

4 Against their will: benevolent sexism and rape victims G. Tendayi Viki and Dominic Abrams

Romancing the con Angela Devlin 6

THE RESPONSIBLE PRISONER

Stephen Pryor argues that prisons should expect responsibility from prisoners and must not remove more responsibility than is necessary for public protection



Who is the responsible prisoner? The responsible prisoner is a person who, while needing to go to prison, retains his or her responsibilities, or learns to take them on, whether in relation to their sentence, their families or their activities within the prison. The responsible prisoner is accordingly damaged as little as possible and retains his or her usefulness and sense of responsibility while in custody. Since the Prison Service has wide discretion as to how prisoners are treated, it needs to check if it is taking away more responsibility than is necessary to keep people in custody. It also needs to ask itself if it could protect the public better by managing risk rather than avoiding it. This is not just an option. If the Service is to do all that it can to protect the public while it holds the person as a prisoner, it must do more than simply incapacitate. It should require responsible behaviour of the prisoner. This should be a requirement of the Prison Service as a whole.

We can frame the issue another way. Does the public want a system of imprisonment that allows offenders to slip their responsibilities while inside and to have a 'free ride' on the state? The answer to that is clearly 'no'. As far as possible therefore, prison should still allow people to continue to take responsibility as citizens. More than that, it should provide every incentive to encourage responsibility. To go even further, it should penalise people who use prison as an excuse for opting out. This article builds on the concept of 'the responsible prisoner', which I developed in my Report for HM Inspectorate of Prisons.¹ Here, I make a critical link between the destructive consequences of imprisonment and the importance of relationships, both as a yardstick of humanity in custody and the channel through which responsibility flows.



GIVING PRISONERS RESPONSIBILITY

The criminal justice process takes away responsibility, and, within that, imprisonment most of all. Imprisonment is designed to take away choices, at least those choices that might endanger the public. It is therefore necessarily de-humanising. That must sit uneasily with the professed aim of prisons to treat those sent by the courts with humanity. But it may also take away other choices unnecessarily, more than is necessary to ensure that prisons can be run safely. I shall argue that there should be no need to take away yet further choices. I shall also argue that

few inside or outside prisons are aware of the wide discretion granted to the prison service in allowing responsibility, and I will show that my exploration shows great inconsistency between individual staff in exercising that discretion. Finally I shall ask; how might the world look if we were consistently to see prisoners as responsible people? This is not the same thing as seeing prisoners as perfect people or fully mature people or people we might want our children to marry. Even so, to see prisoners as responsible persons may make it difficult for us to reconcile what we currently do in prison with what we claim to do to protect the public and should indeed require people in prison to behave responsibly.

UNFORGETTABLE LESSONS

The yardstick of 'Does it take away more responsibility than is necessary?' is a sensible one to have besides (but not instead of) what 'works', what is measurable, or 'what value do we get for how much money'? Asking the responsibility question does show things in a different and useful light and it helps us to progress towards a more relational prison, giving a focus to the term 'humanity' with which all prisoners are to be treated. Allowing and requiring responsibility, as any parent or teacher knows, is a relational issue because of the role relationships play in forging

a sense of responsibility. Relationships mediate between choice (my freedom to do as I want) and obligation (my duties towards others). It is not sufficient to say to a prisoner: "Be responsible." Responsibility is learned in the context of relationships. One prisoner hinted at this when he said to me: "Responsibility comes from within, not from being granted privileges or from being punished." Or as Dietrich Bonhoeffer wrote from his prison cell, "other people constitute both the origins and limits of my responsibility."² Giving prisoners responsibility, and expecting it in return, is the currency of relationships in a healthy prison, and between that prison and a healthy community.

There are a number of ways in which prisons, and indeed the criminal justice process as a whole, progressively restrict offenders' responsibility. When I was a prison Governor, I once asked a group of prisoners trained by the excellent Geese Theatre company to write, produce and put on a series of playlets illustrating the way people lost power and responsibility as they passed through stages of the

Published by the
Relationships Foundation

Registered Charity No. 327610

3 Hooper Street
Cambridge CB1 2NZ
Tel: 01223 566333
Fax: 01223 566359
Email: r.f@clara.net

Enquiries to Dr Jonathan Burnside

Production by
Stephen Lown Graphic Designer

Illustrations by Hannelie Grobler

Continued on Page 2

criminal justice process. These sharply observed cameos showed how excessive was the loss at each stage. Anyone who doubts that offenders lose more than is necessary when arrested, or when appearing in the dock as a defendant, or when passing through a prison reception, lacks either honesty or imagination or both. The

“Allowing and requiring responsibility is the currency of relationships in a healthy prison”.

sentence review cameo showed the rewarding of conformity to prison requirements, and the Discharge Board showed the artificiality of the aims of Throughcare. All were lightly presented, but

those who attended have not forgotten the lessons, nor the fact that prisoners were both able to show acute understanding of loss, and to portray it sympathetically to those who were responsible for it.

One of the reasons why prisons take away responsibility unnecessarily is because those who run them can have an overly cautious approach to risk management – an approach that is, whilst understandable, not always justified. When planning the regimes for 12 new prisons which opened in the early ‘90s, six of them identical, it became clear that the number of staff needed to supervise prisoners depended on the view of each governor and management team as to how risky the prisoners were, and that turned out to be directly related to their experience of what was normal in prisons they had worked in. Those from dispersal prisons felt they needed almost exactly ten times as many staff to supervise association as did those from lower category prisons. The high security team was also wary of letting prisoners do responsible work, barring them even from vegetable preparation, let alone from cooking. This direct link was born out in responses from governors to the question (a 30-point questionnaire constitutes the core of my Report) as to how far they consulted prisoners

about running the prison. About half said it was unwise, even dangerous to consult; the other half said it would be unwise, even dangerous not to.

LESS THAN HUMAN

This attitude seems to assume that prisoners are somehow less than human and basically incapable of decency or responsibility, particularly in the early stages of custody or when newly transferred. It is sometimes demonstrated in terms of poor information, poor treatment of families and friends, the failure of staff to bother to read past records or to correct them if they are wrong, and a low tolerance of questioning by prisoners. As one prisoner commented: ‘You quickly learn to keep your head down, and not rock the boat, particularly if the new Governor’s views have not been established yet. You get used to not asking’. In other words, you do not try to show that you are a responsible individual in a responsible prison. Or again: ‘Keeping your head down is what is rewarded, not challenging or stretching yourself.’ It is hard to build relationships with someone who holds you in borderline contempt or fears you as a ‘demon’. Yet someone has to do this if prison is to be a place of decency. This proactivity lies at the heart of the peacekeeper role so clearly described by Liebling and Price in *The Prison Officer*.³

“Responsibility in prison strengthens the offender’s ability to cope with responsibility on release.”

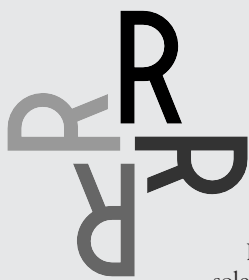
hold the same person *prospectively* responsible to bring about a certain state of affairs that has not yet occurred (e.g. progress through a sentence plan)? Unfortunately, the criminal justice process tends to emphasise retrospective responsibility to the detriment of prospective responsibility – and thus diminishes public safety. The Youth Justice system is a notable, and hopefully leading exception: it is now almost inconceivable that a youngster could be omitted from the contract between the Youth Offending Team and the executive agency commissioned by the court for discharging the sentence.

Another reason why there is some resistance to giving prisoners responsibility is because giving responsibility entails loss, whether loss of control, loss of dependence or loss of relationship. Again any parent or teacher will tell you that. But unless that giving takes place, the result will be a forced taking of responsibility, often with a bitter challenge and rejection of offered standards whatever their merit. Any child will tell you that in so many words. The Prison Service is not a parent, but it has lots of duties that are

similar. It follows that giving prisoners responsibility is a difficult task for the Prison Service and calls for professionalism from its staff.

RUNNING SAFE PRISONS

There are several reasons why, notwithstanding these difficulties, we should promote the subject of the responsible prisoner. The first reason why we should give prisoners responsibility is because prison is itself the punishment, not the setting for punishment. Second, giving prisoners responsibility questions our right to imprison people, and the very wide discretion given to the very people who have to do it. The courts direct only that a person should be ‘held’ in custody.



Views expressed are those of the authors and do not necessarily reflect the policies of the Relationships Foundation.

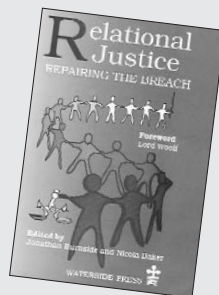
WHO WE ARE

The *Relational Justice Bulletin* is a quarterly publication by the **Relationships Foundation**, a Cambridge-based charity, as part of its **Relational Justice** initiative.

Relational Justice is a fresh approach to crime and punishment.

Rather than looking at crime solely as an offence against the state, it sees it as a breakdown of relationships between offenders, victims, families and the community.

The concept was developed by the **Relationships Foundation** in the early nineties. It first gained public exposure with the publication of the book *‘Relational Justice: Repairing the Breach’* (Waterside Press, 1994), which was welcomed by Lord Woolf as ‘a radical new approach which anyone with any concern about the criminal justice system needs to be aware’. Since then, it has been shown to have wide implications for policy and practice.



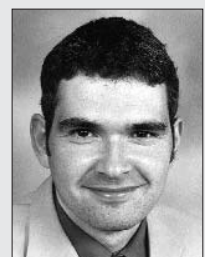
The *Relational Justice Bulletin* has been launched as a platform for discussion of the ideas at the heart of **Relational Justice** as well as exchange of good practice across the system.

You are warmly invited to join the growing number of professionals and practitioners who are already receiving it (see subscription form on the back page) and to contribute your own ideas and experience.

The **Relationships Foundation** is a registered charity dedicated to developing new ‘relationships-based’ approaches to social, economic and political issues.

Your help would be welcome in publicising the Relational Justice Bulletin. Free A5 leaflets are available for your use. You can request copies on the form on the back page.

Dr Jonathan Burnside is
Editor of the *Relational
Justice Bulletin*



Imprisonment should not take away more freedom than is called for by this. If imprisonment is the most severe of the sanctions available to the courts, then surely it should be governed by the tightest constraints that define what is allowed and what is not.

Third, many prison Governors, including some working in the highest security prisons, and seemingly all who work in the private sector, behave towards prisoners as though they had every right to expect their prisoners to behave responsibly. This does not seem to be prompted by notions of prisoners as noble savages or going there 'but for the grace of God.' It is based on a simpler view that people are more likely to be easily handled and to help to run safe prisons if they are told clearly what is expected of them, part of a sound basis referred to by Lord Woolf as a just prison. It also helps to give them some say both on the running of the prison and on what is best for them afterwards. Prisons depend for their safety on staff having a close knowledge of prisoners that they can use to allow them to exercise a degree of responsibility.

'PEACE-KEEPING'

A fourth reason for giving prisoners responsibility is that prisoners can save money by helping to run services. They can share their insights and skills in helping others to tackle failure. When I was preparing my Report contributing prisoners gave many examples of work they could (and in some prisons did) do which would free up staff. They commented on the stimulation and feeling of self-worth even of carrying out mundane jobs, if they were obviously important. One prisoner remarked: "It is amazing how much talent prisoners have when they are allowed to show it. Officers' jobs would be much less stressful if they learned how to make use of us scumbags: there are so many things we could do for ourselves, and them." Governors should be asked to include prisoner work and vocational opportunities in their business plans.

Fifth, giving prisoners responsibility is part of the job of a good prison officer. It is a commonplace that prison staff run prisons through what Liebling and Price have called the 'unexercise or under-use of power', or 'peace-keeping', which is at its best the diligent and skilled use of discretion. Time and again staff bring out qualities in prisoners which others have failed to spot or suspect. Again, this plays to the responsibility of the prisoner. Prisoners share this 'peace-keeping' role and without their humanity and good sense prisons would be much harder to run. When prisoners behave responsibly, they also 'under-exercise and under-use' their own power to help staff keep the peace. Peace is consequently more likely if you share responsibility than if you deny it. As one prisoner commented: "The more responsibility we have, the better self-controlled we are." Prison people know that, far from prisoners being inherently irresponsible and dangerous, they are people who, in the great majority of cases, behave decently as prisoners and grow up and go straight by the time they reach 30. The fact that

there are few pensioner prisoners suggests that even persistent offenders 'catch on' eventually.

TURNING PRISONERS INTO PEOPLE

Sixth, responsibility in prison strengthens the offender's ability to cope with responsibility on release. Prisons have necessarily to turn people into prisoners to help them to cope with custody. But prisoners have to become people again, and prisons fail in their duty to the public if they do

not help them to do that. Indeed failure here may expose the community to greater risk. It takes skill to see that risk to the prison is different from risk to the community, and then to manage that with the prisoner rather than avoid it at all costs.

Good, conforming, institutionalised prisoners are in some cases worse than useless outside, particularly if prisons have confused prison conformity with law-abiding behaviour on release. One prisoner told me: "I don't want to go home and go on behaving like I am expected to do as a prisoner". Such prisoners need to practice the exercise of responsibility while in custody in preparation for the real challenge on release. This can take very mundane forms. As one prisoner observed: "Some of the ways in which we could learn to take responsibility are very simple, such as being able to fill in forms ourselves." The Report is full of examples given by prisoners ranging from getting themselves around the prison without having to be escorted all the time (as several do) to prisoners having choices over what cells they can occupy and with whom, what activities and jobs they can do, how their sentence should best be used and how they might handle family ties.

REBUILDING PEOPLE

Prison people know the damage that is done to prisoners by gagging them and treating them as irresponsible. Call a youngster a juvenile and you structure an expectation of juvenile behaviour. Bottle up the prisoner by denial of access, association and activity, and you get a Strangeways. And people who have become skilled, conforming, denying prisoners do not learn social skills that will stand them in good stead on release. The public will have to understand that. By training people to be prisoners as an end in itself the Prison Service exposes the public as well as prisoners and staff to even greater risk.

If you want people to behave irresponsibly, don't give them any responsibility, and take away what they have. Irresponsibility breeds irresponsibility. If you are treated as unreliable, you may behave like that. One prisoner remarked: "Taking away TV if we are 'naughty' is what one might do to a child. Surely there can be more adult ways of dealing with poor behaviour



Hannelie Grobler

and of rewarding responsible behaviour."

Giving people responsibility, or allowing them to retain it while in prison, means accepting that they are not wholly bad or wholly dangerous, or wholly irresponsible (though that is what the adversarial court process may have shown when finding them wholly guilty). Having the aim of weaning prisoners off prison is a key to rebuilding people, and that demands a clear-headed understanding of what imprisonment means and what it does. It also means that prison staff need to treat each prisoner individually, as bad and as dangerous and as irresponsible as they may be, and as good, and reliable and responsible as they might be. In the words of one prisoner: "Being unable to take responsibility because it is denied to you is not the same as being irresponsible."

Recent developments point in favour of giving prisoners responsibility. The reappraisal of offenders as people who are capable of restoration, and of whom it is reasonable to expect a responsible attitude underlie the Restorative Justice agenda, and is gathering pace in prisons and, thanks to such as the Thames Valley Partnership, in the community also. The interest of the courts and the Home Office in

taking a less adversarial and more sustained interest in the outcome of their decisions and sentences is becoming more marked, with a growing awareness that blind sentencing can do more harm than good to the safety of the public.

Finally, my own experience with a Citizens Advice Bureau which is asking suitable prisoners to accept the responsibility of giving formal and accountable advice demonstrates how the principle of a responsible prisoner can be made to work in practice. The more we see prisoners as people capable of behaving responsibly, the more we come to expect them to do so, and the greater the demand on prison staff to set new challenges to themselves and to those in their care.

Stephen Pryor retired last November after 37 years as a governor grade in the Prison Service. This article draws on his report *The Responsible Prisoner* published by, and available from HM Inspectorate of Prisons (ISBN 1-84082-751-3) with whom he worked last year on its compilation.

1 S. Pryor. 2001. *The Responsible Prisoner – an exploration of the extent to which imprisonment removes responsibility unnecessarily, and an invitation to change*. London: Home Office.

2 D. Bonhoeffer. 1969. *Letters and Papers from Prison*. London: SCM Press.

3 A. Liebling and D. Price. 2001. *The Prison Officer*. Winchester: Waterside Press.

AGAINST THEIR WILL: BENEVOLENT SEXISM AND RAPE VICTIMS

G. Tendayi Viki and Dominic Abrams investigate why victims of 'date rape' are blamed more than victims of stranger rape



Sexual violence against women is, perhaps, one of the most common crimes world-wide. Last year alone, over 35,000 cases of sexual assault were reported to the police in England and Wales. However, given that the reporting rate for sexual offences is rather low, it is possible that the above figure may actually be an under-estimation. Researchers have estimated that the incidence of rape may be three to four times higher than the crime statistics indicate. A number of surveys have noted that over 20% of all female participants report being raped.¹ Although it is commonly believed that rapes are committed by strangers, acquaintance rape is a more frequent form of sexual assault.² Survey studies have indicated that up to 85% of all rape victims are assaulted by someone they know.³ Acquaintance rape is a relational issue.

The experience of being raped can be psychologically traumatic for victims and their families. In addition, rape victims are often further humiliated by authority figures such as doctors, police officers, judges and lawyers. Rape is probably the only crime of violence for which the victim's story is overtly disbelieved. Victims of rape are usually accused of consenting to the alleged sexual assault and then changing their minds after the event.⁴ Such reactions are particularly disconcerting when one considers the research evidence which has shown that the successful recovery of rape victims is significantly influenced by the amount and quality of social support they receive. Disbelief may also be the reason why conviction rates for suspected rapists are relatively low. A large proportion of rape cases never reach the courtroom because they are considered unfounded by the police and prosecutors.⁵ Furthermore, even if the cases do reach the courts, 'not-guilty' is the most common verdict delivered by judges and juries.⁶

RAPE MYTHS

The high prevalence of rape and other forms of sexual assault is thought to stem in part from social beliefs and attitudes that condone male sexual aggression against women. These prejudices are fuelled by rape myths, that is, prejudicial, stereotyped, or false beliefs about rape, rape victims and rapists.⁷ Rape myths include the belief that 'women routinely lie about sexual assaults' and that 'only certain kinds of women' (e.g. sex workers or 'bad girls') are usually raped. Such beliefs may be part of a wider need to perceive the world as a just and safe place where people get what they deserve, including 'bad women' who violate traditional

gender roles. Researchers have consistently found that men are more accepting of rape myths than women. Rape myths are largely sexist and, in recent years, researchers have distinguished between two different, but complementary, forms of sexist attitudes. Hostile sexism refers to the typical antipathy that is commonly assumed to characterise sexist prejudices. In contrast to this is benevolent sexism which is pro-social towards women but is nevertheless sexist inasmuch as it views women in restricted roles.⁸ Benevolent sexism shares with hostile sexism the common assumption that women are incapable or 'weak' individuals who are dependent on men for their survival.⁹

This may be of particular significance when it comes to understanding responses to victims of acquaintance rape. Studies have shown that non-victims perceive stranger rape as more serious and more of a 'real crime' than acquaintance rape. This may be because the perceived use of violence influences whether or not a rape is viewed as a serious event.

However, several studies have also reported that victims of acquaintance rape are seen as more to blame than victims of stranger rape. With notable exceptions, police officers, judges, lawyers and medical personnel are not very supportive of acquaintance rape victims.¹⁰ In a recent study, Temkin found that barristers actually perceive acquaintance rape victims as partly to blame for their own fate.¹¹ Some barristers were quoted as saying that a woman who invites a man to her place is "silly" and should know what to expect.¹² Furthermore, prosecutors were found to be unwilling to prosecute

acquaintance rape cases. One prosecutor considered it a waste of time and taxpayers' money to attempt to prosecute a rape by an ex-husband or ex-boyfriend. Similarly, jurors have been found to acquit perpetrators if the victim is successfully portrayed as a 'slut'.¹³ Indeed, Temkin found that defence lawyers often attempt to damage the victim's reputation by portraying her as sexually promiscuous.¹⁴

PRIOR RELATIONSHIP

As already noted, acquaintance rape is a relational issue. So why are victims of acquaintance rape seen as more to blame than victims of stranger rape? We suspect that benevolent sexism has some part to play.¹⁵ This is because many people (women as well as men) benevolently stereotype women as 'guardians of sexuality'. Although this could be viewed as a positive stereotype (i.e. women are more virtuous

than men), such perceptions also place most of the responsibility for sexual morality on women. For this reason, when accusations of sexual assault are made, more attention may be paid to the behaviour of the victim rather than the perpetrator.

This emphasis on the victim's behaviour makes it rather difficult to prosecute cases of acquaintance rape. This is because acquaintance rapes often take place within social contexts that allow for the victims' 'credibility' to be questioned. Unlike stranger rape, acquaintance rape usually involves a prior relationship of some sort between the victim and the

perpetrator (e.g. dating or friendship), into which the woman entered voluntarily. As such, acquaintance rapes occur in situations where there is some potential for consensual sex, while in stranger rapes, such potential is generally absent. Since women are viewed as guardians of sexual morality, when issues of acquaintance rape arise, the question of sexual consent often changes to whether or not the victim 'led the perpetrator on'.¹⁶

'BAD' GIRLS?

A number of studies have observed that women who have 'bad reputations' are more likely to be blamed for the occurrence of an acquaintance rape. Both legal practitioners and lay persons appear to be influenced by extra-legal factors such as: what was she wearing, had she been drinking and does she have a sexual 'past'? Researchers have found that unwanted sex was perceived as more justifiable if the woman asked the man out and if the man paid for all dating expenses.¹⁷ Such findings suggest that responses to rape victims are significantly influenced by sexist norms prescribing appropriate behaviour for females within intimate relationships. Therefore, it seems reasonable to suggest that individuals who are high in benevolent sexism are more likely to blame rape victims who violate these norms.

To investigate this further, we conducted a study in which male students were randomly assigned to read vignettes describing either an acquaintance rape or a stranger rape. The 'date rape' vignette described a story of a woman (Kathy) who went to a party where she met and got acquainted with a man named Jason. Later that night she invited him to her apartment where, after kissing Jason first, she was subsequently raped. In contrast, the stranger rape vignette described a story of a woman (Kathy) who was approached and attacked by a man (Jason), while she was walking home from a restaurant. Participants were asked questions concerning the blameworthiness of the victim

"'Date' rape is a relational issue"

"The existence of a prior relationship may make rape victims appear more blameworthy"

(e.g. 'How much do you think Kathy should blame herself for what happened?'), and the likelihood that they would behave like the assailant (e.g. 'How likely is it that you would have behaved like Jason in this situation?'). Participants' levels of rape myth endorsement were also measured using standard scales which included such statements as: 'Women often provoke rape through their appearance or behaviour'. Consistent with other studies, we found that the victim of the acquaintance rape was regarded as more blameworthy than was the victim of the stranger rape. Participants also reported greater proclivity towards acquaintance rape in comparison to stranger rape. The real discovery was that individuals who rated high in benevolent sexism saw the acquaintance rape victim as more to blame than people who scored low in benevolent sexism.¹⁸

INFIDELITY

Examining this more closely, we conducted a second study in which the same participants were presented with one of two types of rape victims, one of whom was described as a 'married mother of three' whilst the other was given no description. The former was chosen because the 'married mother' possessed the kind of traits that benevolent sexists are likely to value and idealise (e.g. maternal, loving and kind). In essence, the description of a "married mother of three" who is raped by an acquaintance resulted in a scenario where a victim is sexually assaulted during an act of infidelity. If it is the case that individuals who are high in benevolent sexism blame victims who violate traditional gender-role expectations, then a married woman who is raped while cheating on her husband should elicit very little sympathy. This was indeed the case. Individuals who were benevolently sexist attributed more blame to the married mother who is raped by an acquaintance compared to the unidentified victim who suffers a similar fate. Clearly, individuals who endorse benevolent sexist beliefs are more likely to blame rape victims who violate what can be viewed as appropriate conduct for women.¹⁹

Putting these results together, it seems as though benevolent sexism plays an important role in determining individuals' responses to victims of different types of rape. Individuals who are high in benevolent sexism are more likely to blame the victim of an acquaintance rape than individuals who are low in benevolent sexism. Again, the former are more likely to blame an acquaintance rape victim who is sexually assaulted during an act of infidelity, in comparison to a victim in similar circumstances

who is not cheating on her partner. Since individuals who are high in benevolent sexism are more likely to hold particular beliefs about how a 'good' woman should behave, they are also more likely to view a woman who violates these norms (e.g. by inviting a man over to her apartment) as deserving anything unfortunate that may happen to her.

DISTURBING FINDINGS

These findings, which attest to the belief that 'only certain types of women can be raped' are consistent with arguments in some feminist circles that rape is used as a form of social control, for it implies that women can avoid sexual violence by adhering to traditional gender roles.

The finding that acquaintance rape victims are more likely to be blamed than stranger rape victims is disturbing given that the prevalence of acquaintance rape is much higher than that of stranger rape. As long as benevolent sexist ideas colour social

conceptions of male-female relationships, victims of acquaintance rape may not receive the social support they need. The existence of a prior relationship may make victims appear more blameworthy but the offence is no less serious.

G. Tendayi Viki is a PhD student in forensic psychology at the University of Kent. His PhD research (which is funded by the Beit Trust, UK) focuses on individual differences in responses to victims of sexual violence. Tendayi Viki obtained his honours undergraduate degree from the University of Zimbabwe and an MSc in Forensic Psychology from the University of Kent. His other research interests are in social identity, the role of confessions in inter-group relations and public attitudes to crime and punishment.

Dominic Abrams is a Professor of Psychology and the Director of the Centre for the Study of Group Processes at the University of Kent. He is also the current Secretary of the European Association of Experimental Social Psychology and Chair of the Committee of Learned Societies in the UK Academy for the Learned Societies in Social Sciences. His research interest are in social identity, inter-group relations and deviance.

1 Koss, M.E. 1993. 'Detecting the scope of rape: A review of prevalence research methods', *Journal of Interpersonal Violence*, 8, 198-222; Koss, M.E. et al. 1990. 'Relation of criminal victimisation to health perceptions among women medical patients', *Journal of Consulting and Clinical Psychology*, 58, 147-152.

2 Gross, A.M. et al. 1998. 'Magnitude scaling of intensity of sexual refusal behaviours in a date rape', *Violence Against Women*, 4, 329-339.

3 Koss, M.E. et al. 1988. 'Stranger and acquaintance rape: Are there differences in victim experience?', *Psychology of Women Quarterly*, 12, 1-24.

4 London Rape Crisis Centre 1984. *Sexual violence*. London: The Women's Press.

5 Sinclair, H.C. & Bourne, L.E. 1998. 'Cycle of blame or just world', *Psychology of Women Quarterly*, 22, 575-588.

6 LaFree, G. 1989. *Rape and the criminal justice system*. Belmont, C.A. Wadsworth Publishing.

7 Burt, M.R. 1980. 'Cultural myths and supports of rape', *Journal of Personality and Social Psychology*, 38, 217-230.

8 Glick, P. & Fiske, S.T. 1996. 'The ambivalent sexism inventory: Differentiating hostile and benevolent sexism', *Journal of Personality and Social Psychology*, 70, 491-512.

9 Glick and Fiske, op. cit.

10 Weller, S. 1992. 'Why is date rape so hard to prove?' *Health*, 6, 62-65.

11 Temkin, J. 2000. 'Prosecuting and defending rape: Perspectives from the bar', *Journal of Law and Society*, 27, 219-248.

12 Temkin, op. cit., 225.

13 Weller, op. cit.

14 Weller, op. cit.

15 Abrams, D., Viki, G.T., Masser, B., & Bohner, G. (in press).

'Perceptions of stranger and acquaintance rape: The role of benevolent and hostile sexism in victim blame and rape proclivity', *Journal of Personality and Social Psychology*.

16 Abrams et al, op. cit.

17 Muehlenhard, C. et al. 1985. 'Is date rape justifiable? The effects of dating activity, who initiated, who paid and men's attitudes toward women', *Psychology of Women Quarterly*, 9, 297-310.

18 Abrams et al, op. cit., pg 227.

19 Viki, G.T. & Abrams, D. 2001. 'But she was unfaithful: Benevolent sexism and reactions to rape victims who violate traditional gender role expectations'. Manuscript submitted for publication. University of Kent.

"Victims of acquaintance rape are seen as more to blame than victims of stranger rape"

"Date rape is more frequent than 'stranger' rape"



Hannelle Grabler

ROMANCING THE CON

Angela Devlin explores why people marry convicted criminals and serving prisoners



Two hundred serving prisoners marry each year, according to the Prison Service. Who marries them? Tabloid newspapers frequently print salacious stories about people – usually women – who fall in love with convicted criminals. Such relationships are invariably seen as being at best foolish and at worst extremely dangerous. Stereotypes (generally female) abound. There is the ‘gangster’s moll’ who revels in her lover’s notoriety; the obsessed woman who begins by writing to a Death Row prisoner and ends up marrying him and the ‘posh totty’ with an educated background who fancies a ‘bit of rough’. But during the last eight years I have spent researching books on prison issues, I have come across people – men as well as women – who certainly do not conform to media stereotypes. This article explores why people fall in love with criminals and the nature of the relationships between prisoners and their soul mates.¹

The subject requires close attention. As far as I know, no research study has been carried out in this country² to see whether there is any commonality of background, motivation and experience among people who choose to marry offenders. The Prison Service does not keep any records of the age, religion or ethnicity of prisoners who marry in prison. I decided to look more closely and identified 30 couples who were prepared to speak to me about their relationships. There were three criteria for inclusion in the project. First, that the couple had committed to a serious/long-term relationship/marriage; second, that one partner was a prisoner or ex-prisoner, while the ‘outside partner’ had no criminal convictions; and third that the couple had met after the prisoner’s incarceration. I ruled out couples who were already together when one of them was jailed. I wanted to look at people who had specifically chosen to enter this very particular kind of relationship.

SERIOUS OFFENDERS

Of the 30 who chose to marry a serving prisoner (the ‘outside partners’), 26 were women and four were men. Because they were mainly self-referring, these outside partners are not representative of the group as a whole, either in terms of sexuality (all are heterosexual) or ethnicity (all but one are white). Their average age at the time of interview was 42, three years older than their prisoner-partners. In two-thirds of the relationships there was a considerable disparity between ‘inside’ and ‘outside’ partners in terms of education and upbringing. Most outside partners came from a more materially privileged background. One in five had attended

fee-paying schools – three times the national average. Half worked in professional or administrative jobs. Among the interviewees were a teacher, a solicitor, a legal secretary, a bank clerk, a nurse and a paralegal.

Their prisoner or ex-prisoner partners were nearly all serious offenders. Over half had been convicted of murder, attempted murder or manslaughter, with another one-fifth jailed for armed robbery or conspiracy to rob. Several had been found guilty of drugs-related offences, two were sex offenders and nine more were convicted of offences involving violence. Two-thirds had previous convictions. The seventeen who were still in prison had served, on average, ten years whilst the thirteen prisoners who had been released had served, on average, eight years.

Those who had left prison had been released from between three and 13 years.

A SHARED TRAUMA

Despite the differences in social background there were some interesting similarities in the emotional experiences of the

inside and outside partners. Perhaps unsurprisingly, two-thirds of ‘inside’ (prisoner) partners had a difficult or abusive childhood. But a high proportion of the outside partners also reported some kind of trauma as children. Half had suffered physical or sexual abuse, serious illness, early pregnancy or some other form of disruption. A third had also suffered acute trauma in adult life, such as miscarriage or the death of a child. These high rates of distress may have made them more empathetic to the plight of those in prison. More than half of outside partners also reported being more rebellious than the average teenager and several had run away from home. Youthful rebellion may have predisposed them to empathise with the ultimate rebel – an incarcerated criminal.

Perhaps most important was the nature of the outside partners’ earlier relationships. Again, two-thirds of prisoner partners reported cohabiting with people who were physically, emotionally or psychologically abusive. Half of the outside partners had some current or past association with prisons; either professional or visiting a jailed friend or relative. The other half had no such links. They met their partners through penfriend organisations or advertisements or through church groups going into jails to support prisoners.

‘VICTORIAN’ COURTSHIPS

An interesting finding was the extended nature of the courtship period. Far from rushing impetuously into a relationship, these couples

had corresponded, telephoned and visited for three years on average before making a firm commitment to each other. Compared with most modern relationships, these courtships seemed quite ‘Victorian’ in character. Prison officers acted as chaperones on visits where (in the attempt to prevent drugs and other contraband entering prisons) physical contact is now more strictly controlled than ever before. People reported getting to know each other very well through their (often daily) letters, audio tapes and phone conversations, sometimes for months and even years before they actually met on a visit. Some written correspondence served a valuable purpose in terms of rehabilitation. Men who had spent many years behind bars often asked their wives and girlfriends to include in letters the kind of domestic minutiae they missed in prison. One man jailed at age 17 begged his girlfriend to send in an electricity bill as he had never seen one before. Two women coincidentally described an identical initiative – sending to their lifer partner detailed photographs of the house they hoped they would one day share. The prisoners stuck them on their cell walls, fitting them together like a jigsaw puzzle.

For some the first meeting in the prison visits room was a shock. Long-term prisoners do not always have recent photographs in their possession and may have sent out flattering pictures. Nevertheless, two-thirds said they felt immediate physical attraction to the prisoner, with one-third saying they felt love at first sight. Marriage proposals were often romantic, with several prisoners getting down on their knees in the visits room, and two ex-prisoners asking their girlfriends’ fathers for their hand in marriage.

The impetus to marry usually came from the prisoner. Many mentioned needing to feel secure and some, whose fiancées had children from previous relationships, liked the idea of being an ‘instant dad’. Outside partners felt they needed the marriage licence and the wedding photographs to display as proof of lasting commitment.

THE NEED FOR CONTROL

It is hardly surprising, given the high incidence of earlier abusive relationships described by the outside partners, that so many of them said they were looking for a ‘safe’ relationship. It is more surprising that so many believed they had found just such a relationship with people convicted of serious, usually violent, crimes. The following two quotes are typical:

‘I’d been determined to stay on my own, but I needed to know somebody cared for me. And the easiest way was to communicate with somebody in prison, so I wouldn’t have the bad bits that can go with a relationship.’

“Many said they were looking for a safe relationship – and ironically thought they had found it with a serious offender”.

“Prison officers acted as chaperones on visits”

'Prison was a safe environment and it was all very romantic. He was inside and I knew where he was. I was outside and I could do what I wanted without having to consult anybody.'

A word much used by that woman – and indeed by one third of the outside partners – was *control*. 'There was an attraction because I could call the shots – I was very much in control', said another woman. The women – and men – who valued being in control were usually those who felt they had lost control in their own personal lives. They were survivors of domestic violence, or their partners were excessively jealous or

"For some the first meeting in the prison visits room was a shock, but one-third said they felt love at first sight".

alcoholic, or kept them short of money, or had lost all interest in them intellectually, emotionally and physically. Now they found themselves the centre of attention for someone who desperately needed

them, and who was prepared to spend hours talking – because offending behaviour courses teach prisoners to explore and discuss their own feelings. Moreover, they now felt in control of everything. It was for them to decide whether to answer letters and phonecalls, whether to visit, or whether to send cash to the prisoner.

VULNERABILITY TO VIOLENCE

However, this sense of being in control may be an illusion that only lasts while the prisoner is behind bars. One of the women quoted above was very badly assaulted by her husband when he returned to drug misuse on release and became paranoid and violent. They are still together after seven years and she maintains that – thanks to their shared religious faith – he is now completely rehabilitated. But she confesses, "There are times, even lately, when he's got up suddenly and stood over me and I can feel myself recoiling. Then I'll say how I feel and he'll say, 'No, it's not going to happen again.'"

Despite the obviously high-risk nature of a relationship with a serious violent offender, two-thirds of the outside partners said police, prison or probation authorities had never asked them whether they were fully aware of the nature of their partners' offences. Outside partners were not asked even (in the case of Category A prisoners) when they were security-checked by a police officer preceding their first visit to the prisoner. This also applied to those given permission to marry a serving prisoner. I interviewed several women – two of them very obviously vulnerable – who had married without knowing the exact nature of their partner's crime, which was only revealed later in the media. Why are they not told? Prison culture includes an unwritten rule that one does not ask a prisoner what he has done. Several women admitted they had not thought it appropriate to ask for details. Even if 'inside' partners were open about their crime,

"Two women sent to lifers detailed photographs of the house they hoped they would one day share."

there is always the risk that the prisoner has sanitised the story. 'Outside' partners had no means of corroboration, because prison and probation officers, governed by confidentiality rules, are forbidden to disclose any information from the prisoners' files. And of course, the usual sources of information do not apply. It is not the sort of information readily available on the Internet, nor is it always easy to access press coverage from years ago.

DUTY TO DISCLOSE?

However serious an inmate's offence, applications to marry are only ever rejected on pragmatic grounds – if the prisoner is due to be released within the month, or if a marriage would interfere with the criminal justice process, for example if a remand prisoner wanted to marry a prosecution witness. According to the

Prison Service:

'Under the Marriage Act 1993, now reinforced by Article 12 of the Human Rights Act 1998, people have a right to marry, and consequently the prison's role in considering applications does not extend to the suitability of the marriage.'

Prison Service rules are quite marriage-friendly in terms of facilitating the marriage itself. Weddings in prison are usually quite pleasant affairs and give prison officers a chance to show their humanity. By permitting and facilitating such a union, the authorities

appear to be – at least by implication – condoning it, however vulnerable the outside partner may be. Of course, the Prison Service cannot be expected to protect adults who are making a free choice. But perhaps there could be some way of allowing outside partners access to information about their prospective spouse's offence. In April 2000, Margaret Thompson was murdered by her prisoner fiancé when he was on day release, in a crime horribly similar to the killing of his girlfriend ten years earlier.

One way of ensuring that the choice to marry a prisoner is truly an informed one might be to extend the outside partner's involvement in the prisoner's rehabilitation process. Young offenders' families are now invited into prisons to support offending behaviour programmes, and some adult prisons are recognising the value of involving families in the same way.⁴ People applying to marry serious offenders might perhaps be invited into prisons as part of the parole process and would then quite naturally be made fully aware of the nature of their partner's offence.

HOSTILE REACTIONS

Most distressing to the outside partners were the hostile reactions of their families, friends and work colleagues. Two-thirds had faced family



Hamele Grobler

"They found themselves the centre of attention for someone who desperately needed them."

SUBSCRIPTION FORM

Annual subscriptions to the *Relational Justice Bulletin* are:

- £9.00 for individuals
- £15.00 for organisations
- £6.00 for students / unwaged (add an extra 25% for overseas)

☐ I wish to subscribe to the *Relational Justice Bulletin* and enclose a cheque / postal order, made payable to the Relationships Foundation, for:

- ☐ £9.00 (individual)
- ☐ £15.00 (organisation)
- ☐ £6.00 (students / unwaged) add an extra 25% for overseas

☐ I would like to order copies of the book *Relational Justice: Repairing the Breach* (£11.00 each including P&P) and enclose a cheque/postal order for £

Name

Address

Postcode

Return to:
 The Relationships Foundation
 Jubilee House, 3 Hooper Street
 Cambridge CB1 2NZ

ROMANCING THE CON

(Continued from page 7)

opposition and one-fifth concealed the relationship from their families. Two-fifths kept it secret from friends and neighbours and one-third hid it from their employers. Three outside partners had resigned or been dismissed from their jobs. Partners who worked in prisons understood they would pose a security risk and had voluntarily resigned, but a hospital theatre sister was indignant when she was dismissed. Her bosses felt that her prisoner husband might force her to smuggle hospital drugs into the jail, even though his offence was not drugs-related.

Outside partners who had children from earlier relationships (two-thirds) described difficulties in telling them about their new partner. Four said their children had suffered at school because of their

“By allowing the marriage prison authorities appear to condone it, however vulnerable the outside partner may be.”

parents' involvement with a prisoner. Two women in relationships with sex offenders risk having their children taken into care if the offender applies to live with the family on release. Two other women have fought custody battles with

their ex-husbands who accused them of being unfit mothers by exposing their children to convicted drug offenders.

One feeling shared by many interviewees was a sense of overwhelming isolation and loneliness. This is common to most, if not all, prisoners' partners, but those who have made the particular choice to enter such a relationship may experience a 'double whammy'. They are cut off from their inside partner and they may be cut off from friends, family and work colleagues. There is anecdotal evidence that other prisoners' spouses, who bitterly resent their own predicament, may feel hostile to outside partners who appear to embrace it.

COPING WITH RELEASE

The period following release is always difficult, with problems obtaining employment, the temptation to return to crime or misuse drugs and alcohol, combined with acute anxiety and communication difficulties. But the pressures can be even worse for those who only met when one of them was in prison. Several couples who married in jail described the extraordinary experience of getting to know each other well on an intellectual and emotional level, but without the accompanying physical intimacy that only came with release from prison. It was at the point of release, too, that differences in social background became more obvious. Many partners were upset by the ex-prisoner's anti-authority attitudes, which they felt compelled to challenge. Four people felt the released prisoner might show them more gratitude for the sacrifices they had made over the years, and some admitted that their expectations had been unrealistically high:

‘I think I expected more from this relationship than other people might. I think I expected it to be extraordinary, which is silly I know, because I get more disillusioned than I should.’

For a released prisoner to adjust to life outside is hard enough, but to be the subject of the kind of demanding scrutiny made by some partners is potentially disastrous.

STAYING TOGETHER

Despite the obvious risks and inevitable difficulties of such relationships, I identified some very positive outcomes. Most surprising was the lasting nature of these relationships. Three quarters of the couples had married, and all but two of them are still together. On average the marriages have lasted six years so far (marriages in the community outside prison last, on average, ten years) though some have lasted much longer. Two women whose husbands remain in prison have been married ten years, while – even more surprisingly, given the problems described above – three more couples who all married after the prisoners' release have been together for nine, 12 and 13 years respectively.

Two-thirds of interviewees felt that their relationships had been strengthened by the adversities they had to face. Perhaps their commitment to the marriage had to be exceptionally strong, if only to prove to all their critics that it would last. Many also felt that they had themselves grown in confidence and independence through their relationship with the prisoner. A number claimed they had become more tolerant and liberal, particularly in their attitudes to crime and criminals.

All the prisoners and ex-prisoners I interviewed acknowledged the positive outcomes of their relationships, notably in leaving crime behind.⁵ An armed robber who had spent most of his adult life in and out of prison claimed that his wife had transformed his attitudes:

“Two women in relationships with sex offenders risk having their children taken into care.”

‘Thanks to her my values have changed, and I don't think I will ever go back to crime. In all the neighbours' eyes it was a waste of time her marrying me, because they were sure I was going to go off. So it was great them seeing us holding hands and walking down the road because I'd proved them all wrong. She has had a profound effect on me. She has made me want to be a better person.’

Angela Devlin is a writer and broadcaster.

1 This article draws upon the author's book *Cell Mates/ Soul Mates: Stories of Prison Relationships* (Winchester: Waterside Press), published in 2002.

2 But see Jacquelynne Wilcox-Bailey, 1997, *Dream Lovers: Women Who Marry Men Behind Bars* (Wakefield Press, Australia) and Sheila Isenberg, 1991, *Women Who Love Men Who Kill* (Simon and Schuster, USA). A number of prisoners and their partners have also written personal accounts of their relationships, notably murderer Hugh Collins, 2000, *Walking Away* (Edinburgh: Canongate) and American poet Asha Bandle, 1999, *The Prisoner's Wife* (Washington Square Press, USA).

3 Prison Service Press Office, Autumn 2000.

4 This is an important – but still undervalued – resource in terms of preventing reoffending. Nancy Loucks in her article ('Crossing the Boundaries') in Issue 14 of the *Relational Justice Bulletin* cites Holt and Miller's US study which shows that prisoners who maintain family ties are almost six times less likely to reoffend than those who do not.

5 In my research for an earlier book I interviewed people who had successfully 'gone straight': most claimed that the influence of a non-criminal partner was a major factor in that success. ('Going Straight: After Crime and Punishment', with Bob Turney, Waterside Press, Winchester 1999.)