's wishes. Ferraro states that this 'gaze' can have a continuous and long-term effect upon the woman's behaviour even in the perpetrator's absence, after abandonment, after the perpetrator's imprisonment or even after the perpetrator's death. Ferraro described how fear continued to dominate the behaviour of many of the women involved in her study even after the death of their abuse perpetrators. Ferraro noted how this fear, constructed and conditioned by the abuse perpetrator when alive, continued after their death to limit women's behaviour, specifically in terms of their ability to trust in people, leaving them unable to resume a 'normal' life. The long-term effect of such experiences of trauma is affirmed by Root who states that:

*after a traumatic experience, one is more likely to be sensitive to threatening cues in the environment that are associated with the original trauma, or, through a process of higher-order conditioning, as associated indirectly (Root, 1992: 246).*

Significantly, the findings presented in this chapter therefore demonstrate that a woman's experiences of domestic abuse can have long-term consequences upon her behaviour and actions. In specific reference to women's involvement in crime, offences can take place in a much broader context than is usually understood when

attempting to understand the relationship between domestic abuse and women's offending. Rather than women simply offending against an abuse perpetrator, with an abuse perpetrator or being forced or coerced by an abuse perpetrator to commit a crime instead crimes can be committed by victims of domestic abuse:

- Without the abuser present;
- After exiting an abusive relationship or situation;
- Many years after the relationship/abuse had ended.

### **5.3 The dynamic nature of domestic abuse and consequently women's coping mechanisms**

As was mentioned earlier in the previous chapter, it is important to emphasise that the subthemes presented within the findings chapters are *not* mutually exclusive. Although each individual means of coping, described by the subthemes detailed within these two chapters, can be employed as a standalone coping mechanism, many of the women who participated in this research employed different coping mechanisms at various different times including, for example:

- In response to different incidents of abuse but within the same relationship;
- Within different or multiple abusive relationships;
- Or outside of the abusive relationship/s altogether (here in reference to the longitudinal context of women's coping mechanisms).

Therefore some of the women's behaviour, drawn upon in this research, could be illustrated by multiple different subthemes. Hence, the findings of this research support Kelly's (1988) perspective that the types of coping mechanisms utilised by women, in response to the abuse they experience, will vary from one woman to another and can also vary over time. Thus, this variation in the behaviour enacted by



each individual woman from one time to another reflects the subjective and personal nature of domestic abuse experienced as well as the long-term effects women's victimisation can have upon their actions. Therefore women employ a multitude of coping behaviours and strategies to survive, resist or escape domestic abuse (Waldrop and Resick, 2004) as domestic abuse itself is a dynamic phenomenon dependent upon complex interaction between both abuse perpetrator and victim (Lempert, 1996).

Coping therefore can be viewed as a *process* resulting in women having to adapt their coping mechanisms to reflect the context of the abuse and/ or situation/event. This is an assertion supported by Lazarus (1993) who noted that coping can differ over time and can alter in response to different stressful encounters.

As a result, the subthemes established within this research are not mutually exclusive, and instead the findings demonstrate how women would adapt their behaviour experientially in an attempt to survive and respond to the varying and dynamic forms of abuse they were subjected to (initiating coping responses both during and after their experience of domestic abuse). The findings of this research suggest that '...[victims of IPV] survived life-threatening experiences by developing adaptive strategies of resistance and strength' (Lempert, 1996: 281). They therefore present ways in which women would cope with or respond to their experience of domestic abuse emphasising the active, agentic and dynamic nature of the means of coping employed by women who had experienced domestic abuse (although often enacted within restricted or confined circumstances). Therefore as Waldrop and Resick (2004: 300) contend:

*...coping is probably flexible, constantly changing with feedback and the influence of other contextual variables. This point is especially salient in research on domestic violence, where the dynamics of chronic battering relationships contribute to the complexity of the coping process.*

## 5.4 Other factors contributing to women's offending

This research did not seek to prove a causal relationship between domestic abuse and women's offending; instead it aimed to explore ways in which a woman's experience of domestic abuse may contribute, in some way, to her offending. Subsequently it is important to acknowledge that many of the women who participated in this research had experienced *multiple* forms of victimisation or trauma. Many had experienced childhood abuse, some had witnessed domestic abuse as children, some had been a victim of sexual abuse or assault, and some had also experienced other forms of trauma such as bereavement and loss of the custody of their children (in reference to the latter this was often as a result of the domestic abuse they had experienced). It is important to state that this research centred upon the women's experience of domestic abuse only, and did not discuss in any further detail their experiences of other forms of abuse. It is important, however, to recognise that the other forms of victimisation the women had experienced may have also contributed to their involvement in crime. The cumulative impact of victimisation, the various intersections of such forms of victimisation (DeHart, 2004), and the effects this could have upon the women's behaviour was therefore not explicitly investigated but future research may wish to explore the effects of the multiplicity of victimisation or trauma further.

Of course not all women interviewed for this research perceived that the domestic abuse that they had experienced had contributed to their involvement in crime. It must also be acknowledged that other factors outside of the women's experiences of domestic abuse could have also, or alternatively, contributed to their offending. For example, the group of women involved in this research were also characterised by a range of other criminogenic attributes, or factors that often contribute to a person's likelihood of offending. Thus, some of the women had previous histories of offending, a lack of formal education or educational qualifications, experienced financial difficulties and poverty, substance abuse issues, and mental health issues, all of which have been identified as factors contributing to offending and re-offending (MOJ,

2013c; 2012b; Department of Justice, 2010). Nonetheless it is also important to recognise the correlation between domestic abuse and the aforementioned criminogenic factors. For example, domestic abuse leading to substance misuse as a means of coping, which can subsequently make it difficult to discern whether the woman's experience of abuse influenced her behaviour related to criminogenic risk, or whether such behaviour existed prior to the domestic abuse.

As the MOJ (2012a) note, domestic violence and alcohol misuse are strongly associated, whilst alcohol misuse is also recognised as a criminogenic factor, therefore this association between domestic abuse and alcohol (and drug) misuse can therefore cause difficulties in determining which factor may have had the most significant influence upon the women's involvement in crime. What it is important to assert, however, is that all of the women involved in the research had extremely chaotic and complicated lives. Moreover, what remained a constant was the pivotal effect that the domestic abuse had upon them, their behaviour and actions, therefore supporting the assertion that:

*trauma is intricately linked both directly and indirectly to the female criminal pathway. Indeed, trauma is correlated with mental and physical illness and dysfunction, maladaptive high risk behaviours and socio-economic disadvantage which characterise imprisoned women (Moloney et al. 2009: 429).*

This statement could also apply to female offenders serving their sentences in the community as many of the women interviewed for this research exhibited such characteristics.

## 5.5 Forms of coping that do not lead to crime

Women who had experienced domestic abuse but who had not been involved in crime were not included in this research. As a result it was therefore impossible to examine any possible coping mechanisms that women who have experienced domestic abuse may employ which could instead divert them *away* from offending. The use of such mechanisms would of course steer women away from the CJS from which the research sample was drawn. As this practitioner illustrated when asked about how a woman's experience of domestic abuse may affect her:

...I think a big, big issue is the way in which it effects their family and children issues in particular, and I think that's something which goes one way or the other for people whereby they, they will recognise then an opportunity to potentially move away from the relationship, we don't tend to see those people because I think if people are successful in doing that they probably, um, end up in some other route (Practitioner 15, p10, line 32).

This suggests that a woman's inability to exit an abusive relationship might also have negative consequences that may contribute to her pathway into crime. Thus, the coping mechanisms that the women who were involved in this research employed therefore did not include ones that had positive outcomes for them. But as the purpose of this research was to explore ways in which a woman's experience of domestic abuse could influence her involvement in crime the current remit was to interview only those convicted of crimes. A proposed solution to examine types of coping mechanisms which might divert women from involvement in crime would be to undertake post-doctoral research with a broader sample group to include women who have experienced domestic abuse, and who did not commit crime, to investigate ways in which they may have been able to avoid involvement in offending.

## **5.6 Did the female offenders themselves perceive that the domestic abuse they had experienced influenced or affected their involvement in crime?**

It is important to end this chapter focusing upon the voices and perspectives of the women who participated in this research. As has been evidenced throughout the findings chapters, many of the women's narratives illustrated how they believed that their experiences of domestic abuse had influenced their involvement in crime. Of the 25 female offenders interviewed 18 directly stated that they felt their experience of domestic abuse had, in some way, contributed to or influenced their involvement in crime. Only two of the female offenders interviewed explicitly declared that they perceived that their experience of abuse had not influenced or affected their involvement in crime. In the cases of the remaining six women; some identified slight connections; however, some of the women were unable to answer directly whether they felt their experience of domestic abuse had affected their involvement in crime. For example Charlie-Ann, when asked if her experience of domestic abuse had influenced any of her offences, stated:

To be totally honest with you, I can't answer that. I can't. I.....I can't even make my own decision. I struggle, I can't think straight. I don't know if I'm.....I don't even know if I'm supposed to, to be honest. That's how I feel. I wait for him.....I wait for people to tell me what I should do or what they expect of me... (Charlie-Ann, p23, line 34).

The data excerpt above demonstrates how the levels of control some women are subjected to can affect their ability to reach conclusions about how their life has been affected by the abuse. In some cases a woman's reluctance to state a connection between her experience of abuse and her offending could be explained by the women's inability, or indeed reluctance, to recognise or acknowledge the impact that the domestic abuse had had on her life (see the earlier discussions of 'naming').

Therefore despite no clear declaration that domestic abuse had affected their involvement in crime, for some of the remaining six women this lack of conclusion or acknowledgement could perhaps stem from minimisation (McCue, 2008; Bernades and Wallace 2007) of their experiences of domestic abuse or their reluctance to acknowledge the impact the abuse has had upon their lives. Finally for some of those that did not identify their experience of domestic abuse as having affected their involvement in crime they did, nevertheless, identify ways in which their experience of domestic abuse influenced *other* aspects of their involvement with the CJS. For example both Summer and Skye illustrated how their experience of abuse had affected their ability to comply with their sentences.

At the conclusion of the presentation of the research findings, and immediately prior to the conclusion and recommendations chapter, it is important to reiterate that one of the primary aims of the research was to provide criminalised women with a voice, where previously these voices have been silenced (Comack, 2000). The silencing of women's voices, as a result of their victimisation, or the androcentricity of traditional criminological research, has therefore been subverted by ensuring that the foundations of this research were built upon the accounts and perspectives of women themselves. As a result this research has placed the experiences of female offenders, who had experienced domestic abuse and who had been involved in crime, at the very centre of the discourse. By supplementing the female offender sample with probation service practitioner interviews the research is strengthened by ensuring the inclusion of recommendations for criminal justice policy and practice. The voices of the women included in this research are therefore extended further by enabling their experiences to be drawn upon by criminal justice agencies, where possible, when developing their services.

## CHAPTER SIX: CONCLUSIONS, CONTRIBUTIONS AND RECOMMENDATIONS

*How do women cope with, resist and survive the abuse they encounter? How does it affect their conceptions of self or the choices they make?...More specifically, to what extent did abuse play a role in their troubles with the law? (Comack, 2000: 12).*

As has been acknowledged throughout this thesis, female offenders are far more likely to have experienced domestic abuse than the general female population (Bloom *et al.*, 2014; Women's Aid, 2011). Yet despite wide recognition of the existence of a relationship between domestic abuse and female offending, acknowledged across academia, policy and practice (see for example: Roberts, forthcoming; MOJ 2013b; Women's Aid, 2011; Ferraro, 2006; Richie, 1996), hitherto there has been little investigation of how this relationship may *operate*. The central premise of this doctoral research was therefore to examine ways in which a woman's experience of domestic abuse could influence or affect her involvement in crime. By focusing upon the interaction between abuse perpetrator and their victim, and specifically the ways in which women resist, cope with, or respond to the domestic abuse they experience (Comack, 2000; Kelly, 1988) this research identified a range of ways in which a woman's experience of domestic abuse can influence her offending, and has begun to address a significant gap within the existing analysis of this relationship.

Through its focus upon community-based female offenders and crimes committed by victims outside of the relationship with their abuse perpetrators, the findings of this research have indicated that the relationship between domestic abuse and women's involvement in crime is far more complex and varied than has previously been suggested. As a result this research has begun to answer the research questions posed at the beginning of this thesis, questions elicited by the lack of qualitative research on this topic, as well as those referenced by Comack (2000) in the quotation above.

Subsequently this research has demonstrated how some women's involvement in crime can therefore be better understood and explained when their actions are contextualised by how they attempt to cope with their experiences of domestic abuse.

By examining the relationship between a woman's experience of domestic abuse and her involvement in crime in a far broader context than previous research has, this study has begun to unravel the diversity and complexities of this relationship. This thesis has therefore presented the varied ways in which women's actions and behaviour, specifically their involvement in crime, can be affected by their experiences of domestic abuse. In conclusion, this research has indicated that a woman's involvement in crime can be influenced, either directly or indirectly, by her experience of domestic abuse. In explanation; direct refers to ways in which a woman's experience of domestic abuse is clearly identifiable in affecting or influencing her involvement in crime, and indirect references cases where although the woman's involvement in crime may be less obviously connected, her behaviour can still be attributed, in some way, to her experience of domestic abuse. Subsequently this study has also demonstrated that a woman's experience of domestic abuse can have both an immediate and/or longitudinal impact upon her behaviour and actions and consequently, in some cases, her offending behaviour. Finally, the findings of the research have significant 'real world' implications, particularly for criminal justice policy and practice, specifically in the area of offender management and support. The findings of this research are of relevance to a wide range of criminal justice agencies including the Probation, Police and Court services, particularly with regard to community-based support for victims of domestic abuse and provisions for community-based female offenders.

## **6.1 Key contributions made by this thesis**

This research has made a number of significant contributions to the existing academic literature. First, unlike the vast majority of existing research exploring ways in which a



woman's experience of domestic abuse may influence her involvement in crime, this doctoral study focused upon a particularly under-researched demographic, researching the experiences of community-based female offenders as opposed to women in prison (Ferraro, 2006; Comack, 2000; Richie, 1996). This is highly significant as the latter demographic does not reflect the majority of the female offending population, as women comprise a tiny minority of the total prison population. Furthermore the crimes committed by those women who are subsequently imprisoned are generally more serious than those committed by the broader female offending demographic. As a result of interviewing women being supervised (by the probation service) in the community the crimes committed by the female offenders involved in this study are far more reflective of women's more typical forms of offending. Therefore by examining a less well acknowledged demographic and by exploring women's more common crimes this UK-based study has made a distinct contribution to international criminological literature.

Second, this research has also contributed to discourses surrounding the psychology of coping by applying this to women's responses to domestic abuse and, more specifically, how women's coping mechanisms may influence their involvement in crime. Furthermore, when examining how women's responses to domestic abuse may lead to their involvement in crime, this doctoral research has expanded the focus of existing literature by examining the longitudinal impact of women's coping mechanisms. Much of the existing research has focused predominantly upon women's immediate responses to the domestic abuse they have experienced and how this may influence their involvement in crime. Most studies have consequently reduced the relationship between domestic abuse and women's involvement in crime to the simple equations of: women committing crime with, against or for (at the request of, or as a result of coercion/threats from) their abuse perpetrator (Jones, 2008; Ferraro, 2006; Richie, 1996; Browne, 1987; Walker, 1984). Although this research did find evidence to support and corroborate the findings of these existing studies, most significantly this thesis clearly identified that the relationship between domestic abuse and female offending is far more complex and varied than has previously been presented or

understood. Therefore this research has successfully elaborated upon and extended the research conducted by Richie (1996), Comack (2000), Moe (2004) and Ferraro (2006), amongst others.

To elaborate, this research demonstrated the existence of a wider range of relationships between domestic abuse and women's involvement in crime which are not already comprehensively acknowledged within existing literature. In particular this research affirmed the need to specifically acknowledge the long-term effects of domestic abuse upon women's behaviour, including women's actions enacted outside of their abusive relationship or situation. Therefore this research exposed ways in which a woman's experience of domestic abuse could not only influence her immediate behaviour, in terms of her responses to her current experience of abuse, but also how her behaviour could be affected in a long-term context whilst still constituting a response, or reaction, to her previous or historical experience of domestic abuse. The findings of this research suggest that for many survivors of domestic abuse the process of coping with their experiences is ongoing throughout their lives. Subsequently one of the most pivotal findings of this research was that women's actions and behaviour could be affected by their experiences of domestic abuse: without the abuser being present; after the victim had exited an abusive relationship or situation; or many years after the relationship or abuse had ceased. This suggests that the relationship between domestic abuse and women's involvement in crime extends far beyond a woman's immediate responses or reactions to the domestic abuse she is experiencing. Therefore discussions about how women cope with their experiences of domestic abuse should reference their behaviour *outside* of this direct relationship and extend into their lives *after* the domestic abuse itself has ceased.

Consequently women's experiences of victimisation can affect them over their life span, and therefore should also be taken into consideration to contextualise their involvement in crime encompassing: '...effects on health, psychosocial functioning, and

involvement in systems such as family and work' (DeHart, 2004: iv). It is the longevity and all-encompassing effects of the woman's experiences of domestic abuse upon her life that may influence her behaviour and actions including behaviours enacted entirely outside of the woman's experiences of domestic abuse. The long-term effects of a woman's experience of domestic abuse could therefore have direct implications for criminal justice policy and practice. Importantly this research provides qualitative evidence to support Women's Aid's (2011) acknowledgement of the long-term support needs of victims of domestic abuse. Unlike their framework, however, this research specifically imparts the need to recognise women's experiences of domestic abuse as a criminogenic factor, and in particular the need for acknowledgment of the long-term impact of domestic abuse as a contributing factor to women's offending. Therefore, when approaching this from a domestic abuse service provider perspective, the need to address the long-term effects of domestic abuse are compounded as the advantages of this could be two-fold, addressing both women's domestic abuse support needs and possibly preventing women's offending or re-offending.

Importantly, as the preceding paragraphs have described, this research has provided a significant contribution to the understanding of the relationship between domestic abuse and women's involvement in crime and the way in which it is theorised. In particular, the establishment of the overarching theme of coping and the development of the subthemes of subjugation, self-preservation, survival and subversion – employed to explain the different manifestations of women's means of coping with the domestic abuse they have experienced and how these coping mechanisms led to their involvement in crime – provides a unique theoretical conceptualisation of the relationship. Thus the overview of themes, as presented in Figure 2 (page 117), clearly depicts the unique theoretical contribution established by this research.

Conclusively, collaborating some of the findings but expanding upon the work of numerous studies of this nature (Ferraro, 2006; Jones, 2008; Moe, 2004; Comack, 2000; Richie, 1996), this research has clearly demonstrated that some women's

involvement in crime can be connected and intertwined with their experiences of domestic abuse. Importantly the unique methodological positioning of this research - the combined feminist and symbolic interactionist approach employed - facilitated an in-depth, qualitative, exploratory investigation of how both macro and micro factors intersect to construct circumstances in which a woman's experience of domestic abuse can influence her behaviour and actions, and in some cases her involvement in crime. The combination of feminism and symbolic interactionism therefore enabled translation of how patriarchal oppression at a macro level reverberates and reinforces women's actions at a micro level or within each '...patriarchy in miniature' (Stark, 2007: 194). Thus many of the crimes committed by the women involved in this study could be interpreted as a *by-product* of their experience of domestic abuse or their attempt to cope with it enacted via their means of responding to; surviving; resisting or attempting to escape (temporarily, permanently, figuratively or literally); or exiting either a current or previous abusive relationship.

Notably, the findings of this research also provide a form of social commentary as a result of demonstrating how the lack of adequate support or protection afforded to victims of domestic abuse within the community, specifically in regards to the police response to domestic abuse, may also contribute to their involvement in crime (or compound the desperate circumstances victims find themselves in). This research has demonstrated that women's coping mechanisms are often dependent upon the availability of, and access to, resources to help them cope with their experience of domestic abuse (see also Kelly, 1988). Therefore for some women committing crime (and as a consequence being incarcerated temporarily or longer-term) can help them escape or facilitate a reprieve from their experiences of abuse. Such actions consequently suggest the high levels of desperation that some women face when attempting to cope with the abuse they are experiencing. When a victim of domestic abuse commits crime as a way of escaping an abusive relationship, or as a '...cry for help...' (Nancy; Practitioner 6), this clearly demonstrates the pivotal impact that domestic abuse may have upon a woman's life, behaviour and, for some, their pathways into crime. As a result the inadequacies or lack of availability of the support

or protection provided in the community consequently some women are left with little or no opportunity of escape and, for some, prison facilitates a forced and complete separation from the domestic abuse perpetrator and the abuse they inflict upon their victims.

In addition the findings of this research have also demonstrated how the CJS's responses to women's offending may also contribute to women's re-victimisation. For example, this research documented how some CJS representatives may sentence women to prison to facilitate their access to much needed support or resources associated with their domestic abuse victimisation. In cases such as this the sentence reflects the woman's support needs rather than the crime committed, resulting in what is termed 'up-tariffing' (see Barry and McIvor, 2010). As was suggested in the findings chapters, women's imprisonment can cause further harm to women and therefore responses such as this can exacerbate women's trauma. Interestingly a document published by the Centre for Crime and Justice Studies in 2015 highlighted that: 'There is significant need amongst women in the criminal justice system...[yet] criminal justice responses [can] reinforce women's experiences of powerlessness and subjugation, causing further harm' (Roberts and Townhead, 2015: 6). Therefore the implications of this research stretch far wider than the CJS alone and demonstrate a need to holistically address domestic abuse not only to address women's offending and re-offending, but, perhaps most importantly, the prevention of further harm to women themselves.

In recent years increased attention has been paid to gender-specific pathways to crime, the particular vulnerabilities of the female offender population, and the harm that criminal justice responses to female offending can cause<sup>62</sup>. In 2012 the MOJ produced *A Distinct Approach: A Guide to Working with Women Offenders*, which noted the need to address the issue of women's marginalisation in the CJS, a result of

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<sup>62</sup> In the UK context this could perhaps be seen to be a direct consequence of the Corston Report in 2007 and its follow up in 2011 (All Parliamentary Group on Women in the Penal System, 2011).

the system having been designed around the need to control male offenders and manage their needs, something which has been argued for decades (see for example: McIvor, 2004; Heidensohn, 1985). Importantly the recently amended Offender Rehabilitation Act (2014), in accordance with the Equality Act (2010)<sup>63</sup>, now requires the Secretary of State for Justice to ensure that offender supervision services address and meet the particular needs of female offenders. Furthermore, in 2014 and 2015 an array of documents were published calling for reforms to the CJS's treatment of women (see for example: Mills, Roberts and Townhead, 2015; Earle *et al.*, 2014; Prison Reform Trust, 2014a). All of the aforementioned information therefore demonstrates that this research is both politically timely and relevant, particularly as it provides further evidence of both the gendered nature of women's pathways to crime as well as the specific needs of female offenders in regards to their disproportionate experiences of domestic abuse. Therefore the findings of this research contribute to the discourses relating to women and the CJS, and could help inform one of the Ministry of Justice's key priorities, detailed with its paper *Strategic Objectives for Female Offenders* (2013), which asserted the need to ensure the: '...provision of services in the community that recognise and address the specific needs of female offenders, where these are different from those of male offenders' (MOJ, 2013b: 4). Importantly this research also provides some evidence to support the statement that:

*Most of the solutions to women's offending lie outside prison walls in treatment for addictions and mental health problems, protection from domestic violence and coercive relationships...address[ing] the causes of [women's] offending (Prison Reform Trust, 2014b: n.p.).*

Therefore through examining, and evidencing, how a woman's experience of domestic abuse can influence her involvement in crime, this research elaborates upon the

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<sup>63</sup> In reference to the provision of public services the Equality Act (2010) and duty requires public bodies and private or third-sector agencies to ensure they eliminate discrimination and advance equality of opportunity (Equality Act, 2010: n.p.). This could include the provision of women-only or women-specific services where they are known to be more effective (Earle *et al.*, 2014).

discourses surrounding female offenders' criminogenic needs. Notably this research clearly evidences that women: '...have different criminogenic needs because their routes into offending and reasons for offending are different to those of men' (Gelsthorpe, 2007: 50). Therefore the findings of this research have direct implications for both CJS practice and policy (as well as implications for the wider support and protection needs of victims of domestic abuse within the community). Significantly, changes in both policy and practice in the field of criminal justice are not wholly dependent upon the availability of either human or financial resources and instead could be addressed by changes in the way that services are delivered (via the use of existing resources) or via restructuring the support that is already available<sup>64</sup>. As a result the findings of this study could contribute to real changes with regard to the ways in which female offenders who have experienced domestic abuse are both managed and supported, with little or no financial investment required.

The relevance and value of the research undertaken for this doctorate, specifically for criminal justice agencies, was demonstrated by the reactions received when discussing its scope and initial findings, prior to publication. As a result of undertaking this doctoral research within the Wales Probation Trust, and because of their understanding of the implications of the research findings for both policy and practice, they decided to undertake some follow-up research. Conducting this doctoral research consequently led on to the opportunity for the researcher to undertake further related research which was commissioned by Integrated Offender Management (IOM) Cymru's Women's Pathfinder Project<sup>65</sup>. This comprised a quantitative study which sought to acquire Wales-specific data exploring the prevalence of domestic abuse victimisation within the backgrounds of community-

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<sup>64</sup> For example, delivering women-only reporting sessions may have a significant, positive, impact upon women's compliance with their sentences and their access to much needed resources. Women's only reporting sessions often included provision of external women's services within the probation office addressing domestic abuse and substance misuse, which enabled women to access much needed support in a safe, one-stop shop style environment. Initiatives such as this can draw upon existing resources simply through restricting the provisions already available.

<sup>65</sup> Informed by the principles of IOM, the Corston Report (2007) and the review of Corston (All Parliamentary Group on Women in the Penal System, 2011) the Pathfinder aims to design and deliver a women-specific, whole system, integrated approach to managing women in the CJS in Wales.

based female offenders. The research undertaken for the Women's Pathfinder (Roberts, forthcoming), subsequently provides further evidence of a relationship between domestic abuse and women's offending and again, asserts the need for additional research in this area. In addition it has been requested that the findings of this doctoral research are presented to the Integrated Research, Analysis and Performance (IRAP) Executive Committee which is a multi-agency committee comprised of senior leaders from the National Probation Service (NPS), Community Rehabilitation Company (CRC), Universities' Police Science Institute (Cardiff University), the Association of Chief Police Officers (ACPO) Cymru, NOMS and the Welsh Government, and which is chaired by Professor Mike Maguire, director of the Welsh Centre for Crime and Social Justice. In addition the research findings will also be presented to NPS senior leaders in Wales (specifically to LDU Heads and Heads of Department), a meeting chaired by the Deputy Director of Probation and Partnerships, NOMS Wales and finally the findings will be shared with the IOM Cymru Women's Pathfinder Board. These invitations in particular demonstrate the interest in this research area, and the value of the research, which is relevant to a range of high level parties. Presenting the findings of this research within these forums will enable the voices of the women that were involved in the research to be heard and acknowledged by policy makers and practitioners, (something which is aligned with feminist approaches to research), the value of which was discussed in the methodology chapter. Furthermore the aforementioned opportunities also demonstrate how this research could make a real world contribution by influencing either practice or policy. This process may help facilitate changes to criminal justice practice as a direct result of the women's accounts, which also adheres to the values of public criminology where research attempts to influence change outside of the sphere of academia (Loader and Sparks, 2012; Carrabine *et al.*, 2000).

A range of specific implications for criminal justice practice and policy were established through this research including, to provide a few examples, how a woman's experience of domestic abuse may lead to the process of up-tariffing by the courts, how abuse perpetrators may use the CJS (or the abuse victim's involvement in it) as part of the



abuse they perpetrate and finally how a woman's experience of domestic abuse may impact upon her ability to comply with her sentence. As a result this research has established a whole new range of areas where a woman's experience of domestic abuse can influence her interaction with the CJS which have not been previously addressed in great depth, therefore demonstrating the pioneering nature of this research. As a consequence this suggests that there is scope for replication of this research in other parts of the UK, or indeed internationally, to further explore the findings of this study.

## **6.2 Limitations of the study and ways forward**

Whilst it is important to detail the unique contributions made by this research, it is also necessary to acknowledge its limitations and to address any gaps present within the design, research processes, analyses, and conclusions. Arguably the most significant limitation of this study was the size of the female offender sample. As was thoroughly discussed in the methodology chapter, initially the aim was to have a sample comprised of female offenders only (rather than including a supplementary practitioner sample). As the fieldwork progressed, however, it was evident that recruiting a large female offender sample was not possible within the given timeframes (in particular reference to the practical constraints of the research, which were discussed in the methodology chapter, but which included, as one example, the wide geographical spread of the probation offices where recruitment took place and the time taken to travel to these areas which affected the time available for the fieldwork).

The inability to recruit the necessary number of female offenders primarily reflected the multiple challenges involved in working with women with manifold vulnerabilities as well as the sensitivities attached to researching two very taboo areas. Consequently, the size of the sample was likely affected by women's willingness to discuss very sensitive areas of their life, (amongst other difficulties including: the

women's mental health issues, vulnerability, childcare issues and chaotic home lives), and many of those approached did not wish to, or were unable to (for the aforementioned reasons), participate in the study. This response was not unexpected due to the very well documented difficulties women have in disclosing experience of domestic abuse (see for example: FRA - European Union Agency for Fundamental Rights, 2014; HMIC, 2014; Dar, 2013). The sampling amendment, however, could be viewed as a positive modification to the research. Firstly, the practitioner data often reinforced and corroborated the women's stories, expanding upon their data and providing an overarching standpoint. Secondly, it enabled inclusion of discussions regarding the practical implications of the relationship between domestic abuse and women's involvement in crime for criminal justice agencies, arguably further strengthening the research.

Another limitation of the study that must be acknowledged was the lack of an ethnically diverse sample. All of the women involved in this research categorised themselves as White British or White Irish. This was not a deliberate choice, but the ethnic homogeneity of the sample simply reflected the sampling method where only those women that were willing to participate were included in the research. The lack of diversity within the sample group could perhaps reflect the smaller number of people from BME communities living in Wales<sup>66</sup> and the smaller number of BME women serving sentences in the community in Wales<sup>67</sup>. The lack of BME women volunteering for involvement in the study could also possibly suggest that BME female offenders may have faced additional barriers to participate in the research<sup>68</sup>. To address this sampling concern future research could specifically research BME female offenders to explore how domestic abuse may specifically affect their involvement in

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<sup>66</sup> People from BME backgrounds comprise approximately four per cent of the population in Wales (Campbell, 2014).

<sup>67</sup> The percentage of BME female offenders who commenced a community order or licence in Wales during April 2012 to March 2013 was only 3.9 per cent of the total community-based female offender demographic (figures provided directly by Wales Probation Trust).

<sup>68</sup> For example this could include language barriers or could relate to the type of abuse being experienced such as honour based violence where the woman's extended family could be involved in the perpetration of abuse leaving the victim with little opportunity to become involved in research due to the safety implications.

crime. This could include examination of types of domestic abuse associated with BME groups such as honour-based violence. In defence of the sample size and composition this research did, however, comprise an exploratory qualitative investigation and a vast amount of data was collected from the female offenders themselves who comprised the largest sample.

Aside from women's experiences of domestic abuse it is important to recognise that a range of factors may have contributed to the women's involvement in crime (as was discussed in Chapter 5). The complexities of the circumstances surrounding women's offending suggest that accounts of women's involvement in crime cannot simply be reduced to a mono-causal explanation where domestic abuse is identified as the solitary contributing factor. Yet, as this research has evidenced the high prevalence of female offenders' domestic abuse victimisation it is therefore imperative to explore and attempt to understand how this commonly occurring experience may affect the behaviour and actions of the female offending demographic, particularly their involvement in offending. Consequently, this research attempted to examine women's individual and subjective experiences of domestic violence and the interactional events, between domestic abuse perpetrator and victim, which can lead to the victim's involvement in crime. Subsequently it is imperative to assert that this research did not prove the existence of a causal relationship between a woman's experience of domestic abuse and her involvement in crime (nor was this the aim or intention of the study). Nor was it the purpose of this research to generate any all-encompassing theories or perspectives applicable to all female offenders or all victims of domestic abuse. Therefore, consistent with the symbolic interactionist and feminist approach taken, this qualitative research studied a smaller number of people but with a deeper focus upon those individuals and their behaviours hoping to generate a subjective understanding of people's perceptions, motivations, reflections, interpretations and interactions (Adler and Adler, 2012). Therefore the qualitative, subjective and exploratory nature of this research facilitated the production of tentative conclusions and theorisations representative and reflective of the narratives of the women involved in this study.

To reiterate, this research sought not to generate theory applicable to the entire female offending demographic, but to offer a reflective, nuanced, subjective and preliminary understanding of the ways in which domestic abuse victimisation, which is a consistent reality in the lives of women offenders, influenced and affected the behaviour of the women involved in this study. Foundationally, as a result of its feminist approach, this research placed great significance upon providing a platform for women's voices, sharing their lived experiences and their own accounts of their behaviour and actions, placing their narratives, and knowledge, at the very centre of the discourse. This was a deliberate pivotal aspect of this research in order to address and subvert the often androcentric bias associated with traditional criminology. This approach was also strengthened by the symbolism of providing women with voices where often, as a result of both their statuses as victim of domestic abuse and offender, they had not previously had one.

Finally, it must also be mentioned that the purpose of this study was not to excuse female offenders' behaviour nor did it seek to absolve the women of their responsibility for committing criminal acts. It did, however, emphasise the need to contextualise and explain women's behaviour whilst in/ after exiting an abusive relationship. As Dworkin (1993) asserts, women who have experienced domestic abuse and who have committed crime are not innocent but their behaviour instead reflects the actions they had to take to survive, the consequences of which could bring women into conflict with the law.

## 6.3 Recommendations<sup>69</sup>

### a. Further research

Over the course of the research the complexity and diversity of the relationship between domestic abuse and women's offending became increasingly apparent. Therefore the first recommendation arising from this study is the need to conduct further academic research with community-based female offenders to more widely explore the relationship. Although this research was exploratory, and its findings preliminary, it is important to acknowledge that these findings have, however, indicated that for some women their experience of domestic abuse has, either directly or indirectly, influenced their involvement in crime. Therefore although the connection between a woman's experience of domestic abuse and her involvement in crime may be tentative, this research has established a connection and as a result this connection merits further investigation. Repeating this research would allow for further triangulation of data and samples, verification and validation of current findings as well as further extension and diversification of the theories and concepts presented. As this research comprises one of the first attempts to explore how community-based female offenders' experiences of domestic abuse may influence their involvement in crime it would certainly be advisable to undertake more qualitative research to expand upon the existing literature. The research conducted for this thesis could be easily replicated with larger groups of community-based female offenders in other geographical regions, or countries, of the UK or indeed internationally.

Other populations that were not covered in the homogenous sample included in this research could be explored such as BME women (or specific ethnic groups which the umbrella BME term includes). This would be particularly pertinent in the UK where there is a distinct absence of research addressing this whereas Richie's (1996) research in America has already examined one BME group, African American women. Different

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<sup>69</sup> An unabridged version of the recommendations that were included in the report produced for the National Probation Service in Wales can be found in Appendix XII.

age groups within the female offender sample could be explored separately to ascertain whether age may be a factor affecting the way in which a woman's experience of domestic abuse may influence her involvement in crime (this has been suggested as the vast majority of the women involved in this research, 76 per cent of the sample, were over 30). Furthermore, whether the women have children or not, and how this particular dynamic, in combination with the woman's experience of domestic abuse, may influence their offending could also be explored (particularly in regards to women's crime in the context of providing for their children or offences related to mothers' perceived failures in protecting their children against abuse – such as child neglect or abuse offences).

This doctoral research has already been expanded upon via the research conducted for the IOM Cymru Women's Pathfinder Project which was undertaken whilst this thesis was being completed, although this comprised a quantitative study. IOM Cymru have indicated that they would like the opportunity to replicate the study they commissioned in other areas of Wales, although this would be dependent upon opportunity and funding. Finally there is particular scope for further exploration of the practical and policy-focused implications of this research, as although some recommendations have been outlined below (and within the report compiled for probation), data analysis was not conducted specifically for this purpose. Therefore policy and practice implications could be explored in much greater depth using the data already acquired for this research. For example, two key areas which could be explored further include how domestic abuse victimisation can influence women's sentencing (and the process of 'up-tariffing') and how women's experiences of domestic abuse can influence compliance with community-based sentences.

#### **b. Implications for policy and practice**

A range of available literature (Roberts, forthcoming; Earle *et al.*, 2014; Prison Reform Trust, 2014a; Women's Aid, 2011) suggest that the link that has been proven to exist

between women's experiences of domestic abuse and their involvement in crime should be acknowledged and addressed when developing and designing services for female offenders. Traditionally, institutional responses to domestic abuse have focused upon supporting women as victims, however, such responses often do not incorporate the consequences that a woman's experience of domestic abuse may have upon her wider life and behaviour, and particularly ways in which domestic abuse may cause, influence or affect a woman's involvement in crime. Yet, as this research demonstrates, domestic abuse can have a wide-ranging impact upon women's lives, actions and behaviour that can extend to bringing women into contact with the CJS as *both* victim and offender. Therefore to establish meaningful and targeted initiatives to tackle women's offending and re-offending, the motivations and explanations for such behaviour must be examined (Earle *et al.*, 2014). Given female offenders' documented widespread experience of domestic abuse<sup>70</sup> this should be further investigated to better understand the causes of, and motivations for, female offending and, perhaps more importantly, to explore female offenders' needs and prevent further harm to the women themselves.

The importance and value of applying research to the social world was discussed in the methodology chapter, and consequently this section will aim to 'bridge the gap' between theory and practice (Skinner *et al.*, 2005) by demonstrating how the findings of this research could inform policy and practice. The importance of contributing to policy and practice in the context of this research was reinforced by the feminist approach taken where particular value is allocated to ensuring that women's voices are not only heard but also acknowledged by practitioners and policy-makers (Skinner *et al.*, 2005). In addition, researching a particularly emotive and sensitive area is often

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<sup>70</sup> Figures acknowledging this were thoroughly discussed in the literature review but, to provide some examples, it is estimated that between 50 and 80 per cent of the female prison population in England and Wales have experienced domestic and or sexual abuse (Women's Aid, 2011). As a result of the lack of research exploring the community-based female offender population it is more difficult to acquire figures for this demographic, however the Social Exclusion Task Force (2009) found that 59 per cent of female offenders under probation supervision had problems with their relationships (which can include experience of domestic abuse). More recently a Criminal Justice Joint Inspection Report (2011) identified that 73 per cent of a case sample of community-based female offenders had been victims of domestic abuse.

justified by the impact that the research has upon practice and policy in areas that are relevant to the experiences of those involved in the research. The hope that the ends would justify the means was shared by the women involved in this research as they often spoke of wanting to make a difference for other women who have experienced domestic abuse, which perhaps explains what motivated them to recount and re-live their often painful and emotional memories.

Significantly, as a consequence of researching female offenders in the community and specifically undertaking the research within a criminal justice institution, this research has established a range of recommendations for those coming into contact with or supervising female offenders which will be outlined below. Although this was not an explicit focus it was inevitable and important that the research would evoke implications for criminal justice policy and practice. This was aided by the inclusion of the practitioner sample as this provided opportunity for discussions of the implications of the relationship between domestic abuse and women's involvement in crime for criminal justice policy and practice.<sup>71</sup>

This research has corroborated a vast range of research findings, which have highlighted the prevalence of domestic abuse victimisation in the backgrounds of female offenders but, in addition, it has established that for some women their domestic abuse victimisation can affect their involvement in crime. Therefore the research findings suggest that it may be beneficial for criminal justice practitioners, including probation service and community rehabilitation company staff, court staff, magistrates and judges, and the police, to receive training on domestic abuse. This training would help to facilitate a better understanding of how domestic abuse victimisation may affect women, in particular the support or supervision needs of female offenders who have experienced domestic abuse, how domestic abuse can influence women's offending (or re-offending), and how such experiences can affect

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<sup>71</sup> As mentioned previously a detailed report was provided to NPS in Wales outlining how the research findings could inform probation (or indeed the Wales CRC) policy and practice and this can be found in Appendix XII.



women's ability to comply with their sentences. This training could therefore provide a better understanding of the circumstances surrounding women's offending. In particular domestic abuse training for offender managers may help inform sentencing plans, provision of adequate support for female offenders, allocation of resources and desistance strategies. If a woman's experience of domestic abuse has been instrumental in her involvement in crime then work to address this could also impact upon a range of practice-related issues including: initiatives to address women's re-offending (and programmes to prevent women's offending could incorporate the effects of domestic abuse), programmes offered to female offenders (such as healthy relationship education or domestic abuse awareness for example) and the development of women-centred support bespoke to the specific woman's needs. The findings of this research also suggest that development of guidance addressing ways in which a woman's experience of domestic abuse may influence her involvement in crime could be helpful to a range of criminal justice agencies in particular the court and probation services. Further research expanding upon this area could also help develop and inform such guidance.

This research has clearly identified ways in which a woman's previous experience of domestic abuse may have a longitudinal impact upon her offending behaviour or criminogenic needs. Importantly, as was referenced and corroborated in the findings chapters, pathways research has established that histories of personal abuse and destructive relationships are key factors that both produce and sustain women's criminality (Bloom *et al.*, 2014). Therefore this research provides support for a 'whole life' perspective (see Belknap, 2001) to be taken when examining women's pathways to crime and their pathways to desistance. In specific relation to practice, when supervising female offenders, the findings of this research suggest there is a need for the careful history taking of female offenders so as to understand what may have contributed to their offending. This process arguably would help in the production of supervision strategies, allow for better provision of support for the female offenders and better inform initiatives to prevent further offending.

A range of recommendations for the supervision of female offenders were established during the research. For example areas of particular concern included home visits, safety planning and compliance<sup>72</sup>. An area that has not been previously acknowledged in great detail is how a woman's experience of domestic abuse may influence her ability to comply with her order requirements or licence conditions<sup>73</sup>. This research has clearly indicated a range of ways that a woman's experience of domestic abuse may impact upon her ability to comply with her sentence, as outlined in the findings chapters, therefore having direct implications for the management of female offenders. Guidance and training specifying ways in which a woman's experience of domestic abuse may interfere with her ability to comply with her sentence could therefore be helpful for those supervising female offenders.

The research findings also have implications for court processes, in particular sentencing. The findings of this research have suggested that a woman's experience of domestic abuse can be an integral contributing factor for some women's involvement in crime. As a consequence it is therefore important for criminal justice agencies to attempt to identify cases where a woman's experience of domestic abuse may have influenced her involvement in crime and the pre-sentence report provides one mechanism through which this could take place. Ensuring that a full pre-sentence report is completed with all female offenders could provide greater opportunity for the disclosure of experience of domestic abuse. Not only would this allow for better understanding of the woman's reasons for her involvement in crime but this could also help inform women's sentences. Where a full pre-sentence report is not possible, however, it would be helpful for the fast track reports to include a section prompting offender managers to question female offenders about their relationships, again which could help facilitate disclosure of abuse and aid understanding of why women have offended. This process could also help improve the identification of offenders who are

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<sup>72</sup> For further information on all practice and policy recommendations included in this chapter see Appendix XII.

<sup>73</sup> Although this was briefly referenced by Vickers and Wilcox (2011).

victims of domestic abuse and consequently the data available which records this. Unfortunately this research uncovered that domestic abuse victimisation is not always identified within offenders' records despite it being present. As this research has demonstrated, a woman's experience of domestic abuse can influence her involvement in crime and therefore identifying this victimisation and recording it accurately within the relevant CJS records could improve the management and support of that offender.

In addition, the concept of up-tariffing was referenced by a number of practitioners during this research. Therefore it is important to ensure that the conditions or requirements a woman is sentenced to reflect the crime committed and not the woman's support needs. Instead of imposing additional conditions or requirements to address women's support needs signposting to support organisations could provide one mechanism to prevent up-tariffing. Further, giving women the opportunity to report at women-only reporting sessions<sup>74</sup> could help women access much-needed services in a private and safe environment. In addition, ensuring that judges understand the implications of sentencing women to custody might also help address possible up-tariffing (this information could be provided in the form of training or the production of information leaflets on women's offending, for example). Finally, the judiciary should be aware of the impact that particular sanctions may have upon women who are victims of domestic abuse. This includes whether imposing curfews, where women must remain in their property for a designated number of hours, would be appropriate for women experiencing domestic abuse, as sanctions such as this could prove unsafe. In addition when setting bail or licence conditions, or order requirements is the address that the woman is registered to live safe (for example, factors such as whether the offender lives with her abusive partner), alternatively is her allocated accommodation safe (female only or with male offenders who could be contacts of her abuser). For female offenders home circumstances checks could be incredibly beneficial. There are a range of considerations regarding the sanctions

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<sup>74</sup> Women-only reporting sessions were provided by the Wales Probation Trust allowing women to attend supervision meetings without male offenders present. These sessions also allowed women to access support services (such as domestic abuse services in a safe environment).

allocated to female offenders who are victims of domestic abuse that judges and magistrates, as well as other court officials, should arguably be aware of.

In conclusion, this research has demonstrated a range of ways in which a woman's experience of domestic abuse may directly or indirectly contribute to her involvement in crime. This doctoral research has uniquely informed international criminological discourses and the findings have direct implications for criminal justice policy and practice, and this research has developed recommendations at a time when female offending and its causes have begun to garner increased attention. Perhaps what is most important, however, is that this research was based upon the accounts and perspectives of female offenders themselves facilitating an opportunity for women to contribute to practice and policy giving them a voice which, via their experiences of domestic abuse, their offending and the androcentricity of traditional criminological literature, has hitherto been silenced.

## **APPENDICES**

### **APPENDIX I: Interview schedule (women)**

#### **Interview Schedule:**

Begin with 'How are you today?/ How are you feeling?' – to address any concerns that they may have and to ease into the conversation.

Thank them for taking the time to speak with me and reiterate why they are there (briefly remind them about the research (purpose and procedure) and again clarify that they will remain anonymous throughout). Confirm on recording that they have read/ been read the informed consent form, have signed it and that they are happy to participate.

"Thank you for taking the time to speak with me. I appreciate that this may be difficult for you so please take your time. Before we start, as you've agreed to talk to me about you it's only fair that you have the opportunity to ask something about me? Would you like to?" (This is just to let them know something about me if they would like to find something out – I will not disclose any personal information – but this opportunity is included to somewhat addresses the power structures/ hierarchies – by giving them some control/ power in the interview process).

**Pseudonym:** Each woman will be given the opportunity to pick a pseudonym.

As your real name won't be used in the study –(no reference to your real name will be made, anything that could identify you will be removed, and therefore you will remain anonymous) – would you like to choose a name that I could use for you in the research instead? (Please make sure that this is not a name you already have or a nickname that you are known by or could identify you). For example I could use 'Jane'/ 'Megan'/ 'Rhian' etc.

Finally before the interview begins I will state the following:

"You do not have to answer any questions if you do not want to. We can take a break if you need to at any time. I will stop the interview if you want me to – just let me know."

#### **Interview Schedule - Guideline Questions:**

##### **Questions:**

To start with I wondered if you could tell me the following:

1. Age:

2. Ethnicity:
3. Children?      yes      no
  - a. If yes, how many?
  - b. ages of children:
4. Highest Educational Qualification:

**(NOTE: the schedule below provides examples of guideline questions and prompts that could be asked/ used. As the interviews will be semi-structured the main content will come from what the women actually say at the time and the questions asked at the interviews will be in response to the information that they provide, so the schedule and questions will be flexible and very fluid.)**

Everything that you say will be kept private (\*with the exception of the areas as set out in the NOMS research guidelines – risk of harm to participant/ participant’s children etc and disclosure of offences not convicted of).

#### **In-depth Qualitative Question Samples:**

##### **Relationships and Experience of Abuse**

Prompts and lines of enquiry:

1. Can you tell me a little about yourself and the relationships you have had?
2. What have your relationships been like? (attempt to identify when have experienced DA)

If disclosing experience of abuse:

- a. When and how did you meet that partner?
- b. How long were you together with them?
- c. How did you feel about them/ the relationship? (e.g. in love/ afraid/controlled by?)
- d. Do you remember when the abuse began?
- e. What was your life like during that time (at the time of the abusive relationship)?
- f. How long did the abuse last for? OR were there times when the relationship improved or got worse?
- g. How would you say these experiences affected you?

- h. Are you still together (with abuse perp.) now or are you with someone else?
- 3. Were you in a relationship at the time of your offence?
  - a. What was this relationship like?
  - b. Were you with X at this time (referring to abuse perp. as previously mentioned)?

**Type of abuse experienced/ severity**

- a. Can you give some examples of the types of abuse that you experienced/ the things that your partner/the abuser would do?
- b. How did you feel during this time? What was your life like at this time?
- c. Are there any particular things that you remember most about their behaviour?
- d. What type of domestic abuse would you say you have experienced (you can select as many of the categories as you like)? I will give you some examples of the different types.
  - i. **Physical** (Examples could include: punching, slapping, hitting, biting, pinching, kicking, pulling hair out, pushing, shoving, burning, strangling (Women's Aid, 2012))  
Were you ever injured by your abuser? (Any examples of the type of physical injury received – broken nose/arm, hospital visit?)
  - ii. **Emotional/psychological** (for example making you feel bad about yourself, humiliation, playing mind games, putting you down in front of other people, criticism, verbal abuse, name calling, threats (such as to commit suicide, threaten to hurt you with a weapon, take your children away, report you to welfare agencies/ social services), breaking trust – having relationships with other people, lying to you, breaking agreements.)
  - iii. **Financial** (Preventing you from getting a job, controlling your money, taking your money, not allowing you access to the family income (Some examples taken from the Duluth Power and Control Wheel))

- iv. **Sexual** (Using force, threats or intimidation to make you perform sexual acts, having sex with you when you don't want to have sex, any degrading treatment based on your sexual orientation. (Women's Aid, 2012)).
- v. **Coercion or control** (Examples: blocking or controlling phonecalls, not allowing family to visit you or you to visit family
- vi. **Combination** of all of/ some of the above – which ones?

#### **Severity of Abuse:**

- e. Can you tell me about the worst thing/ most frightening incident that you experienced during the abuse?
- f. Did you ever receive any physical injuries as a result of the abuse? (If yes can you give me any examples?)
- g. Did you ever have to visit the hospital due to the abuse? (If yes could you tell me what for? What injury did you receive?)
- h. Did the perpetrator ever use a weapon of any kind or threaten you with a weapon?
- i. Did the perpetrator use drugs?
- j. Did you ever use any drugs? When did you start using drugs? Were you using drugs when you committed your offence?

Categorise Severity of Abuse using an amended version of CAADA's Severity of Abuse Grid (have been granted permission to do this from CAADA).

#### **Impact of DA:**

- k. In what ways specifically do you feel that your experience of domestic abuse has affected your life?

#### **Offending**

- 2. Could you tell me about your life at the time of your offence?



3. Would you mind telling me about the offence that you are on probation/ serving your community order for?/ Would you mind telling me about the crime that you were convicted of?
4. Could you explain *why* you committed that offence/ why you became involved in that behaviour/ crime?
  - a. What were your reasons/motivations?
  - b. Was there anything that you would say influenced you?
  - c. What was your life like at the time you were involved in the crime?
  - d. Were you in a relationship at the time you committed the crime?
  - e. What was that relationship like?
  - f. Would you say that your partner (the abuse perp.) had any influence on your criminal activities/involvement in crime? If so please tell me how.
  - g. Do you feel that the domestic abuse you experienced had any effect on your involvement in crime? If yes in what ways – can you give me any examples?
  - h. In what ways specifically do you feel that the domestic abuse influenced your involvement in crime? Tell me more...
  - i. From your experiences was there any particular type of abuse/ threat/ action that most influenced your behaviour? Can you give me any examples – or tell me about any particular incidents?
  - j. Is there anything else that you feel influenced your involvement in/reason for committing crime?
  - k. Do you feel that there is anything that anyone could have done to prevent you from committing that crime? (For example intervention/support from a particular agency – what type of support would have been required?)
  - l. In your previous circumstances (when in the abusive relationship and offending) is there anything that would have prevented you from

committing that crime? Is there anything that could have been done to help you?

m. Are you still in a relationship with the person that we have talked about? (The abuse perp). If not – what is your relationship like now? How does this relationship (now) compare to the one that we have discussed today?

n. Would you commit crime again?

5. Looking back at your situation, what advice would you give another woman who was in the same/ a similar situation?
6. What advice would you give the Probation Trust/ Prisons/ Courts when working with women who have experienced domestic abuse and who have committed crime? (Not necessarily correct wording – but want to include opportunity for women who have identified DA as influential in their crimes to identify ways of preventing this)
7. Is there anything else that you would like to add?

## APPENDIX II: Interview schedule (practitioners)

### Interview Schedule - Practitioners

(NOTE: the schedule below provides examples of *guideline* questions and prompts that could be asked/ used. As the interviews will be semi-structured the main content will come from what the practitioners say at the time and the questions asked at the interviews will be in response to the information that they provide, so the schedule and questions will be flexible and very fluid.)

#### Guideline Questions:

1. Could you please tell me about your role within the Probation Trust?
2. How long have you worked for the Trust?
3. What experience do you have in working with female offenders?
4. Have many of the female offenders that you have come into contact with experienced domestic abuse? (If yes please expand – for example could you estimate the percentage of female offenders that you have worked with that have experienced domestic abuse?)
  - a. What type of abuse have they experienced?
  - b. How do you think the abuse they have experienced has affected them?
5. Do you think that there is a relationship between domestic abuse and female offending? (Please expand upon your answer.)

Other avenues of enquiry could include:

  - a. If yes, how would you describe this relationship?/ What reasons do you believe would explain this connection?
  - b. In what ways do you feel domestic abuse may affect women's involvement in crime?/ What reasons do you believe would motivate a woman subject to domestic abuse to commit a crime?

- c. Do you have any specific examples of ways in which domestic abuse may have effected women's involvement in crime from the women you have supervised?
  - d. Have any of the women you have supervised directly stated that domestic abuse influenced their involvement in crime? If so please expand.
- 6. Do you think that women are more likely to commit crime if subject to a particular type of abuse (for example physical/ psychological/ sexual/ financial)? Please explain your answer.
- 7. From your experience of working with female offenders, do you think that particular types of abuse may influence women to commit particular types of crime? (For example financial abuse & theft, sexual abuse & prostitution)? OR: Do you think that the type of crime that a woman, who is subject to domestic abuse, may be related to the type of abuse she is subject to? (For example financial abuse & theft, sexual abuse & prostitution)
- 8. Do you think that the severity of the abuse experienced may influence the severity of the crime committed?
- 9. What specific needs do female offenders who have experienced domestic abuse have?
  - a. How can these be addressed?
- 10. Do you think that there is a need for criminal justice agencies (including the Court, Prison and Probation services) to recognise the relationship between domestic abuse and female offending? Please explain your answer.
- 11. Are you aware of any Probation/ NOMS/ MOJ policies/practice that address the link between DV and female offending? If so what are your thoughts about them/ how important/effective are they?
- 12. What support is available within the CJS for women who have experienced domestic abuse and who have committed crime?
- 13. Do you think that a woman's experience of abuse should be taken into consideration at sentencing/ and or when determining license conditions?

14. Do you have any suggestions for how criminal justice agencies could address the relationship between DV and female offending?
15. Do you have any suggestions for initiatives to address the relationship between domestic abuse and female offending?
16. Is there anything else that you would like to add?

### APPENDIX III: Female offender data table

Female Offender (pseudonym)	Age	Offence <sup>75</sup>	First Offence?	Relationship History <sup>76</sup>	Substance Misuse?
Donna	30	Perverting the course of justice	No	2 abusive relationships disclosed. Duration: 1 <sup>st</sup> boyfriend 7 years, 2 <sup>nd</sup> boyfriend 6.5 years.	Alcohol
Charlie-Ann	28	Having an article with a blade in a public place – Malicious wounding (and other like offences)	Yes	3 abusive relationships disclosed. Duration: 1 <sup>st</sup> boyfriend 5 years, 2 <sup>nd</sup> ex-husband 18 months, 3 <sup>rd</sup> on/off partner length of relationship not clear.	Alcohol and Drugs
Cathy	41	Arson endangering life	Yes	Multiple abusive relationships disclosed. Childhood abuse by father continuing into adulthood, domestic abuse from ex-husband and multiple boyfriends over a number of years. APV also identified perpetrated by son.	Alcohol and drugs

<sup>75</sup>The offences referenced in the table are those offences that the women were serving their sentence for *at the time of their interview*/ the most recent offence for which they had completed their sentence.

<sup>76</sup>The relationships detailed in the table are those that were disclosed by the women and labelled as abusive by them. It is important to note that the researcher also perceived some of the additional relationships that the women discussed as abusive whereas the women themselves did not. This is important to note the disparity between what the researcher and the participants viewed/ perceived as abusive again relating perhaps to theories of minimisation and labelling. It was also sometimes difficult to ascertain how long relationships had lasted as multiple experiences of abuse were disclosed and the women's narratives would move from past to present making it difficult to distinguish how long relationships had lasted.

Ellie	21	Burglary non-dwelling (that would be other premises)	Yes	2 abusive relationships disclosed. Duration: 1 <sup>st</sup> boyfriend 4.5 years Current (at time of interview) familial abuse from sister.	Alcohol and Drugs
Summer	34	Robbery and Assault with Intent to Rob	Yes	2 abusive relationships disclosed. Duration: 1 <sup>st</sup> relationship 2 years, 2 <sup>nd</sup> relationship 7 years.	Alcohol and Drugs
May	48	Common Assault	No	Multiple abusive relationships disclosed. Duration: 1 <sup>st</sup> ex-husband 7 years 2 <sup>nd</sup> ex-husband 1.5 years 3 <sup>rd</sup> male partner 4 years.	Alcohol
Dara	23	Malicious wounding	No	2 abusive relationships disclosed. Duration: 1 <sup>st</sup> boyfriend 6 years, 2 <sup>nd</sup> boyfriend 7 months.	Drugs
Jo	45	Driving after consuming alcohol or taking drugs	Yes	3 abusive relationships disclosed. Duration: 1 <sup>st</sup> ex-husband 7 years 2 <sup>nd</sup> ex-husband 4 years 3 <sup>rd</sup> ex-partner 2 years.	Alcohol
Sian	30	Social Security Offences (Benefit Fraud)	Yes	3 abusive relationships disclosed. Duration: 1 <sup>st</sup> boyfriend 4 years 2 <sup>nd</sup> ex-husband 8 years 3 <sup>rd</sup> boyfriend 1.5 years.	Drugs

Linda	54	Driving or attempting to drive whilst unfit through drink	Yes	1 abusive relationship disclosed. Duration: male partner 6 years	Alcohol
Margaux	40	Stealing from Shops and stalls (shoplifting)	No	Multiple abusive relationships disclosed (more than 3). Duration: 1 <sup>st</sup> relationship 1.5 years, length of the rest of the relationships is unclear.	Drugs
April	43	Assault on a police officer	Yes	1 abusive relationship disclosed. Duration: ex-husband 15 years.	None
Robin	36	Possession of class A drugs (heroin)	No	1 abusive relationship disclosed. Duration: male partner 4 years.	Drugs
Skye	23	Aggravated Burglary non-dwelling	No	1 abusive relationship disclosed. Duration: boyfriend 1 year.	Drugs
Mary	44	Common and Other types of Assault	Yes	1 abusive relationship disclosed. Duration: ex-husband 20 years.	Alcohol
Cece	30	Handling stolen goods	No	2 abusive relationships disclosed. Duration: 1 <sup>st</sup> boyfriend 9 years 2 <sup>nd</sup> male partner (current at time of interview) 3 years.	Alcohol and Drugs



August	27	Cruelty or Neglect of Children	Yes	2 abusive relationships disclosed. Duration: 1 <sup>st</sup> male partner 3.5 years 2 <sup>nd</sup> male partner 5 years.	Drugs
Ida	42	Wounding and other acts of endangering lives	Yes	2 abusive relationships disclosed. Duration: 1 <sup>st</sup> relationship 7 years, 2 <sup>nd</sup> relationship on/off for 4 years.	Drugs
Charlie	28	Imprisonment – migrated breaches	No	Multiple abusive relationships disclosed. Duration: Unclear as interview had to be stopped.	Drugs
Nancy	45	Stealing by an employee	Yes	1 abusive relationship disclosed (APV experienced from son). Duration: First identified problems with her son when he was 7 (age at time of interview 24).	None
Alana	38	Cruelty to or neglect of children	Yes	1 abusive relationship disclosed. Duration: 4.5 years.	Drugs
Grace	49	Fraud – Dishonest representation for obtaining benefit (benefit fraud)	Yes	1 abusive relationship disclosed. Duration: 25 years.	None
Violet	33	Supplying or offering to supply class B drugs	No	2 abusive relationships disclosed. Raped by an acquaintance Male partner 2 years.	Drugs

Shayan	37	Assault occasioning ABH	No	1 abusive relationship disclosed. Duration: 11 years.	None.
Cindy	43	Section 20 GBH/ Wounding	Yes	2 abusive relationships disclosed. Duration: 1 <sup>st</sup> relationship 2 years, 2 <sup>nd</sup> relationship 7/8 years.	Drugs

## APPENDIX IV: Practitioner data table

Practitioner Number:	Years of Service (years and months)	Type of Position/ level of seniority
1	15	Probation Officer with experience of working in the courts.
2	1.5	Research Officer with prior experience as a Probation Officer.
3	4.5	Probation Officer with experience of courts work, programmes and victim support work.
4	12	Probation Officer
5	32	Probation Officer with specific domestic violence responsibilities.
6	11	Probation Officer and team manager with specific female offender responsibilities.
7	9	Recently qualified Probation Officer with experience of role with specific female offender responsibilities.
8	11	Probation Officer with courts experience.
9	28	Team Manager, formerly with specific domestic violence responsibilities.
10	19	Team Manager with some specific domestic violence responsibilities.
11	8	Probation Officer with specific female offender responsibilities.
12	7.5	Probation Officer with specific female offender responsibilities.
13	2.8	Probation Officer with experience of working within the third sector in a domestic violence role.
14	10	Probation Services Officer.
15	10	Strategic Role with experience of working as Probation Officer.

## APPENDIX V: Probation officer briefing

### Research into the Effect of Domestic Abuse upon Female Offending.

#### Background:

My name is Jo Roberts and I am a PhD student from the University of Leicester and I am researching the relationship between domestic abuse and female offending. I am interested in exploring ways in which domestic abuse may influence or affect women's involvement in crime, drawing directly upon the experiences and perspectives of the female offenders themselves.

To complete my research I need to interview 30 female offenders.

All women involved in the study will need to have experienced domestic abuse (but this does not need to be current, it can be recent or historical) and be willing to talk to me about their abuse. I have worked with domestic abuse charities for over 5 years and I understand that this may be difficult for the women; therefore taking part in the study is completely voluntary.

(PLEASE NOTE: Due to levels of risk/vulnerability women who are currently being discussed by MARAC should NOT be asked to participate).

#### Research Process:

Please identify any female offenders on your caseload that you think may qualify for the study. Ensure that they are not too vulnerable to participate and then ask them if they would like to take part in the research. If the woman agrees to take part please email/ phone me to arrange a meeting on the woman's behalf.

All meetings must take place at the Probation Trust offices, as this ensures a safe location. If we could schedule the meeting either before/after the offender's meeting with you or on a women-only reporting day that would be best. At that meeting I will explain the research and processes fully to the woman. If the woman agrees to progress I will then conduct an interview with her which will be recorded (sound only). Interviews will take at least 1 hour.

#### Important Information:

When informing female offenders about my research please emphasise that:

- Myself and my research are completely separate from the Probation Trust (and I do not work for the Trust).
- The information that the women give me in the study will not be disclosed to the Trust.
- Participation is completely voluntary and they do not have to take part.
- They can withdraw from the study at any stage without problem.
- They will remain anonymous throughout the study and any identifying features will be removed.

#### Contact Details:

If you have a female offender on your caseload that is happy to take part in the study please arrange a meeting with me by contacting me via email at: [jmr47@le.ac.uk](mailto:jmr47@le.ac.uk) or you can phone my research mobile: [REDACTED]

If you have any questions please do not hesitate to contact me.

Many thanks for your help, Kind Regards, Jo Roberts

## APPENDIX VI: Informed consent form (women)

### Informed Consent Form

#### Domestic Abuse and Female Offending: PhD Research, University of Leicester

You have been asked to take part in this study which will look at the relationship between domestic abuse and female offending. The aim of the study is to explore whether domestic abuse may, in any way, influence women's involvement in crime.

Participation in this project is completely voluntary, this means you do not have to take part in it. If you do decide to take part you can choose to withdraw from the study by just informing the researcher.

The research, and your participation in the research, will be strictly confidential. Your real name and details will not appear in any of the research documents. Any information that could identify you, such as names, dates and places, will be removed from the study to protect your anonymity. Any information taken from the interviews will also be anonymised (no real names will appear in it).

All data from the interviews will be stored securely on a computer, will be password protected and only the researcher will have access to it. All interview data will be deleted 6 months after the publication of any papers coming from the research.

By agreeing to participate in the study you are agreeing to:

- Be interviewed by the researcher;
- For the interview to be digitally recorded (sound only);
- For your probation records to be looked at by the researcher – this is only to provide information about your offence and licence conditions;
- For the information that you give to be used as part of a PhD project and for this information to appear within the PhD thesis in university libraries. Also for the information to be generally published in the form of a book, article, or used as training material. However none of the work published will identify anyone who has been involved in it and any identifying features will be removed.

#### Declaration

The researcher has explained to me the purpose of the research, and my right to not answer any question I don't like or to stop the interview, without having to explain why.

I understand that all information will be kept confidential by the researcher, and will be used only for research purposes. My name will not be used in any research reports and nothing will be published that might identify me.

I understand that if the researchers thought that I or someone else, for example my children, were at risk of serious harm they may have to break confidentiality. I understand that if anything I say raises concern for my immediate safety (or my children's) this would be more important than keeping confidentiality. However should they need to break confidentiality they will discuss this with me first.

I, the participant have read (or have had read to me) the information above and any questions that I have asked have been answered to my satisfaction. I agree to take part in this research and I know that I can withdraw from the study at any time without problem.

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

## APPENDIX VII: Informed consent form (practitioners)



**University of  
Leicester**

### Informed Consent Form

**Research Subject: The Relationship between Domestic Abuse and Female Offending: An In-depth Qualitative Exploration.**

**Researcher: Jo Roberts – PhD Student, Department of Criminology, University of Leicester.**

You have been asked to take part in this research which seeks to investigate the relationship between domestic abuse and female offending. The aim of the study is to explore whether domestic abuse may, in any way, influence women's involvement in crime.

Participation in the study is completely voluntary and you do not have to take part in it. If you do decide to take part you can choose to withdraw from the study, at any stage, by simply informing the researcher.

The research, and your participation in the research, will be strictly confidential. Your name and details will not appear in any of the research documents. Any information that could identify you, such as names and places, will be removed from the study to protect your anonymity. Any information taken from the interviews will also be anonymised (no real names will appear in it).

All data from the interviews will be stored securely on a computer, will be password protected and only the researcher/those involved in the research project will have access to it. All interview data will be deleted 6 months after the publication of any papers coming from the research.

By agreeing to participate in the study you are agreeing to:

- Be interviewed by the researcher;
- For the interview to be digitally recorded (sound only);
- For the information that you give to be used as part of a PhD project and for this information to appear within the PhD thesis in university libraries. Also for the information to be generally published in the form of a book, article, or used as training material. However none of the work published will identify anyone who has been involved in it and any identifying features will be removed.

#### Declaration

The researcher has explained to me the purpose of the research and the processes involved in it.

I understand that all information will be kept confidential by the researcher, and will be used only for research purposes. Where the research is published or presented all information will be anonymous and all personal details and any identifying features will be removed.

I, the participant can confirm that I have read and understood the information above. Any questions that I have asked have been answered to my satisfaction. I agree to take part in this research and I understand that I have the right to withdraw from the study at any stage without problem.

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

## APPENDIX VIII: Ethics application



# RESEARCH ETHICS REVIEW

## *Section I: Project Details*

1. Project title:	From one prison to another: An in-depth qualitative exploration of the relationship between domestic abuse and female offending.
Statement of Research Purpose	The purpose of the research is to explore the relationship between domestic abuse and female offending. The main focus of the research is therefore to explore whether, and to what extent, domestic abuse can be viewed as an explanation for women's involvement in crime. Thus, apart from the co-occurrence of domestic abuse and offending, is there evidence to support that one causes the other?
Project Aims/ Research questions:	Below are the proposed research questions: 1. Focusing explicitly on women's more common forms of offending (such as theft, shoplifting, drug offences and soliciting, as just a few examples), what is the relationship between domestic abuse and women's offending? 2. What patterns, if any, exist in terms of how the experience of domestic abuse has affected the women's involvement in offending? 3. Can patterns be identified in the context of the type of offences committed and the type of domestic abuse experienced? (For example, possible lines of enquiry could include: examining possible links between financial abuse and theft, physical violence and violent offences and sexual abuse and prostitution).
Proposed methods:	In depth semi-structured interviewing has been chosen as the primary method of data collection.
Method of recruiting	Research participants will be recruited through the Wales Probation Trust. The Wales Probation Trust was selected to ensure

research participants	that all women involved in the study will have been convicted of a crime.
Criteria for selecting research participants	Due to the exploratory nature of this research the sampling criteria are limited. Only two criteria have been enforced for the research: 1 - All research participants will have committed a crime (and been convicted). 2 - All research participants will have experienced domestic abuse.
Estimated number of Participants	30 women. I would like to conduct interviews with 30 women in total.
Estimated start date	01/12/2012
Estimated end date	28/02/2013
Will the study involve recruitment of participants from outside the UK?	If yes, please indicate from which country(s).  No.



## *Section II: Applicant Details*

2. Name of researchers (applicant):	a) JOANNA ROBERTS
2b. Department:	Criminology
3. Status:	Postgraduate Research
4. Email addresses:	a) [REDACTED]
5a. Contact addresses:	a) [REDACTED]
5b. Telephone numbers	a) [REDACTED]

## *Section III: For Students Only*

6. Module name and number or MA/MPhil/PhD course and department:	PhD in Criminology Scarman Centre Research
7. Module leader's/Supervisor's name:	Dr Sarah Hodgkinson (Supervisor)
8. Email address:	[REDACTED]
9. Contact address:	Department of Criminology, The Friars, 154 Upper New Walk, Leicester, LE1 7QA.

## Section IV: All Research Applicants

Please outline below whether or not your research raises any particular ethical issues and how you plan to address these issues.

Due to the implicit sensitivities of the subject matter of this research there are a number of ethical considerations, which I will outline below. I have consulted specialist guidance on the ethical considerations for conducting research on domestic abuse specifically including the World Health Organisation's publication Putting Women First: Ethical and Safety Recommendations for Research on Domestic Violence against Women (2001). Informed Consent and Gatekeepers: Informed consent is of paramount importance for this study. As all women involved will have experienced domestic abuse (and therefore it is likely some form of coercion or control) it is extremely important to ensure that the women make their own decision about participating in the research. In order to achieve informed consent it is imperative that the women understand all aspects of the research including: what their participation will entail, what the purpose of the research is, their right not to participate/ their right to withdraw at any stage. First, participation in the study will be voluntary and this will be strongly asserted. Letters explaining the research will be sent out to all women on the Wales Probation Trust's caseload and this letter will clearly explain who I am, what I am intending to do, what the research will entail and the process of the research. This will avoid any lack of clarity about the research and this will end the Probation Trust's involvement in the practical process of my research. It will be made clear in the letters that I do not work for the Probation Trust and that no information about the individuals who chose to be involved in the study will be shared with them. Prior to the interview process I will meet with each woman, individually, that states she wishes to participate in the study to discuss the research in person and to go over the informed consent form with them (ensuring that what has been communicated to them in writing has been understood). This is to ensure that true informed consent is achieved and that the woman is happy to participate. Only after this meeting will a date for interview be arranged. Although a drawn out process, this will ensure that the women are empowered to make their own, informed, decisions about participation. Although the women that I will be interviewing may be viewed as vulnerable, due to their experience of domestic abuse (and particularly their possible experience of coercion and control) and their offending behaviour, they are however in a position to provide informed consent. First, the women's possible experience of coercion and control will be explicitly considered through making all information provided to the women clear, accessible and through the assertion that participation in the research is completely voluntary. With this considered, the women are able to give informed consent as they are adults (all 18 and above), will have received all necessary information about the study (and this will be clearly communicated to them both in writing and verbally) and their agreement to participate will be checked at three different stages (initial agreement, first meeting and at interview). All efforts will be made to ensure that all information provided to them is accessible and at a level which is appropriate for them (clearly written in accessible language and terminology). Recruitment of Participants: All women included in the research will need to have experienced domestic abuse. In order to capture a realistic representation of women who have experienced a range of forms/ severity of abuse the sample will consist of women who self-disclose experience of abuse. To facilitate

access to this sample I would provide a letter which would be sent out by the Wales Probation Trust to all female offenders on their caseload. The letter will explain the purpose of the research, the process of the research, who I am and will ask women who have experienced abuse to volunteer to take part in an interview. The letter will clearly state that participation in the study is voluntary and clarify that the women do not have to agree to participate. The letter will also detail the process the women will have to go through to participate and this will include an initial introductory meeting whereby I will meet the women individually, verbally explain the purpose of the research and what will happen from then on. If the woman agrees to participate the informed consent form will be discussed and signed, it will not be until after this process has been enacted that a date for the actual interview will be arranged at a time convenient for the woman. As the letter will ask that the women contact me directly, this will allow for disclosure of domestic abuse to the researcher, where it may not have been disclosed to an offender manager, which will protect the women's privacy. After interviews I would like to provide a letter of thanks to each of the women who have participated to thank them for their time and involvement. Should they be happy for me to do so, and the women will be asked directly if they are happy for me to do this, I will send a copy of the letter to the woman's offender manager, to demonstrate her participation and cooperation in a voluntary activity. (This would of course only be done if the woman is happy for this to happen and if the woman has disclosed her experience of abuse to her Offender Manager - as the sheer involvement in the study, because of the subject matter, would otherwise make this obvious).NOTE: I have briefly spoken to the Trust about their Women's Champions (there are champions within each of the Local Delivery Units (LDUs) who lead on women's issues) and it was suggested that they may know of women who may wish to participate in the study. This may provide an additional route to follow for recruitment of participants as the women's champions will have built up a rapport with the women that I will not be able to so given the time constraints of the fieldwork, therefore this may be a helpful supplementary route. If this route were to be taken the same process, as discussed above, would be followed ensuring true informed consent is achieved for all participants (and this would always include meeting with the women prior to any interview taking place and meeting with the women without the presence of any Probation Trust staff).

Avoidance of causing further harm:- Previous experience and suitability of the researcher and addressing women's emotional/support needs. It must of course be recognised that participation in the research may cause some emotional distress to the women involved. I have taken a number of steps to address this consideration. First, I have over 5 years of experience of working within the domestic abuse sector and therefore am very well informed about domestic abuse, risk assessment and the dynamics and nuances of abusive relationships. Second, I completed a very similar research project for my Masters degree where I was given access, from Northampton Women's Aid, to interview refuge residents about their involvement in crime. Third, I have recently met with specialist domestic abuse counsellors to discuss ways of minimising any possible trauma or distress that may be caused by interviewing the women about their experiences. In addition to this I am also currently taking a basic counselling skills course (delivered by Cardiff University) to further equip myself with the skills to conduct interviews with the women and to be sensitive to their emotional needs. Attending this course will also allow me to learn how to cope with information that I am privy to that I may, myself, find distressing. I also recognise that the women may require further support after the interview has taken place and therefore

I will prepare a list of appropriate support agencies that the women can take with them for future or immediate reference (if indeed it is safe to provide them with this information). This list will include information about domestic abuse support services (for example the Wales Domestic Abuse Helpline and local domestic abuse support services/groups), any initiatives/support that the Probation Trust may provide and information about accessing counselling. Information about both local and national services will be provided. Finally, it is also important to recognise the emotional impact that the research may have upon me as a researcher. Should I feel any emotional distress as a result of the information presented to me during the interviews I will seek support via the University's counselling service. Interview Location: Some of the women involved in the research may, at the time of interview/participation in the study, be in an abusive relationship and therefore actions must be taken to address her safety. To address this interviews will take place at the Probation trust Offices, which is a place that it would not be unusual for the women to be, and therefore should not arouse suspicion with an abusive partner should the woman not wish for them to know about her participation in the research. This is also a safe location for me as a researcher (as opposed to attending the woman's home for example). Right to withdraw: As mentioned within the informed consent section above throughout the entire research process the woman's right to withdraw, at any stage and without negative consequence, will be asserted. Most importantly, should a woman become distressed during the interview process the interview will be stopped immediately. Confidentiality and Anonymity: Involvement in this research could have safety implications for participants and therefore they will remain anonymous throughout the research and any identifying parts of their interviews (such as names, dates, places etc.) will be adapted. The information provided by the women will remain confidential (and they will be assured that their involvement in the research will not be disclosed to their Offender Manager with the only exception being if they are happy for their OM to receive a letter from me thanking them for their participation in the study). There are of course times when confidentiality made need to be broken, and this will be clearly explained to the women (and information about this is contained within the informed consent form) this would include if there was immediate risk of harm to the woman or her children. Empowerment of Research Participants/ Avoidance of Exploitation: First, the central focus of the research is women; their lived experiences and their own interpretation of their own actions thus subverting a traditional, masculinist, androcentric view of criminality which therefore empowers the women to give their own accounts of their involvement in crime (see Comack, 1996). The choice of research method is in line with this approach as using in depth semi-structured interviews gives women more control over the process as they are able to identify and discuss the subjects/areas that they feel are most important to them. Emphasis is placed on the words and interpretation of the women themselves, as opposed to the theories of the researcher, thus attempting to address any perceived hierarchies relating to the researcher /research participant relationship. This is in contrast to structured interviews where the researcher may prescribe certain theories onto the research participant via the research questions themselves. Empowering the women who are involved in the research, through giving them a voice and through their own selection of content, is in line with feminist research practice which seeks to empower, rather than exploit, research participants. As the women themselves have been directly involved in the offences, can contextualise and explain their behaviour, arguably they are best placed to provide an analysis of their actions (Rollins, 1985 as referenced by Richie, 1996). Access to Personal Data:

As part of the research process I have requested access to the women's probation records. I have asked for this so that I can find out key information (such as the offence they are convicted for, the terms of their licence, their previous offending history and to find out whether their experience of domestic abuse has been identified by the Probation Service). In line with data protection rules and regulations, permission to access these files will be requested as part of the informed consent process and this will be noted in the informed consent form. In reference to the accuracy and standards of data processing the Probation Service uses a computer based system, the Offender Assessment System (OASys), to assess the risks and needs of all offenders on its caseload. Data for this assessment is collected by trained Probation Staff and therefore will be subject to strict guidance on data collection and protection, therefore ensuring that this is suitable data to reference within this research. Storing of Data: Data will be securely stored on a private computer at my home, which only I will have access to. All data stored will be anonymised, access to the files will be password protected and I can also encrypt the files. Data will be backed up on CDs/ DVDs/Flash drives which will be locked away in a cabinet at my home, and again only I will have access to them. Audio files will be deleted from the digital recorder as soon as files have been transferred to the computer and backed up onto disk - I will undertake this process after each day of interviewing. Interview audio files will be deleted 6 months after the publication of my research. Use of Resource to Measure the Severity of Abuse Experienced by the Women Involved in the Study: I have identified a resource which I will use to assess the level of severity of abuse experienced by the women involved in the study this is the Severity of Abuse Grid by Co-ordinated Action Against Domestic Abuse (CAADA). I discussed my research with them and they have given me permission to use the grid within my research.

Are you using a Participant Information and Informed Consent Form?

If YES, please paste copy form at the end of this application. YES

Have you considered the risks associate with this project? YES

**Now proceed to the Research Ethics Checklist..... Section V**

## Section V: Research Ethics Checklist

Please answer each question by ticking the appropriate box:

YES NO

1. Does the study involve participants who are particularly vulnerable or unable to give informed consent? (e.g. children, people with learning disabilities, your own students).	NO
2. Will the study require the co-operation of a gatekeeper for initial access to the groups or individuals to be recruited? (e.g. students at school, members of self-help group, residents of nursing home).	YES
3. Will it be necessary for participants to take part in the study without their knowledge and consent at the time? (e.g. covert observation of people in non-public places).	NO
4. Will the study involve discussion of sensitive topics (e.g. sexual activity, drug use)?	YES
5. Are drugs, placebos or other substances (e.g. food substances, vitamins) to be administered to the study participants or will the study involve invasive, intrusive or potentially harmful procedures of any kind?	NO
6. Will blood or tissue samples be obtained from participants?	NO
7. Is pain or more than mild discomfort likely to result from the study?	NO
8. Could the study induce psychological stress or anxiety or cause harm or negative consequences beyond the risks encountered in normal life?	YES
9. Will the study involve prolonged or repetitive testing?	NO
10. Will financial inducements (other than reasonable expenses and compensation for time) be offered to participants?	NO
11. Will the study involve recruitment of patients or staff through the NHS?	NO
12. Does this research entail beyond minimal risk of disturbance to the environment? If yes, please explain how you will minimize this risk under section IV above).	NO
13. Have you gained the appropriate permissions to carry out this research (to obtain data, access to sites etc)?	YES

14. Measures have been taken to ensure confidentiality, privacy and data protection where appropriate.	YES
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**If you have answered 'yes' to any of the questions 1-12 or 'no' to questions 13-14, please return to section IV. All Research Applicants' and ensure that you have described in detail how you plan to deal with the ethical issues raised by your research. This does not mean that you cannot do the research only that your proposal raises significant ethical issues which will need careful consideration and formal approval by the Department's Research Ethics Officer **prior to you commencing your research**. If you answered 'yes' to question 11, you will also have to submit an application to the appropriate external health authority ethics committee. Any significant change in the question, design or conduct over the course of the research should be notified to the Module Tutor and may require a new application for ethics approval.**

#### **Declaration**

Please note any significant change in the question, design or conduct over the course of the research should be notified to the Departmental Ethics Officer and may require a new application for ethics approval.

I have read the University of Leicester Code of Research Ethics. - YES

The information in the form is accurate to the best of my knowledge and belief and I take full responsibility for it. - YES

I understand that all conditions apply to any co-applicants and researchers involved in the study, and it is my responsibility to ensure they abide by them. - YES

## APPENDIX IX: Ethical approval from the University of Leicester



**Department of Criminology**

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The Friars  
154 Upper New Walk  
Leicester  
LE1 7QA  
Tel: +44(0)116 252 3946

*Head of Department*  
**Professor Adrian Beck**

Dear Joanna

I am pleased to confirm that you have now received the approval of the College of Social Sciences Research Ethics Committee to proceed with your research entitled

*'From one prison to another: An in-depth qualitative exploration of the relationship between domestic abuse and female offending.'*

May I wish you every success in your studies.

Yours sincerely

Dr Hillary Jones

Departmental Ethics Officer



## APPENDIX X: Research approval letter from the Wales Probation Trust

FE DDARPARWN EIN GWASANAETH I CHI YN EICH DEWIS IAITH  
WE WILL PROVIDE OUR SERVICE IN THE LANGUAGE OF YOUR CHOICE

33 HEOL Y PORTH / 33 WESTGATE ST  
CAERDYDD / CARDIFF  
CF10 1JE  
FFON / TEL: 02920 785015

**Prawf Cymru**  
**Wales Probation**



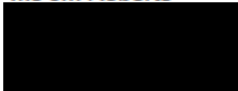
**CYFYNGEDIG / RESTRICTED**

Ein Nghyf / Our Ref: IB/CW

Eich Cyf / Your Ref:

3 Rhagfyr 2012 / 3 December 2012

Ms JM Roberts



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Dear Ms Roberts

### **PhD Research on Domestic Violence/Offender Link**

Thank-you for your application to undertake research into the potential link between domestic violence and offending within the female cohort of the Wales Probation Trust's.

I would like to apologise for the delay in responding to your request for research, but have now had the opportunity to review the relevant NOMS instruction regarding research applications and place your proposal before the Practice and Performance Committee. I am pleased to advise that we are happy to accept your proposal.

The Practice and Performance Committee meets on a quarterly basis and there is an expectation that you will provide updates to the committee regarding the progress of your research. Wales Probation Trust also requires that you do not alter the scope of your research without prior agreement through the Practice and Performance Committee.

In order for you to access required information and individuals pertinent to your study you will be provided with a single point of contact; this will be [REDACTED]. Her contact details are [REDACTED].

Yours sincerely

Ian Barrow  
Director of Operations

**YMDDIRIEDOLAETH PRAWF CYMRU WALES PROBATION TRUST**  
**[www.walesprobationtrust.gov.uk](http://www.walesprobationtrust.gov.uk)**

## Appendix XI: Research approval letter from Llamau



A step in the right direction for homeless young people and vulnerable women in Wales



Ms J M Roberts,  
Leicester University,  
[REDACTED]

July 15<sup>th</sup> 2013

Dear Ms Roberts,

### **PhD Research: Investigating the Relationship between Domestic Abuse and Female Offending**

Thank you for contacting Llamau to request our involvement in your PhD research into the relationship between domestic abuse and female offending for the University of Leicester.

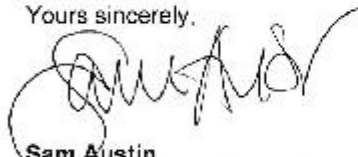
I am pleased to advise that we are happy to accept your proposal and for you to recruit research participants via Llamau projects/ services in Wales. To ensure a safe location for meetings we would also be happy for you to conduct your interviews at our offices.

Could you please confirm that you will be able to provide Llamau with the finished report and that we can use extracts from it in any promotional material, including any funding bids and tenders? Could you also confirm if you will be providing any feedback to the service users who take part in the research?

The main contact at Llamau will be [REDACTED] Head of Women's Services  
[REDACTED]

Good luck with your research.

Yours sincerely,

  
**Sam Austin**  
Director of Operational Services



## Appendix XII: Research report for the National Probation Service Wales and the Wales Community Rehabilitation Company



### University of **Leicester** Criminology PhD Research Report

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#### **'It was do or die' – How a woman's experience of domestic abuse can influence her involvement in crime: A qualitative investigation of the experiences of community-based female offenders.**

**Author: Joanna Roberts, Doctoral Research Student, University of Leicester**

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Please note that this report remains the intellectual property of the author. Material should not be used without the express permission of the author, and once granted any material used should acknowledge the source of the material as: Roberts, J. (2015) *'It was do or die' – How a woman's experience of domestic abuse can influence her involvement in crime: A qualitative investigation of the experiences of community-based female offenders*, Unpublished doctoral research report for the National Probation Service in Wales, University of Leicester.

## INTRODUCTION

### **Background to the Doctoral Study**

The Corston Report (2007) highlighted that women with histories of abuse are dramatically over-represented within the Criminal Justice System (CJS). A range of publications have also acknowledged that female offenders are far more likely to experience domestic and/or sexual violence than the general female population (Bloom, Owen and Covington, 2014; MOJ, 2013; Women's Aid, 2011). Approximately 1 in 4 women will experience domestic abuse in their lifetime (Walby and Allen, 2004) however, Women's Aid (2011) estimate that between 50 and 80 per cent of women in prison have experienced domestic and/or sexual violence. In 2013 the

Ministry of Justice published its *Strategic Objectives for Female Offenders* which noted that the proportion of female prisoners reporting experience of abuse in their lifetimes is double that of male prisoners. Women's Aid (2011) also suggest that large numbers of female offenders in the community have experienced domestic and/or sexual violence and that some may continue to experience abuse whilst serving their sentences. Figures depicting the numbers of female offenders being supervised in the community who have experienced domestic abuse are difficult to acquire as this specific demographic has not been widely acknowledged within existing research. The most recent figures available from the IOM Cymru Women's Pathfinder Project, which studied community-based female offenders across two local authority areas in Wales, Caerphilly and Swansea, found that 42% and 41% respectively<sup>77</sup> had been identified as victims of domestic abuse (Roberts, 2015 – forthcoming).

Most recently the Prison Reform Trust and the Pilgrim Trust (2014) acknowledged the prevalence of female offenders' experiences of domestic and/or sexual abuse, and stated that women's offending is often connected to their relationships (Earle, Nadin and Jacobson, 2014). Yet despite considerable evidence that a relationship between domestic abuse and female offending exists (for example see: Bloom, Owen and Covington, 2014; Prison Reform Trust, 2014; MOJ, 2013; United Nations, 2013; Women's Aid, 2011), what is missing from the current literature is an exploration of *how* this relationship may operate. As a result the existing literature has also made very little attempt to explore the consequences that a woman's experience of domestic abuse may have upon her behaviour and actions, specifically her involvement in/ pathways to crime, and subsequently, the particular implications that this relationship may have for both criminal justice policy and practice.

### **Purpose of the Research**

The purpose of this doctoral research was to explicitly explore the relationship between domestic abuse and women's offending; primarily to investigate ways in which a woman's experience of domestic abuse may *influence* her involvement in crime. As indicated above, the vast majority of research addressing the relationship between domestic abuse and women's offending has focused upon women in prison (Ferraro, 2006; Comack, 2000; Richie, 1996), a

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<sup>77</sup> These figures could, however, be an underestimate of the prevalence as they relate to those female offenders for whom an OASys assessment was available and not to percentages of the *total* number of female offenders in each area.

minority demographic which is not representative of the wider female offending population.<sup>78</sup> Consequently there is limited existing research exploring community-based<sup>79</sup> female offenders and therefore this research addresses a significant gap both in criminological, and policy-based, literature.

Furthermore, as the existing literature has explicitly focused upon imprisoned female offenders previous studies have therefore concentrated upon crimes which are generally unreflective of women's typical patterns of offending. In addition, the existing research has arguably also approached the types of crimes committed by women with a narrow focus, predominantly concentrating on crimes committed *with or against* an abuse perpetrator or as a result of *force or coercion* exerted by abuse perpetrators (Ferraro, 2006; Richie, 1996; Walker, 1984). This study attempted to remedy the narrow focus of existing research via concentrating upon women serving community-based sentences. This approach consequently facilitated exploration of crimes more broadly representative of women's typical offending as well as investigation of crimes committed by women without their abuser present.

## Methodology

The research was approached from a feminist perspective, focusing upon women's lived experiences and their *own* analysis of their behaviour and actions, therefore placing the female offenders' voices and perspectives at the centre of the discourse.

Methodologically, the foundations of this research were built upon a feminist and symbolic interactionist<sup>80</sup> approach. The gendered nature of domestic abuse (see for example: HMIC, 2014) combined with the gendered patterns of offending (MOJ, 2014) demonstrate the need to employ a feminist approach which recognizes the impact of gender upon women's position in society and consequently their behaviour and actions. However structural factors alone, such as women's subordinate position in society, which domestic abuse directly reinforces and reflects,

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<sup>78</sup> Figures for the female prison population totalled 3,929 which compared to 22,105 females being supervised by the Probation Service in June 2014. Figures published in July 2014 by the Ministry of Justice in their *Offender Management Statistics (Quarterly: January – March 2014)* referring to England and Wales.

<sup>79</sup> This refers to female offenders, aged 18 and over, who were serving their sentences in the community (or who had recently completed their sentences) and were being/had been supervised by the Wales Probation Trust. The type of sentences being served by the female offenders included: Community Order; Suspended Sentence Order; Indeterminate Public Protection; Standard Determinate Custody; Life Imprisonment; Extended Sentence; Young Offenders Institute; Intensive Alternative to Custody; Youth Rehabilitation Order.

<sup>80</sup> Symbolic Interactionism as a theory focuses upon the ways in which humans attach meanings to events and phenomena through their interaction with one another.

is not sufficient to explain how domestic abuse may influence female offending across all abusive relationships, as not all women who experience domestic abuse will engage in criminal activities. Each domestic abuse relationship is different and as a consequence each perpetrator's behaviour will reflect the intimate knowledge that they have of the abuse victim, culminating in different forms of abuse and control (Stark, 2007). Symbolic interactionism therefore compliments the feminist approach through its focus upon women's situated, subjective and individualised actions within their abusive relationships. Therefore, adopting this framework assisted in explaining and contextualising women's involvement in crime through a specific focus upon the interaction between abuse perpetrator and abuse victim and explicitly the ways in which women resist, cope with and respond to, the abuse they experience. The combination of feminism and symbolic interactionism therefore aided translation of how patriarchal oppression at a macro level reverberates and reinforces women's actions at a micro level or within each '...patriarchy in miniature' (Stark, 2007: 194).

### **Research Sample and Methods**

The research comprised a qualitative investigation of the relationship between domestic abuse and women's offending. The principal method of data collection employed was in-depth semi-structured interviews with two sample groups. The primary sample group interviewed were 25 community-based female offenders, aged 21 to 54, who had experienced domestic abuse. The duration of each interview varied between 30 minutes to 1 hour 45 minutes (approx.) and the crimes discussed were wide-ranging including drink-driving, child neglect, benefit fraud and assaulting a police officer, to provide a few examples.

The primary female offender sample group was supplemented by interviews with 15 probation service practitioners to provide a broader, over-arching perspective upon the relationship between domestic abuse and women's criminality, drawing upon the practitioners' wealth of experience of supervising female offenders. This therefore enabled exploration of direct recommendations for practice and policy within the area of offender management.

## RESEARCH FINDINGS

### Experiencing domestic abuse, coping responses, and crime

The research identified that most of the women's offending related to different forms of *coping* with the domestic abuse they experienced, specifically the women's *responses* to the power and control exerted by their abuse perpetrator within their relationships. In particular, women's involvement in crime resulted from their responses to the distinct power *imbalance* they were subjected to, which was facilitated, created or imposed by the domestic abuse perpetrated against them. In many cases the women's coping options were significantly limited; firstly by the domestic abuse they experienced, and secondly their options for action were further restricted by societal factors including poverty, lack of education, unemployment, mental health issues etc. which compounded their lack of options/ opportunity for action.

Therefore the crimes committed by the women involved in this study could be interpreted as a *by-product* of their experience of domestic abuse or their attempt to cope enacted via their means of:

- *responding to;*
- *surviving;*
- *resisting;*
- *attempting to escape (temporarily, permanently, figuratively or literally);*
- *or exiting either a current or previous domestic abuse relationship/ situation.*

This analysis therefore acknowledges both the *immediate* and *longitudinal* responses to the domestic abuse women experienced, therefore influencing/affecting their involvement in crime both *directly* and *indirectly*.

### The wide-reaching impact of domestic abuse victimisation

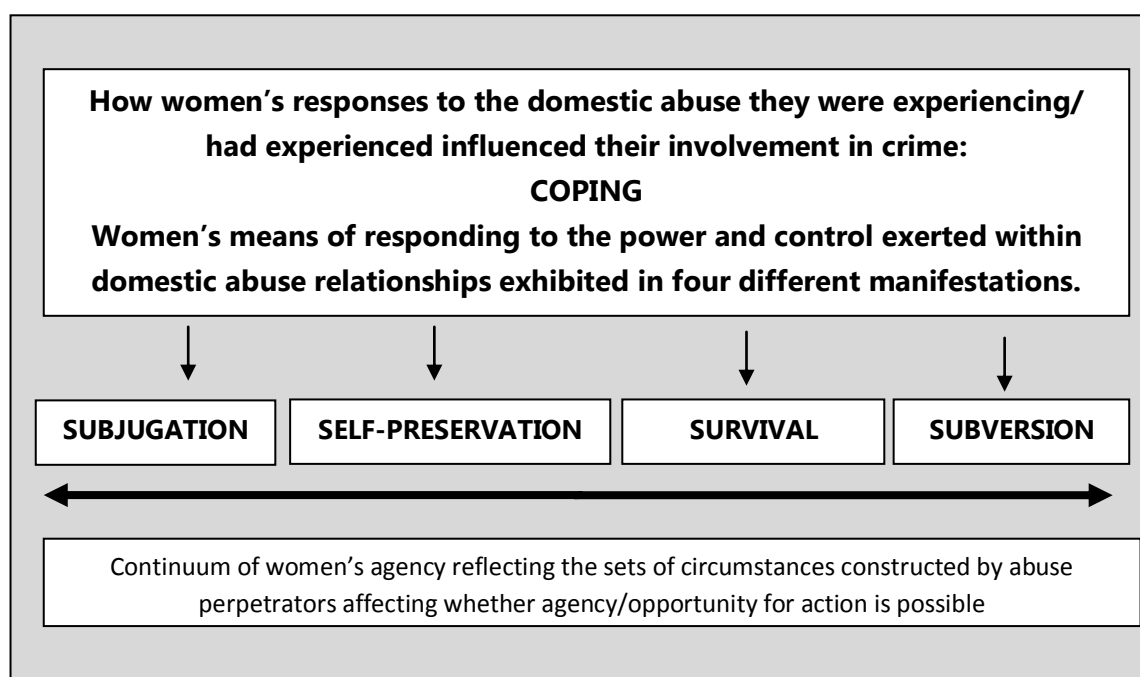
Importantly, the findings of this research suggest that women's criminal offences can occur in a much broader context than has previously been acknowledged. Rather than women simply offending *against* an abuse perpetrator, *with* an abuse perpetrator or *being forced or coerced* by an abuse perpetrator to commit a crime, instead crimes can be committed by victims of domestic abuse:

- *Without the abuser present;*
- *After they have exited an abusive relationship or situation;*
- *Many years after the relationship/abuse has ended.*

In all of these cases, however, the behaviour can still be attributed, in some way, to the women's experiences of domestic abuse. Therefore this research demonstrated both the immediate and longitudinal impact that domestic abuse victimisation can have upon a woman's behaviour and actions.

**NOTE:** It is of course important to assert that the theories and themes presented here **do not** provide a generalisable theory of women's crime applicable to all female offenders who have experienced domestic abuse. Instead, this report provides further insight into, and explanation of, the complex relationship between domestic abuse and female offending, providing some **examples** of how a woman's experience of domestic abuse may influence her involvement in crime.

#### Themes Overview Table:





This report will now briefly introduce and summarise the four sub-themes identified in this study (depicted in the table above) which explore four different manifestations of the ways in which women's coping with, responses to, or attempts to escape domestic abuse influenced their involvement in crime. Each sub-theme will be accompanied by examples of supporting data, however, it is important to state that the interview extracts represent only a fraction of those included in the PhD thesis and are therefore not exhaustive. The report will then conclude with recommendations for research, policy and practice demonstrating the practical implications of the research findings.

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## RESEARCH THEMES

### **Subjugation**

Subjugation focuses upon the actions of *perpetrators* of domestic abuse; describing bringing something (or someone) under complete control, to make submissive or subservient. In the context of this research, the term subjugation represents abuse perpetrators' attempts to completely overpower, dominate and to enforce complete control.

**Subjugation: describes how abuse perpetrators employ the criminal justice system as a weapon of abuse or as a means of exerting power and control.**

### **Subjugation (Part One): Using the Criminal Justice System as a weapon/tool of domestic abuse**

Subjugation demonstrates how a perpetrator's actions, employed as part of/an extension of the domestic abuse they subject their victims to, can facilitate or influence a woman's involvement in crime. This theme provided evidence depicting how an abuse perpetrator can subject or impose particular mechanisms of power and control which create an imbalance of power, weighted in the abuser's favour, subsequently creating a set of circumstances which can cause or facilitate the abuse victim's involvement in crime. The examples provided by the female offenders in the study demonstrated how abuse perpetrators could facilitate a woman's involvement in crime as:

- *An additional form of abuse inflicted whilst the woman was in the relationship;*

- A means of punishing the woman for leaving, or attempting to leave, the relationship;
- A way of attempting to force the woman back into the abusive relationship.

#### **EXAMPLE: Sian – Benefit fraud**

Sian described how her ex-husband, by accusing her of benefit fraud, employed the criminal justice system as a means of exerting power and control over her after she had attempted to end their relationship. Not only did Sian's ex-husband report the offence himself, it appeared that (as part of the domestic abuse he subjected her to) he also actively constructed a set of circumstances to make it appear that she was guilty of the crime:

*Initially I just, well I wasn't with my husband, erm, but he was continuously turning up to my property, if I'd pick the kids up from school he'd push his way through the door as I got there, **he wouldn't leave for days on end, he'd steal my house keys so that he could let himself in and out.** Erm, I then had a report that I'd been accused of benefit fraud and he did admit at one point that it was him who had reported it. Erm, but because he was seen continually coming in and out of property, with keys, erm, **it looked like he was still living there.** (Sian, p16).*

The interview extract above refers to when Sian had attempted to exit her abusive relationship with her ex-husband and was living alone with her children in a Housing Association property claiming single parent benefits. Sian's attempt to leave her ex-husband, by re-building her life, seeking her own accommodation and living independently, was met with her abuser's retaliatory actions seeking to reinstate his power and authority within their relationship. Sian's ex-husband utilised the criminal justice system to punish Sian and restrict her options of escape from the relationship, as a result of his intent to regain control over her and their relationship.

It could be argued that Sian's ex-husband attempted to force Sian back into the relationship through facilitating her financial dependence on him using the criminal justice system to accomplish this. Sian described why she thought her ex-husband had reported the offence:

***...just to try and make me financially dependent on him because if they stop my money, then I would have to go back to him** and it was just more like harassment; it*

*was just non-stop with him. Literally physically and emotionally draining...in the middle I got a life-time restraining order against him...he doesn't know where I am, so, I'm a little bit more protected now but it is literally the extent I had to go to, to get away from him was beyond a joke. (Sian, p6).*

#### **EXAMPLE: April – Accused of kidnapping her child when she fled her abusive relationship**

When April's husband (a policeman) became aware that she had fled their abusive relationship he falsely accused her of kidnapping their child. He therefore utilised the criminal justice system both as a means of punishing her for exiting the relationship as well as employing it as a mechanism through which to locate her, as April explains:

***...he tried to make out I kidnapped her, now how can you kidnap your own child?** You know, it was all done [April leaving] through the domestic violence unit, they were the ones who said, look it's unsafe for you to stay here...But, um, they just said it wasn't safe for me and she [police woman] got me out of there, soon as she could and then **of course because I'd actually stood up for myself then**, I wasn't letting him tell me that you know, you're not going anywhere, you've gotta stay here that **he just tried to have me for kidnap** and it was just all nonsense. (April, p5).*

April's story highlights how her abuse perpetrator's position as a policeman enhanced his ability to exploit the criminal justice system as a tool to re-exert his power and control over her. April's husband's position of authority and the knowledge (and access) which accompanied his role as a policeman further heightened the imbalance of power and control and assisted in his attempt to punish her for fleeing the relationship. However, despite his attempts to both punish April for leaving the relationship and to locate her she was not convicted of kidnapping, as she recalls:

*No [I wasn't charged], I, I just got taken to the police station with...the woman who was working in the refuge and she just ripped them apart basically, she just told them they was being stupid and **all this was, was to try and find out where I lived** because all they*

*wanted, they wanted me to give an address of where I was staying and it was like, no!*  
(April, p5).

Both Sian and April's cases demonstrate how women can be subjected to the power and control of their abuse perpetrators who employ the criminal justice system as a further tool or 'weapon' (Practitioner 2) of domestic abuse. Threatening to report victims to the police, probation or escalate accusations to the court were clearly identified by both the female offender and practitioner samples as mechanisms which could be employed as part of the domestic abuse perpetrators inflict upon their victims.

### **Subjugation (Part Two): How a woman's experience of domestic abuse can affect her ability to carry out her sentence**

Some women serving community-based sentences may continue to be subjected to domestic abuse, from a current partner, former partner, or family member, whilst carrying out their sentence. As a result, a woman's experience of domestic abuse may cause her to encounter further problems with the law by disrupting her ability to comply with her licence conditions or order requirements. 'Subjugation' also served to demonstrate how abusers can also use women's sentences, or the victim's involvement with criminal justice agencies, as a weapon of domestic abuse; as a means of exerting further power and control or inflicting additional abuse upon their victims.

A range of female offenders involved in the research described how their abusive partners had attempted to interfere with their ability to carry out their sentences.

#### **EXAMPLE: Summer – Robbery and assault with intent to rob**

Summer explained that her ex-partner explicitly stated that he was trying to instigate her return to prison and that, on numerous occasions; he had actively attempted to interfere with her licence conditions. As Summer had only recently been released from prison, any breach of her licence would have had a significant impact upon her, including the possibility of her being recalled to prison.

*...I'm on licence, he's ringing the police saying that, um...'cause I'm with my new partner...he's phoned the coppers saying I'm living up there, I'm out in the pub, I'm doing this, I'm doing that [breaching my licence conditions], do you know what I mean, where I ain't, and his, he's told [children's agency], the woman, that he'd be happy if, um, I had nothing to do with the kids now, he got a new wife, he wants a new life and **he's trying to get me back to jail.** That's, he said that to [children's agency worker] (Summer, p 7).*

#### **EXAMPLE: Practitioner 6**

The type of behaviour referenced by Summer was also identified, on numerous occasions, by probation service staff. Practitioner 6 highlights how abusers would utilise women's sentences as a means of exerting further power and control:

*... they hold that string over [the female offenders] by saying **I'll send you back to prison,** you know, you've got kids, we'll take, you know, you won't be able to see your kids when you're back in prison, **look what I can do, I've got the power to do it,** you're, you're stuck or, you know, yeah I've got, yeah loads of examples of people just, you know, threatening that really to their partners... (Practitioner 6, Part 2, p19).*

#### **EXAMPLE: Practitioner 15**

A large number of practitioners referenced how a woman's experience of domestic abuse can interfere with a woman's ability to carry out her sentence including Practitioner 15 who elaborated upon the *range* of effects a woman's experience of abuse can have upon her ability to comply:

*...it could be a whole range of things, **the partner could be literally preventing them from attending either because they don't want them to attend or just by, they don't want them to leave the house at all,** or whatever. **It could be issues of shame whereby they don't wanna come in and present because of they've got injuries or because they don't wanna talk about the issues** that are coming up before them. Um,*

it could just lead to that....you know, **chaotic or other issues that they aren't able to comply, that they aren't able to manage their time effectively**, um, so all sorts of things really but I think, yeah, it can definitely have an impact... (Practitioner 15, p39).

This practitioner interview extract demonstrates a large range of ways in which a female offender's experience of domestic abuse could impact upon her ability to comply with her order or licence.

## **Self-Preservation**

Self-preservation examined the mechanisms employed by women to *manage* or *cope with* the domestic abuse they were experiencing/had experienced.

**Self-preservation: describes women's attempts to avoid harm or manage the abuse they were experiencing/had experienced, and how, as a consequence of the mechanisms employed, they could become involved in crime.**

In particular, this theme explored women's use of drugs and alcohol as a means of figuratively escaping domestic abuse either *during* or *after* the abuse. This research established how women's substance use is often a mechanism utilised to suppress or prevent feelings associated with or evoked by the domestic abuse they experience/ had experienced. Importantly this theme elaborated upon existing theories by acknowledging the *long-term* effect of the mechanisms women employ to cope with domestic abuse victimisation and how these actions can influence their involvement in crime.

Within the backgrounds or histories of the female offenders interviewed for this research there was a high prevalence of substance use. Twenty-one of the twenty-five female offenders interviewed for this research disclosed use of drugs or alcohol, or indeed both<sup>81</sup>, many of whom stated that this was a means of coping with, escaping or 'blocking out' the domestic abuse they were experiencing (or had experienced).

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<sup>81</sup> Substance use was either disclosed by the woman during interview or identified in her probation record in her OASys assessment.

### EXAMPLE: Robin – Possession of class A drugs (heroin)

Although a drug user prior to her experience of domestic abuse, Robin described turning to a stronger drug - heroin - after her abusive partner murdered a friend in her presence (an action arguably motivated by her domestic abuse perpetrator's wish to instigate fear and exert control over Robin.) As she explains in the interview extract below her motivation for using heroin was to 'escape' from her experiences particularly the culmination of the abuse she experienced when her abuser, arguably as an extension of the abuse he inflicted upon her, accused her of the aforementioned murder.

*I just turned to heroin from there [her friend's murder by her abusive partner] just to **switch off** from what was going on and it turned from that to...**just got out of control, so I started selling heroin myself** just 3 years ago and ended up doing a 3-year prison sentence...(Robin, part one, p6).*

Robin's experiences illustrate how her means of coping with domestic abuse extended later into her life including after she and her abusive partner had separated. Robin's need to manage the effect domestic abuse had upon her, and particularly her need to continue using drugs as a means of coping with her experiences, led to her involvement in crime.

### EXAMPLE: Practitioner 6

The long-term, negative impact of the forms of coping with domestic abuse that some women employ and how these mechanisms can lead to involvement in crime was acknowledged by Practitioner 6:

*... you're talking about people that have probably suffered abuse for a long time and are **now responding** or you're talking about people that have suffered abuse when they were younger and got out or whatever but still suffer in the long term, you know, so it could have been slowly using substances or coping mechanisms, you know, **maladapted coping mechanisms** that have now reached the point where they're now out of control*

and, and you know, **they're now offending to manage the coping mechanism**, you know... (Practitioner 6, part two, p9).

#### **EXAMPLE: Practitioner 15**

Finally, in this interview extract Practitioner 15 further elaborates upon how women's coping mechanisms can influence their involvement in offending where crime occurs as a *by-product of their means of coping* with the domestic abuse they are experiencing/ have experienced:

*The alcohol use or, and/ or drug misuse will **become a coping mechanism** for where there are things going on in like that are unmanageable for the person...in terms of domestic violence, I think quite often alcohol, in particular for women, even if they're not into drug misuse and offending generally, they will quite often use alcohol as a coping mechanism to, to sort of **hide away from some of the issues and then that can lead into offending** then whether it be in terms of violent or aggressive or disruptive behaviour, or whether it be, um, in terms of alcohol and drugs, in terms of um, there are lots of things that can come out of it really, **there can be the acquisitive side of offending, in terms of the need to get money for substances, and there can be issues of child neglect and things that come around that side because they're, it's partly to do with the issues they're suffering and partly to do with their coping mechanisms which then make the situation worse for the children involved** and so they, they may often be, um, offenders on that side of things.* (Practitioner 15, p9).

Practitioner 15 specifically mentions cases of child neglect where, as a result of a woman's dependence upon alcohol or drugs, used to manage her experiences of domestic abuse, she is unable to adequately care for her children. Therefore the woman's criminal activities are not deliberate but instead manifest as a by-product of her attempts at self-preservation or to cope with domestic abuse. It must also be acknowledged that in some instances alcohol or drug use can be actively encouraged or indeed introduced by the abuse perpetrator (Women's Aid, 2011; Jones, 2008; Moe, 2004; Inciardi, Lockwood and Pottinger, 1993). A perpetrator encouraging or introducing their victim's substance misuse can act as a means through which to facilitate



further dependency or it can allow for an extension of control and a woman's involvement in crime can occur as a by-product of this particular dynamic of domestic abuse.

## **Survival**

For a number of the women who participated in this research it was the actions they took to minimise, avoid or escape the domestic abuse that they were experiencing/had experienced that affected their involvement in crime.

**Survival reflects a range of actions taken by women to survive their abusive relationships and how the consequences of these actions influenced their involvement in crime.**

Women's attempts to survive their domestic abuse victimisation, and how such attempts could facilitate their involvement in crime, was evidenced in a variety of different ways in this research including:

- *women's attempts to escape abusive relationships;*
- *women committing crime as a 'cry for help';*
- *retaliation against abusers;*
- *women's attempts to placate abuse perpetrators.*

This section will not address all of these different manifestations of survival but instead will present some of the most relevant findings.

### **Crime committed to escape domestic abuse**

For some victims of domestic abuse their lives are characterised by their on-going attempts to prevent or avoid abuse. For some women with limited options for (legitimate) means of escape from their relationship, offending provides an opportunity to facilitate escape from or possible respite from the abuse.

#### EXAMPLE: Charlie – Various offences

*It was either my boyfriend was going to beat me to death or I was going to commit crime to go to prison, where I'm going to be safe [gets upset] do you know what I mean? I'm actually gonna be able to eat, I'm not going to be pimped out for money for drugs I don't want to take anymore, like. I wanna just eat food so I go to prison and I can actually eat like, do you know what I mean? Like I said when that steel door shuts it's the only time I can actually breathe properly (Charlie, p4).*

Charlie's interview extract demonstrates that for some women imprisonment can provide an escape route, or facilitate a reprieve, either permanently or temporarily, from domestic violence. Victims of domestic abuse intentionally committing crime to facilitate their own arrest as a strategy to avoid abuse also arguably reflects the desperate situations and conditions the women experience which are constructed by the domestic abuse they are subjected to.

It must also be briefly mentioned that this research found evidence to suggest that some criminal justice representatives<sup>82</sup> also viewed imprisonment as a suitable means of providing female offenders, who had experienced domestic abuse, with a form of safe accommodation or access to much needed support:

*I think sometimes, if the woman presents and they've got quite complex needs, even if the crime isn't, isn't that serious **they'll be given quite an intensive order**, so they'll have a lot to do and it's because OK this woman's got complex needs so we're going to throw everything at them [laughs] but what you're doing is you're **up-tariffing** someone, you're making, you're giving them a sentence which it, which it.....doesn't meet.....**doesn't fit the crime which they did just because they're perceived as being complex with a lot of needs**, it's like, oh well, we'll do this, this and this, a give them a really intensive order and that'll sort everything out and that's not the case (Practitioner 2, p 11).*

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<sup>82</sup> Such as magistrates, judges or indeed probation officers.

*...sometimes the court have **sent people to prison 'cause they think they'll be safer there**, you know, away from their domestic abuse, abusive relationship but then that has such a big impact on everything else it's not, it's not the best thing for them (Practitioner 12, p11).*

This type of practice termed 'up-tariffing', was mentioned by a number of the practitioners (Practitioners 2, 7, 9, 11 and 15) describing how women can be allocated more severe sentences to account for their support needs rather than receiving sentences which reflect the severity of the crime/s committed. This process suggests that the criminal justice system may further victimise women who have experienced domestic abuse by sentencing them to punishments which reflect their support needs rather than the crimes they have committed. Interestingly this also suggests that a woman's experience of domestic abuse may not only impact upon her involvement in crime but also her sentencing.

### **Offending as a by-product of attempting to survive domestic abuse**

This finding arguably reflects the centrality of the woman's experience of abuse, where surviving the abuse takes precedence and as a consequence a woman's ability to care for her children is diminished, as this practitioner notes:

*I mean there'd be other ones where, as a **by-product of domestic abuse** then there's allegations of child-neglect or failing to protect your child, or the child not going to school and those sort of, **because surviving that relationship becomes paramount** (Practitioner 9, p7).*

In addition if women use substances as a means of coping with their experiences of abuse this can also negatively impact upon their ability to care for their children:

*[current female offender's] offending is, erm, to do with her children, erm, like neglect of her children, erm, not sending them to school, erm, and that's because, so it's **an indirect link**, her drug and alcohol use has gone up, as a result of her [abusive] partner, so she's, when she's tried to get hold of it but she's not able to cope with her children (Practitioner 3, p 8).*

This illustrates how abuse perpetrators behaviour can force women to choose between acting to protect themselves or acting to ensure the safety of/take care of their children, where the latter could have fatal consequences for the women. These circumstances, facilitated by abuse perpetrators, can construct situations in which victims are forced to make choices about how to act but in reality there is no real choice for them, they are simply forced to 'choose' the least dangerous or threatening option for them. Thus such circumstances can lead to women's involvement in crime through perceived child neglect, or indeed abuse, where the woman is unable to protect or care for her children

### **The long-term context of women's attempts to survive domestic abuse**

#### **EXAMPLE: Practitioner 8**

The practitioner interviews further confirmed how some women's behaviour may be affected in the long-term as a result of the previous abuse experienced:

*there's those sort of very obvious, immediate concerns you would have and then with [women] that have experienced it [domestic abuse] in the past, obviously it's not gonna be necessarily those immediate things **but there's gonna be other things like how it might have affected their life**, you know, in terms of **future relationships and sort of what choices are they gonna make** about future relationships and, you know, how it's just maybe impacted **on how they can cope with their day to day lives and manage their money**...(Practitioner 8, p 9).*

Therefore a woman's experience of domestic abuse can have long-term consequences for her behaviour and actions where such behaviour is shaped by, and can be attributed to, her previous victimisation.

#### **EXAMPLE: Grace – Benefit Fraud**

For Grace, it was the long-term context of her struggle for survival that influenced her involvement in crime. Grace was convicted of benefit fraud, which was her first and only offence, and she describes the circumstances surrounding her offence below:

*Well what happened is, I'm signing on, obviously, and when I had [youngest daughter] [my new partner] used to come round, was meant to come round just two days a week to see her, well he could see her five days a week as long as he didn't stop over but when I was ill, he'd stop over a couple of nights to have baby and then when she was coming up two [years old], he said well, we might as well just move in together but **I didn't sign off straight away because it was like a safety net, I could chuck him out [emotional] I know it sounds awful, but I could chuck him out and I'd still be safe.** Oh I'm horrible in' I?...And **that's where I went wrong, because I wanted to feel safe** [crying] (Grace, p13/4).*

As Grace describes the benefits she continued to claim when her new, but non-abusive, partner moved into her accommodation, provided her with a 'safety net' of financial resources. In complete contrast to the circumstances she found herself in when attempting to exit her *previous* but abusive relationship, where she had no financial resources, in her next relationship Grace wished to retain some financial resources should she need to flee the relationship. Although Grace's new relationship was not abusive the long-term consequences of her previous abusive relationship provided a clear context to her behaviour.

When asked what motivated her to continue claiming the benefits when her new partner moved in she stated:

***Safety net***, just because I didn't know if he [current partner] was gonna [pause] a month he moved in and I was like everyday wondering.....ooohhh!... **I just thought, you know, I've just had a baby, is he gonna think oh she gets more attention. Is he gonna start on her?** 'Cause he [ex-partner] did start on the little ones but I protected them soooo much, I was worn out protecting them [crying] (Grace, p15).

Specifically Grace describes her concern about the possibility that her new partner could begin to exhibit abusive behaviour, a concern which reflected her ex-husband's actions as the domestic abuse he inflicted began when her first daughter was a similar age to the daughter she had with her new partner.

Importantly both Grace's story, and the practitioner's anecdotal evidence, highlight how women's means of coping with their experiences of domestic abuse can extend far beyond their immediate responses to the abuse inflicted upon them.

## **Subversion**

Subversion also pays particular attention to the long-term effects of a woman's experience of domestic abuse upon her behaviour, and how this behaviour can subsequently influence her involvement in crime. Notably, all of the offences discussed within this subtheme were committed after the women had exited their abusive relationships, but their actions could still be, in some way, attributed to their past experiences of domestic abuse. Therefore this theme arguably demonstrates the longitudinal, and indirect, affect domestic abuse can have upon women's behaviour and consequently their involvement in crime.

**Subversion: describes victims' attempts to re-address, or indeed reject, the imbalance of power they had been subjected to within their domestic abuse relationships. In particular subversion focuses upon actions taken by women to either literally, or symbolically, take back some form of control.**

In this research one example of subversion manifested in women attacking someone symbolic of their abuser where the women's actions arguably constituted projected retaliation for past experiences of abuse (see also Richie, 1996).

### **EXAMPLE: Shayan – Actual Bodily Harm (ABH)**

It was a number of years after Shayan had exited her 11-year abusive relationship with her ex-husband when she committed the offence of ABH. As the data excerpt from Shayan, below, illustrates her crime was committed when she acted out against a man who was not her abuser but someone whom she knew to be abusive.

*Well I wasn't, I, I, it just instantly inside me I thought No! Hang on a minute, **my children have seen this [domestic abuse], all these years and I feel, I felt, I've always felt guilty about that, but my children have seen this all these years and I'm not***

**having another man subjecting them to that, again.** So, like, automatically in my head it was there, I'm going to hit him, something, I'm gonna do something, **I'm not going to let him get away with this...** (Shayan, p11).

Shayan's actions could therefore be interpreted as a delayed reaction to the domestic abuse she had experienced enacted upon somebody *symbolic* of her abuser. Significantly, Shayan attacking her sister in-law's abuser could be viewed as an attempt to subvert her own status as a victim via her taking back power from someone who perpetrates abuse, perhaps responding to her previous inability to be able to do this within her own abusive relationship.

Shayan elaborates upon her offence:

*she's [sister in-law] like had men that have been horrible to her in her time and **she's always tried to do the best for her children and I think, so little, so little bit of her, she reminds me of me,** she's like a tough girl and that and she deserved a bit better and her children, I love her children to bits even now they still come down the house and that. And I would like, they would come and tell me, oh he's doing this to my Mammy, he doing that to my Mammy, and I was thinking to myself...I suppose it was just the fact that, that, the tipping point of it...[the abuse of my sister in law] happened in front of my daughter and I think it was because only once my daughter ever witnessed [domestic abuse], I says, with him [my ex-husband]. Oh, I, look **something's just gone ping in my head right,** 'cause I'm thinking is it something to do with like women? Like I gotta think, 'cause my daughter have seen it, even though my sons had seen it all that time, soon as, **the moment my daughter had seen it I was like no, I'm not having my girl seeing it and then she's seen it in front of another bloke and that's tipped me over the edge.** But I think perhaps I'm just protective over the, the, women, woman, the female part of it and I'm thinking that a female isn't weaker than a man like and just trying to show that* (Shayan, p17).

What could be interpreted from Shayan's actions, as described above, is how symbolic they were as her sister-in-law's situation mirrored Shayan's own previous situation, so it could perhaps also be argued that Shayan saw her own life reflected in her sister-in-law's experiences

of domestic abuse. Shayan's actions were arguably enacted in projected retaliation for her own experiences of abuse to protect both her daughter and her sister in law. Furthermore as Shayan had escaped her own abusive relationship she was consequently able to take action to protect her daughter from witnessing further abuse where previously, when involved in her own abusive relationship, she was unable, or did not have power to take action. In this context therefore Shayan symbolically subverted the control that her abuser had over her by taking back power and control in a situation that reflected her own experiences of domestic abuse.

Significantly, the findings presented within survival and subversion therefore demonstrate that a woman's experience of domestic abuse can have long-term consequences upon her behaviour and actions. In specific reference to women's involvement in crime, offences can take place in a much broader context than is usually understood when referencing the relationship between domestic abuse and women's offending.

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## CONCLUSION

In conclusion, although based upon a small-scale qualitative investigation, this study has identified a variety of ways in which a woman's domestic abuse victimisation can help explain or contextualise her involvement in crime. Focusing upon women's means of coping with domestic abuse, in both the short and long term, this research has demonstrated a diverse and complex range of ways in which a woman's experience of domestic abuse can affect her involvement in crime, either directly or indirectly. Most importantly however, the findings of the research have direct implications for both criminal justice practice and policy.

**NOTE:** It is imperative, however, to assert that this research did not prove the existence of a causal relationship between women's experience of domestic abuse and their involvement in crime, (nor was this the aim or intention of the study). It is also important to recognise and articulate that factors other than the women's experience of domestic abuse may have contributed to their offending including poverty, unemployment, substance misuse, mental health, lack of formal education etcetera. (However, in some cases these factors can also be affected by the woman's experience of domestic abuse).



## IMPLICATIONS FOR RESEARCH, POLICY AND PRACTICE

**NOTE:** It is important to note that the purpose of this research was not to specifically develop any recommendations for policy or practice. This research did, however, identify particular issues that do have implications for criminal justice policy and practice, some of which are outlined below. It is important to mention that with further detailed analysis of both the practitioner and offender interviews many more detailed, specific recommendations could be established.

### Recommendations

The Prison Reform Trust (2014) states that: 'The link that frequently exists between women's experiences of domestic violence and sexual abuse and their offending behaviour, should be taken into account when designing local service provision for women victims and offenders' (Earle, Nadin and Jacobson, 2014:5.) Significantly, as a consequence of researching female offenders in the community, this research has established a range of recommendations for the Probation Service/ Community Rehabilitation Companies (and other criminal justice agencies working with female offenders) which will now be outlined below.

### Further Research

Due to the limited available research exploring ways in which a woman's experience of domestic abuse may influence her involvement in crime, specifically addressing the population of community-based female offenders, it is recommended that further research is conducted on a larger scale. This would allow for a much greater understanding of the relationship between domestic abuse and women's offending and, in addition, ways for the criminal justice system to address this relationship.

### Offender Management/Support

The findings highlighted a range of implications for the supervision of female offenders who have experienced domestic abuse and some suggestions to address their needs are outlined below.

- **Domestic Abuse Training for Criminal Justice Practitioners**

A vast amount of existing research has acknowledged the prevalence of domestic abuse victimisation in the backgrounds of female offenders. In addition this doctoral research has, as have other studies, established that a relationship between domestic abuse and women's offending can exist and, in some cases, this victimisation can affect a woman's involvement in crime. Therefore it is important that criminal justice practitioners have a good understanding of domestic abuse. Ensuring that domestic abuse training is provided to criminal justice staff, particularly offender managers, court staff (specifically magistrates and judges) and the police, is incredibly important.

In particular domestic abuse training for offender managers could help to facilitate an environment where women are comfortable to disclose their experience of domestic abuse (as offender managers will be more aware of the signs of victimisation and will understand how to encourage disclosure). Second, better awareness of domestic abuse may help inform sentencing plans, provision of adequate support for female offenders, allocation of resources and desistance strategies. If a woman's experience of domestic abuse has been instrumental in her involvement in crime then work to address this could also address re-offending.

It is also important to assert that as the UK Government definition of domestic abuse was recently amended to include 16 and 17 year olds, as well as to incorporate coercive control, it is also imperative that criminal justice staff have refresher training when necessary to notify staff of any developments. As domestic abuse support services are the experts in supporting victims of domestic abuse it could be helpful for such agencies to deliver specialist training to offender managers.

The findings of this research also suggest that development of guidance addressing the specific ways in which a woman's experience of domestic abuse may influence her involvement in crime could be helpful to a range of criminal justice agencies. Further research in this area could also help develop and inform such guidance.

## **Probation-specific training areas:**

- **Home visits**

For the safety of both staff and offenders any member of staff conducting a home visit should be aware of the signs of domestic abuse victimisation. Being trained to recognise the signs of domestic abuse victimisation (such as the woman's partner being present throughout the entire home visit, damaged property, subtle attempts to disclose) could help identify victims of domestic abuse.

- **Safety planning for victims of domestic abuse that have disclosed their victimisation to probation**

In specific reference to the risk assessment of female offenders who are victims of domestic abuse it is recommended that CAADA DASH training for all offender managers is considered. Therefore where domestic abuse victimisation is identified a standardised and specific domestic abuse risk assessment could be undertaken.

- **If victim and perpetrator are both being supervised by Probation Services**

In some cases both victim and perpetrator will be being supervised by Probation (each individually as an offender). Therefore there should be both guidance and training available to ensure the safe management of both offenders. Steps to address this could include recording the name of the abuse perpetrators on the victims' files, liaison between the two different offender managers and ensuring that both offenders do not report on the same day.

- **Compliance with sentences**

This research has clearly indicated that a woman's experience of domestic abuse may impact upon her ability to comply with her sentence, therefore having direct implications for the supervision of female offenders. Guidance and training that outlines ways in which a woman's experience of domestic abuse may interfere with her ability to comply with her sentence could be helpful for those supervising female offenders.

- **Importance of Female-only reporting**

A large number of both female offenders and practitioners strongly asserted the value of women-only reporting sessions. For female victims of domestic abuse attending the probation offices can often be a daunting prospect, particularly as most offenders attending probation are men. Women-only reporting sessions arguably provide a less intimidating atmosphere which may encourage women's attendance. This is an important consideration for women who are experiencing domestic abuse whilst carrying out their sentences as it provides a safe environment for them to attend (as their abuser is not able to attend with them – something that was referenced as a common occurrence for some victims of domestic abuse). Furthermore female-only reporting sessions allow for women to gain access to a range of support services in one place. These services can include domestic abuse organisations, female offender support organisations, substance misuse services and mental health services that otherwise they may not have the opportunity to access (as a result of control by an abuse perpetrator or due to their chaotic lifestyles where attending other agencies in different locations may be difficult for the offender).

- **Availability of Domestic Abuse Awareness/ Healthy Relationships Training for Female Offenders**

Many of the women involved in this research who had been victims of domestic abuse were not aware of the full range of abusive behaviours which can manifest within an abusive relationship (for example many of the women did not identify psychological and financial control as abuse.) Therefore it may be helpful for female offenders to be able to access training or workshops which raise awareness of acceptable and unacceptable behaviour within relationships, as this could contribute to their well-being but may also impact upon their offending behaviour.

- **Female-only Options for Court Mandated Requirements/Conditions:**

As this research has demonstrated some ways in which a woman's experience of domestic abuse may influence her ability to comply with her sentence providing female-only options for court-mandated requirements or conditions may help alleviate some of the problems associated with this, for example provision of female-only substance misuse programmes (this is specifically relevant where some women's substance misuse may be employed as a coping mechanism for her experiences of domestic abuse, and therefore addressing the substance misuse may require addressing the root causes of this).

- **Support for Partners of IDAP Attendees**

Where partners of domestic abuse perpetrators who are on IDAP are being supported by probation, to prevent a further imbalance of power between them it may be helpful for the women to be able to access domestic abuse awareness raising sessions to develop their understanding of domestic abuse victimisation. If this access to knowledge for a potential victim is not available this can further increase the imbalance of power within the relationship.

- **Desistence/Prevention of Re-offending**

This research has identified a range of ways in which a woman's experience of domestic abuse may influence her involvement in crime, both her offending and re-offending; therefore it might be helpful to acknowledge how addressing such experiences could contribute to desistence policy and practice.

## **Probation Policy**

- **Probation policy: Domestic Violence Practice Direction**

As this research has highlighted the prevalence of domestic abuse victimisation in the backgrounds of female offenders it is recommended that the existing domestic violence practice direction should be reviewed to ensure that female offenders' domestic abuse victimisation is acknowledged and addressed directly within policy. This could include details of how to record domestic abuse victimisation, information to develop safety plans, how domestic abuse victimisation may impact upon compliance, information about utilising women-only reporting and details of services to signpost women to for specialist and localised domestic abuse services.

## **Court Processes**

- **Domestic Violence Training for Magistrates and Judges**

As the vast majority of female offending will be handled by Magistrates courts and due to the prevalence of women's experiences of domestic abuse victimisation it may be helpful for Magistrates to have domestic abuse training. However it could be helpful for both Magistrates and Judges to understand ways in which a woman's experience of domestic abuse may influence her involvement in crime. Therefore the development of information addressing the

relationship between domestic abuse and women's offending to provide to magistrates and judges may be helpful.

- **Pre-sentence reports**

The findings of this research have suggested that a woman's experience of domestic abuse can be an integral contributing factor for some women's involvement in crime. As a consequence it is important for criminal justice agencies to attempt to ascertain cases where a woman's experience of domestic abuse may have influenced her involvement in crime. Ensuring that a full pre-sentence report is undertaken with all female offenders could provide greater opportunity for the disclosure of experience of domestic abuse. Not only would this allow for better understanding of the woman's reasons for offending but this could also help inform women's sentences.

Where a full pre-sentence report is not possible it would be helpful for the fast track reports to include a section prompting offender managers to question the female offender about her relationships, again which could help facilitate disclosure of abuse and aid understanding of why women have offended.

- **Sentencing**

Sentencing is a crucial stage for female offenders and this study evoked concerns about a number of the processes involved in sentencing.

- **Prevention of Up-tariffing**

The concept of up-tariffing was referenced by a number of practitioners during this research. Therefore it is important to acknowledge that the conditions or requirements a woman is sentenced to reflect the crime committed and not the woman's support needs. Instead of imposing additional conditions or requirements to address the women's support needs signposting to support organisations could address up-tariffing. Also giving women the opportunity to report during women-only reporting sessions could also help women contact much needed services in a private, safe and easily accessible environment.

Ensuring that judges understand the implications of sending women to prison might also help address possible up-tariffing (again this information could be provided in the form of training or the production of information leaflets on women's offending, for example).

- **Awareness of the effects of particular sanctions for female offenders who are victims of domestic abuse**

Sentencers should be aware of the impact that particular sanctions may have upon women who are victims of domestic abuse. This includes whether imposing curfews (where women must remain in their property for a designated number of hours) would be appropriate for women experiencing domestic abuse, as sanctions such as this could prove unsafe. In addition when setting bail conditions/licence conditions or order requirements is the address that the woman is registered to live safe (for example does the offender live with her abusive partner?), alternatively is her allocated accommodation safe (female only or with male offenders who could be contacts of her abuser.) For female offenders home circumstances checks could be incredibly beneficial. There are a range of considerations regarding the sanctions received by female offenders who are victims of domestic abuse that sentencers should arguably be aware of.

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## FINAL COMMENTS

Traditionally institutional responses to domestic abuse focus upon supporting women as victims of domestic abuse and do not incorporate the consequences that a woman's experience of domestic abuse may have upon her wider behaviour, and particularly the ways in which domestic abuse may cause, influence or affect a woman's involvement in offending. Yet, as this research demonstrates, domestic abuse can have a wide-ranging impact upon women's lives and their behaviour which can extend to bringing women into contact with the criminal justice system as both victim *and* offender. As Women's Aid (2011) highlight female offenders are far more likely to experience domestic abuse than the general female population therefore it is

imperative to acknowledge and explore women's experiences of domestic abuse and how these experiences may influence their offending behaviour.

With a wealth of both academic and policy based literature highlighting the prevalence of domestic abuse victimisation in the histories/ backgrounds of female offenders it is unfathomable that this victimisation has not been further explored or addressed by criminal justice institutions. In order to establish meaningful and targeted initiatives to tackle women's offending and re-offending, the motivations and explanations for such behaviour must be examined. Given female offenders' widespread experience of domestic abuse, this should be investigated to better understand the causes of/ motivations for female offending and, perhaps more importantly, to explore female offenders' needs and prevent further harm to the women themselves.

This doctoral research demonstrates that a woman's means of coping with, resisting, surviving or escaping domestic abuse may affect her involvement in crime and, therefore, I would argue that criminal justice institutions should better acknowledge, address and prioritise this relationship.



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