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Book Reviews

Malloch, Margaret and McIvor, Gill (eds), 2013 *Women, Punishment and Social Justice: Human Rights and Penal Practices*. London, UK: Routledge.

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Sensationalised attention to women's crime and violence is a recurring feature in popular media. While skyrocketing rates of arrest and imprisonment (Lawston 110) seem to reflect the popular perception that women's crime is on the increase, research evidence points to shifting criminal justice and welfare practices as the primary causes rather than significant changes in crime itself (Malloch and McIvor 3). Despite prurient interest in women in conflict with the law, practitioners and advocates in some countries have recognised that prison is an inappropriate response to women's law breaking for decades (Beglan 252, Lawston 117). Accordingly, they have worked to reform penal practices in order to ameliorate the harms of imprisonment and have begun to build alternative programs to divert women out of the prison pipeline into community-based programs. The growth of community-based sanctions and gender responsive policies has coincided with the global financial crisis and at times dovetailed neatly with retrenchment efforts. However, shifting criminal justice approaches to women have tended toward individualisation and co-optation rather than deep structural change. This collection offers a nuanced approach to gendered penal practices in institutions and communities and a call for productive social change rooted in human rights principles.

Women, Punishment and Social Justice critically analyses the impact and limits of gender responsive prison and community-based criminal justice initiatives, which the authors argue can neither address the human rights concerns of women in prison, nor the broad range of needs which contribute to their criminalisation in the first place. Contributors include scholars and practitioners, highlighting the need for conversation and thoughtful collaboration between the two. Many of the chapters address the misuse of 'evidence based' assessment which is frequently myopically focused on re-offence rates, calling for participatory program and assessment design which consults in a meaningful way with those who are intended to benefit from the interventions (see for example Beglan 161, Gelsthorpe 16, Mills et al 61, Sheehan 125). Some contributors provide examples of promising practices (Beglan 161, Hosie 102) and recommendations for institutional change (Waqhidin and Aday 72). Others point to the paradoxes and recuperative tendencies of gendered responses to offending which both reflect and reinscribe gender and other forms of social inequality (Barton and Cooper 142, Coles 41, Convey 174, Gordaliza 189, Malloch 86, Moore and Jemphrey 28). All of the chapters stress

the failure of individualised criminal justice approaches to address the issues of social context and social injustice that cause law breaking.

The collection builds upon a series of seminars hosted at the University of Strathclyde in 2010. While the book is primarily focused on the UK, it includes chapters on Australia, Canada, New Zealand, Spain and the United States. The book is divided into four thematic sections.

The *Introduction* section reviews developments over the past twenty years, highlighting the fact that women have increasingly been drawn into criminal justice systems, despite limited evidence of increases in the amount or severity of women's crime and widespread recognition that women's law breaking is less frequent, less serious, and less violent than men's. Despite these persistent patterns, the proportional increase in women's incarceration has outstripped the (also rising) rates of incarceration for men.

Further confounding these developments, it is widely recognised that women's imprisonment is likely to exacerbate the conditions that contributed to their criminalisation in the first instance and have profound implications for their families and communities. Motherhood, social exclusion, mental illness, substance abuse, victimisation and poverty mark the life histories of women in criminal justice systems and this section introduces these contextual issues which inform the other chapters.

The Penal Context outlines some common experiences and circumstances of women in prison, identifying remarkably consistent patterns across countries which otherwise have quite different crime rates, imprisonment rates, and approaches to criminal justice. These chapters take up the disproportionate effects of mental illness, substance abuse and poverty on the criminalisation of women's survival tactics; the overrepresentation of racialised minority women in criminal justice surveillance and control; and the paradox of efforts to 'heal' or 'treat' women's trauma, poverty, and victimisation in the prison context.

Community Sanctions, Human Rights, and Criminal Justice turns a critical eye to a growing number of community-based responses to women's law breaking. This section illustrates the potential of innovative community-based programs to divert women out of incarceration while enumerating their limitations. The implications are clear: while something must be done to address the human rights violations of women in prison – and community-based programs represent some improvements over incarceration – such programs can sometimes extend women's entrapment in criminal justice systems. Even the most promising fail to address the community conditions which engender crime.

In the section on *Concluding Thoughts*, Kim Pate observes that retrenchment of social support and attacks on programs promoting substantive equality produce crime and welfare programs costing far less than incarceration. She argues: 'it is the laws and policies that are increasingly coming into conflict with people's lives, resulting in the virtual inevitability of criminalisation, rather than people themselves being the full and consenting author of their own circumstances' (197). Indeed, the cost of imprisoning one woman for a year is equal to the entire annual budget of many community-based support organisations. Margaret Malloch and Gill McIvor reiterate the conclusions of the preceding chapters, noting that 'It would seem that penal policy does not reflect social justice' (206). The editors criticise the decontextualising approaches to women's law breaking which are singularly ill equipped to deal with the complexities of women's lives. They also note the perverse and persistent framing of incarceration and punitive social control regimes as 'for her own good' due to the support in the community.

Addressing the particular constellation of gendered vulnerabilities and responsibilities structured along the lines of social class and racialisation, the authors point to the amplification of everyday social inequality into ongoing human rights violations within the penal context. The

collection makes clear the need for deep cultural and structural change if we are to decrease the social harms that produce and are magnified by lawbreaking and punitive criminal justice responses to it. Indeed, Malloch and McIvor point out that 'some of the difficulties that individuals encounter are clearly rooted in the structural organisation and determining contexts of society, and oscillating around the prison for a solution to these social problems will always be limited and limiting in scope' (210). Throughout, the authors ask readers to consider who benefits from current patterns of criminalisation and who is rendered invisible, noting that penal institutions function just as they were designed to: to punish the already marginalised. As the contributions make clear, radical social and structural change is the only way to promote and protect human rights and decrease crime and its impact.

Ultimately, this is a thoughtful and nuanced project which provides a welcome contribution to the literature on the criminalisation of women and responses to it. Just as important is the contribution to the broader conversation about penal abolitionism. This discussion tends to privilege men's experiences and ignore gender when not trivialising women's concerns via discourses which paint women's concerns about penal regimes and victimisation as marginal. The chapters provide numerous examples of intersectional analysis, outlining the contextually and historically specific manifestations of social exclusion and discrimination which shape women's experiences of punishment. The collection brings together original analyses in the interest of critically assessing current practices and pointing out future directions. As such, the book will be essential reading for criminologists as well as students of social work, law, policy and human rights.

All citations are to Malloch M and McIvor G (eds) (2013) *Women, Punishment and Social Justice: Human Rights and Penal Practices*. London, UK: Routledge.

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