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Citation:

Young, S (2015) Policing “uncontrollable banshees”: Factors influencing arrest decision making. *Safer Communities*, 14 (4). 183 - 192. ISSN 1757-8043 DOI: <https://doi.org/10.1108/SC-05-2015-0017>

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## Introduction

This paper discusses the influence of gender on police officers' decision making by focusing on police officers' accounts of dealing with young women considered violent. Whilst there are several factors shown to influence arrest decisions such as demeanor (Worden and Shepard, 1996), hostility towards the police (Klinger, 1994; Smith and Visser, 1981), seriousness of offence (Ho, 2003) and ethnicity (Smith *et al.*, 1984), little is known about the role of the offenders' gender in police decision making. There is evidence that shows traditional patriarchal attitudes are still exercised within policing and towards female police officers (see Coffey *et al.*, 1992; Heidensohn, 1992; Holdaway and Parker, 1998; Martin, 1996; Westmarland, 2001); however what remains unclear is whether these attitudes affect women who offend. Horn and Wincup (1995) suggest that traditional stereotypes of femininity do have an impact on how the police treat female offenders. In particular, women who come into contact with the police for violent behaviour are viewed as the 'bad' ones and are more likely to be arrested and charged (Horn and Wincup, 1995) on the basis that violence is perceived as a masculine offence (Collier and Hall, 2000; Miller and White, 2004).

Smart (1981) argues that underlying beliefs about appropriate gender norms ultimately impact on the responses and treatment of women who offend, particularly those who use violence. For instance, studies undertaken within courtrooms demonstrate how the social construction of appropriate gender norms can have a negative consequence for women who offend (Carlen, 1983; Hedderman and Gelsthorpe, 1997; Heidensohn, 1985; Worrall, 1990), particularly women who commit offences deemed masculine, such as violence (Hudson, 2002; Stanko and Heidensohn, 1995). Research has shown that young women are not in fact becoming more violent but rather they are subjected to growing controls on the basis of appropriate femininity and increasingly punitive penal policies (Chesney-Lind and Belknap, 2004; Chesney-Lind and Irwin, 2008; Mclvor and Burman, 2011; Zhan *et al.*, 2008). These have been influenced by the public demand to criminalise young women evident in the increasing British press coverage of an apparent rise in female violence (Alder and Worrall, 2004; Beattie, 2009; Henry and Day, 2004; Robertson, 2005). Understanding police practices is thus imperative to explore how young women become identified as violent and to determine whether, and, if so, to what extent, gender influences these decision-making processes.

Criticisms of police discretion, particularly in their stop and search practices (Hearnden and Hough, 2004), handling of rape and domestic abuse cases (Jordan, 2004) and targeting socially deprived neighbourhoods (Scruton, 1987) has resulted in a growing field of research examining decision making. This 'institutional discrimination' (see Bowling and Philips, 2003; Narduzzo, 2007; Sealock and Simpson, 1998) has been explained by the white machismo of 'cop culture' (Sanders and Young, 2003) whereby the beliefs of the institution play a significant role in shaping the values held by police officers within it (Waddington, 1999; Westmarland, 2008). However, police discretion cannot be removed from the confines of the law and, although culture can influence the beliefs of police officers, police decision making has to be understood within

the legal boundaries in which police officers operate (see Chan, 1997; Loftus, 2009). This paper draws on empirical research with police officers to consider how gender stereotypes impact on arrest decisions and discusses the implication for police practice.

## **The Study**

The data presented in this paper was generated from semi-structured interviews with frontline police officers from semi-rural, suburban and urban areas of two police forces in Scotland<sup>[1]</sup>. The sample consisted of twenty nine police constables, three police sergeants and one community beat officer. There were ten female police officers, which was representative of the number of female police officers in Scotland at that time <sup>[2]</sup> (Scottish Government, 2011). The term 'violence' is used to discuss both verbal aggression and physical assault, thus focussing on behaviour that is perceived to be 'violent' rather than 'violent crime'. The police officers' own understanding of violence supported this broad definition, whereby violence was understood in terms of both physical injury, the threat of physical injury and aggressive behaviour. The interviews discussed police officers' perceptions and experiences of young women they considered violent and it is important to note that whilst all the participants had first hand examples to draw on, they all highlighted that incidents involving young women using violence were far fewer than episodes involving young men. The analysis explored whether there were differences between the male and female police officers' perceptions but no significant differences were found on the basis of the officers' gender, any variations that were noticed are discussed in the paper.

## **Findings**

### *Policing Gender Roles*

The principal factor in police decision-making according to those interviewed is the severity of the offence, if there has been an infliction of injury then the police officers stated they would arrest. This is very subjective due to the reliance on the police officers' own judgement on what is classed as serious. Other influential factors discussed were whether there was a complainer, the family circumstances, and available police resources<sup>[3]</sup>. Co-operation with the police was referred to as an important factor in decision-making, and although the police officers' advised arrest is their last resort, they will detain someone if they do not co-operate. Police officers stated that if individuals (using violence) *take a telling* and leave peacefully then there is no need to take the matter any further (on the basis that the seriousness of offence does not warrant arrest). The police officers also have to consider whether there will be repercussions after they leave, if they suspect the individuals will continue acting violently then they will detain them. According to the officers men are more inclined to listen to police officers and refrain from further violence, whereas women are perceived as less co-operative and, as a result, get detained by the police. This could therefore have an impact on the arrests of young women, as they may be more at risk of being detained as a result of their defiance for something that was originally considered minor. To assess the importance of co-operation, the

following section examines female violence directed at police officers before moving on to explore police responses to women demonstrating violence towards others.

The police officers were asked for their experiences of young women using violence and over half had encountered young women directing their violence at police officers. Examples included resisting arrest whereby the police had been trying to arrest women for other offences, mainly breach of the peace and shoplifting, and the women became violent. For instance POM19 was arresting a young woman for breach of the peace and she responded by spitting at him and was arrested for assault. POM28 made it clear that any intentional assault when resisting arrest would result in an *additional charge*. The police officers described instances of young women hitting, kicking, spitting and scratching to get away from being arrested. On these occasions most of the young women described had consumed large quantities of alcohol and were *lashing out* at the police officers.

POF25 stated that if the women were simply struggling then this would be classed as resisting arrest rather than assault, but if somebody who is being arrested deliberately assaulted (either hitting, kicking or spitting) a police officer then they would be arrested for assault. This is an important point because it shows that violent behaviour (such as kicking and spitting) can be treated differently depending on whether it is resisting arrest or being intentionally violent. This raises the issue of the context in which violent behaviour is being displayed. Official statistics on violence can be misleading given the ambiguity of the situation in which violence is used and it is necessary to highlight that some charges for violent behaviour may actually be a result of resisting arrest. This is consistent with the research carried out by Loucks *et al.* (2006) who found that a high proportion of the violence offences committed by women were police assaults and resisting arrest.

The police officers also experienced women who were drunk being violent towards them to protect their boyfriends. On one of these occasions the police officer responded to a call regarding two males fighting and while he was asking one of the men questions the girlfriend attacked him: *The girlfriend comes in apparently to protect the boyfriend and starts, like, punched me in the throat and punched my colleague in the face* (POM4). Similarly, POM11 (who has been assaulted by women when trying to arrest men) said *the female will suddenly decide her boyfriend isn't going to get arrested and suddenly you've got this clawing banshee jumping on your back!* POM28 experienced a young woman hitting him with a handbag and kicking him to get him to let go of her boyfriend who was being arrested.

It is clear there are several different scenarios where young women have been violent toward police officers. This is an important finding because ultimately the young women can be arrested for any assault on a police officer, even if the initial police presence was for a separate offence. Hostility towards police officers has been shown to be an important factor in arrest decision making (Klinger, 1994) and it is argued by Visher (1983) that hostility from women is deemed even more unacceptable:

Indeed any chivalrous attitudes that may benefit female suspects during arrest decisions are nullified in encounters with antagonistic women. [H]ostile female offenders clearly violate appropriate sex-role behaviour, and police officers respond by arresting them. (Visher, 1983: 18)

Horn and Hollin (1997) propose that female offenders may be perceived by police officers as more trustworthy than male offenders on the basis of gender stereotypes, whereas this current research suggests otherwise. Young women are viewed as less trustworthy on the basis of lack of co-operation and this perception dismisses that chivalry exists for violent behaviour. Therefore, it is plausible that women are viewed as doubly deviant on the basis that they are not co-operating with the police officers *and* they are displaying defiance of their gender role by using violence. The hostility displayed by young women could go some way to explaining factors associated with arresting young women (Loucks et al., 2006; McIvor and Burman, 2011) given that the police officers have no option but to arrest if they are on the receiving end of violence.

#### *Responding to "Uncontrollable" Women*

The police officers stated that one of the main difficulties they face when dealing with violent situations involving young women is that when women are acting out violently they are less inclined, than men, to know when to stop. The police officers stated that women continue fighting until somebody splits them up, whereas, with men, once someone has won the fight (i.e. the opponent does not retaliate) *that's usually the end of it* (POM9). Police officers suggested a *red mist* descends and women just become intent on fighting. The police officers depicted violence as a mutual fight between people, whereby men are inclined to defeat an opponent and this would explain why men stop. The depiction of the irrational female, whereby violence is impulsive rather than instrumental (see Campbell, 1993), continued when police officers discussed their difficulties when trying to control the incidents they are called to.

The main difficulty police officers said they came across with young women being violent was trying to stop them (verbally and physically) and separate them. The police described women as *less controlled*, *hyper* and *hysterical* making it a *nightmare* to deal with them and officers specifically stated they prefer to separate men who are fighting. Half of the police officers said that women were more difficult to *calm down*, even if the violent incident has ended. In contrast, men were seen to co-operate better with the police by stopping fighting when the police arrived and 'calming down' quicker. Women were described by police officers as continually shouting and trying to fight with people even in police presence, *all common sense goes out the window* and they *tend to be just in this sort of frenzy* were just some of the comments made, whereby they do not listen to the police.

These perceptions of women are all related to alcohol induced violence and suggest that these women were not in control of their actions due to alcohol. This point is made by the police officers who stated that when the women are

sober *they become fine* and are *like different women*. Excessive alcohol consumption goes against what is characterised as appropriate femininity (Otto, 1981) and helps to explain why women are perceived as more irrational than men. Despite there also being a correlation between alcohol and men's violence, it is still deemed less acceptable for women to be 'drunk' due to the embedded social construction of femininity within society.

POM26: *Personally I find it easier to communicate with males in violent situations because they seem to know the score. Experience has told me that when you're speaking to women and particularly young women who have...are maybe under the influence of alcohol predominantly...there seems to be no rationale in their thinking. It's very hard to get through to them; whether it's because they tend not to listen, or...they don't want to be told. But I would find it very hard and I think other colleagues of mine find it hard when you're dealing with girls, because they appear to be irrational now.*

Women were, as the example above demonstrates, depicted as less rational than men and harder to communicate with. Whilst the police officers interviewed clearly suggested the problem lay with young women's behavior, there is a possibility that the responses given reflect a lack of confidence among those interviewed. Police officers come into contact with young men using violence under the influence of alcohol on a more regular basis thus their experience may enhance their ability to deal with young men. It can be argued that whilst young women might react differently to police officers and be perceived as uncontrollable, the police officers themselves have difficulties knowing the most appropriate methods for effectively communicating with young women, which in turn could exacerbate a situation. This finding ties in with the previous discussion of hostility where it becomes clear that police officers perceive the lack of co-operation as a problem among young women with little recognition of the limitations of their own abilities to resolve the situation.

### *Gendered Responses*

A difficulty raised by police officers was that women think nothing of *turning on the police* and are more likely to become violent with the police than men are. The main difference emphasised by the police officers was that men who are violent are only likely to turn their aggression on male officers, whereas women will be aggressive towards any police officer. According to one of the police officers drunken females will *give abuse to female officers, male officers, it doesn't really matter*. Similarly another officer stated that *a male will maybe think twice about hitting a female police officer; whereas females wouldn't bother if it was a male or a female*.

Female police officers stated that men who are violent towards women are perceived as more socially unacceptable than women being violent, thus female officers feel less threatened arresting men because there is a smaller

risk of them being assaulted. It was mainly female officers that made this distinction and this was their reason for preferring to deal with men, whereas the male police officers' preference for dealing with men was more with regards to women being perceived as 'irrational' and harder to 'calm down'.

The police officers were asked whether they noticed any differences in the way young women respond to male and female officers. One female police officer believed that young women will attempt to manipulate the male officers and will sometimes respond better to them, *they think that if they flutter their eyelashes the men are going to say 'okay, whatever, I'll just let you go!'* This view was supported by a male colleague who found that women who *take a shine to him* would calm down quicker. However, other male officers believe young women perceive them as more chivalrous and therefore think they can get away with not fully co-operating. Some male police officers stated that they find it beneficial to have a female officer present because young women will be more likely to co-operate:

POM28: *I think that's probably something that when you're dealing with drunk females in particular they know that [men don't hit females] and they can push it that wee bit further! Whereas they won't push it with a female officer because they know if she has to step in and has to take it that stage further, she will.*

Empirical research with door security in the night time economy has shown similar results whereby the introduction of female door stewards was partly due to a requirement for increasing control over unruly women. It was believed that female door stewards would be able to de-fuse violent situations more effectively than male door stewards due to their non-aggressive persona, however the female stewards perceived their strength to be resolving incidents involving men (Hobbs *et al.*, 2007; (O'Brien *et al.*, 2008 ). The female police officers stated that the presence of a female police officer can exacerbate women's aggression because the young women *don't want female officers telling them what to do when they're fighting another female*. Furthermore, the female police officers believed that women view female officers as more of a threat and are therefore less likely to listen to them, whereas young women will listen to male officers because they do not want the disapproval of men. The female police officers believed that they were in some cases better suited to resolving violent situations involving men because the men are more likely to calm down. The interviews with police officers indicated that female police officers believe they are able to de-fuse a violent situation involving men more effectively because they are less likely (than male officers) to aggravate a violent situation. Whereas, the female police officers considered their male colleagues as more effective with violent incidences involving women.

Interestingly the results demonstrate that the police officers disliked dealing with young women acting aggressively and this resonates with a body of work that shows criminal justice practitioners view girls and young women as harder to deal with than boys and young men (see Burman and Batchelor, 2009;

Gelsthorpe and Worrall, 2009). It is evident that the police officers distinguished between gender interactions; the females perceiving themselves as a threat to other women and better suited to handling aggressive men, whereas the male officers had different experiences of women cooperating with them. The police officers did agree that women were more inclined to become violent with the police and thus more difficult to deal with. The typology of men's violence was perceived as more severe and as having a greater possibility of serious injury and yet the police officers preferred to manage these incidents due to men being viewed as more co-operative.

## **Concluding Discussion**

Previous research with criminal justice institutions has provided evidence that women who exhibit supposed masculine characteristics are depicted as unfeminine and at risk of greater formal control from criminal justice agencies (i.e. arrest and prosecution) (Horn and Wincup, 1995; Sharpe, 2009). There is insufficient evidence from the interviews to suggest that young women considered as violent were treated any harsher or leniently by police officers on the basis of their (the young women's) gender alone. However, the evidence does demonstrate that gendered norms influence police officers' perceptions of young women who use violence. The police officers' deemed young women as more difficult to deal with, irrational, and unmanageable, reinforcing negative gender stereotypes. This is consistent with previous research on criminal justice responses to young women who offend which has found that young women's non-conformity to traditional sex roles has resulted in criminal justice practitioners perceiving them to be more problematic than young men (see Alder, 1998; Gardener *et al.*, 2004; Kersten, 1990).

In Scotland, there is gender diversity training for all police officers to ensure female police officers and police staff are not discriminated against, however it is unclear what training is provided to officers when handling cases involving female offenders, and victims. The very small numbers of young women who offend (and even smaller number who commit violent offences) makes it difficult to develop effective policies and practices, and policies that are developed cannot be practiced efficiently when offending is so rare (Burman and Batchelor, 2009). It is therefore unsurprising that police officers would perceive young women to be more difficult to deal with given the lack of training and experience handling such incidents. The absence of any specific training or regular first hand experience could go some way to explaining why the police officers had such negative tabloid perceptions of young women. Any lack in confidence in handling violent scenarios with young women could have been concealed during the interviews by condemning the young women and deeming them as uncontrollable. This warrants further research to examine what training in equality is provided and whether police officers are being given the tools to effectively respond to violent incidents involving women.

The view that young women (and particularly young women under the influence of alcohol) are less controllable and more defiant of authority reinforces the patriarchal position that women are more irrational and unmanageable than men and this can be understood as a mechanism of informal social control



(Heidensohn, 2000; Schur, 1983). If young women are more resistant towards police authority then they could be at greater risk of being arrested than young men, not only for defying feminine gender norms but also challenging the authority of police officers. Loftus (2010) highlights the importance police officers place on maintaining authority in aggravated situations whereby police officers use techniques to encourage members of the public to respect them. Therefore young women who do not co-operate are challenging this dominance, and the police officers' inability to control the altercations could put young women at greater risk of arrest.

Klinger (1994) and Worden and Shepard (1996) have previously shown that hostility towards the police impacts on arrest decision making and this research has been able to locate this discretion with particular reference to young women and violence. It is apparent that the defiance of traditional gender norms, in particular obedient, submissive traits, will work against young women. Young, possible drunk, violent women go against all the norms of 'appropriate femininity' and the consequences of this could put young women at greater risk of arrest than young, drunk, violent men, whose behaviour is deemed as 'normal'. This is an important finding and would offer a route for further research to assess whether what the police have said during the interviews is evident in practice. Cultural beliefs within the police are not always direct indicators of police action (see Loftus, 2009; Waddington, 1999), thus whilst much of the data generated from this study indicates very gender stereotyped attitudes, it cannot be deduced that the police will stereotype in practice. An ethnographic approach to the topic would offer the opportunity to assess to what degree young women are uncooperative (if at all) and which factors influenced police officers decisions.

Whilst gender may play a small role in police officers' decision making, it is important to note that police officers need to use situational logic, as described by Karl Popper (1963), whereby all the situational factors are weighed up before an arrest takes place. If young women continuously use violence then the police officers have no other option but to arrest, this is a legal requirement. Ultimately police officers must ensure public and police safety and anyone challenging this will be issued with an arrest regardless of gender. Practical considerations such as whether the young women are known to the police for previous offences or if the women pose a threat to either themselves or others, are all taken into account. A further dimension to police officers' discretion is prioritising their work with resource limitations (Reiner, 2010) and ensuring incidents are dealt with as swiftly as possible (Miller et al., 2006). These are all important factors that apply to anybody acting in a violent manner, not just young women, thus whilst perceived non-conformity from women may indeed contribute to arrests, the other situational factors need to be recognized.

This research complements a growing body of work that aims to understand police decision making and particularly in relation to young female offenders. The overall perception from the police that young women are more difficult to deal with than young men, stresses the requirement for more training and policy to be developed which recognises gender differences as opposed to gender

neutrality. This has been strongly evidenced in the police officers' preference to respond to incidents involving men and their continuing portrayal of women as uncontrollable and irrational. The unpredictable nature of women using violence appears to stem more from police officers' inexperience and tabloid fuelled headlines than women's irrationality. However, the perceived erratic nature of violence could put these women at greater risk of arrest with the lack of police confidence in communicating with often intoxicated young women.

### **Notes**

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<sup>1</sup> This research was carried out prior to The Police and Fire Reform (Scotland) Act 2012 which came into force in April 2013 whereby the previous eight police forces became a single force.

<sup>2</sup> All the participants were allocated a pseudonym PO (police officer) M/F(male or female) number (participant number). There were no significant differences to report on the basis of location so this variable was not included in the pseudonym.

<sup>3</sup> Lack of police resources was mentioned as a determining aspect by members of one semi-rural police division, whereby the distance they have to travel to access female police cells can be problematic. If there is a lack of police officers on patrol and it is a busy night then they stated that it is sometimes not practical to arrest women. The issue of resources does not only apply to females, on busy nights alcohol fuelled fights are often just dealt with by issuing a warning or fixed penalty notice if no serious injuries are caused. This issue is specific to one division as all the other geographical areas are well resourced to make necessary arrests.

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