

Unveiling Complexity: Factors Influencing Women's Involvement in Crime

Samridhi

LL.M, Faculty of Law, SRM University, Sonepat, Haryana

Abstract

This research explores various elements that impact and shape women's the participation of women in criminal activities. Despite the traditional perception that it is men who mainly commit crimes, in recent years, the active role of women in various legal acts has been increasingly recognized. This paper aims to unfold the complex web of influences that shape women's pathways to criminal behavior, focusing on both individual and social factors. The study focuses on examining socio-economic factors that have a central influence on women's involvement in crime. Economic inequalities, limited job opportunities and financial struggles often push women into illegal activities to survive or strengthen their economic influences. Additionally, the paper focusses on the effects of educational background, employment status, and income level on women's susceptibility to criminal temptations, emphasizing the relationship between economic stability and criminal involvement. Moving towards economic dimensions, this study also examines the psychological factors that contribute to women's participation in crime. Psychological vulnerabilities resulting from trauma, abuse, mental health disorders and substance abuse create pathways to crime. The research paper also examines the impact of adverse childhood experiences, mental health challenges, and criminal trajectories, shedding light on the co-relation between psychological well-being and criminal propensities.

Further, familial and social influences are explored to unfold their role in shaping women's criminal trajectories. Family dysfunction, exposure to criminal role models, and peer pressure can significantly influence an individual's likelihood of being engaged in criminal activities. This study explores the complexities of family structures, social networks and community environments and highlights their profound influence on the development of women's perceptions, choices and behaviors related to crime. Moreover, this study also analyzes legal and systematic factors and emphasizes how institutional biases, discriminatory practices and inadequate support systems influence women's involvement in crime. The paper critically assesses the role of criminal justice systems, law enforcement practices, and access to legal resources in preventing or promoting women's criminal behavior.

Through a combined analysis of these various factors affecting women's criminality, the study aims to provide a comprehensive understanding of the reasons that affect the women's involvement in criminal activities. By elucidating these complex factors, policymakers, practitioners, and stakeholders, can develop more targeted interventions, support systems and policies that address the root causes women's criminal behavior and reduce the risks associated with their involvement in crime.

Keywords: Crime, Criminality, Socio-economic factors, Economic disparities, psychological factors, Familial and social influences, Legal and systematic factors.

Introduction

The involvement of women in crime is a complicated issue influenced by several social, economic and cultural factors. Various studies have indicated that women are generally less likely to engage in criminal activity than men, but certain conditions can increase their risk.

One key factor is gender inequality and established gender roles which restricts women's free will and opportunities. Many research has shown that women in societies with more rigid gender roles and norms who accepts violence against women are more likely to engage in crime, often out of frustration or anger¹. Destitution, lack of education and limited access to resources can also lead some women to engage in illegal activities as a means of survival².

Violent conflict and marginalization can also alter women's involvement in crime. In areas affected by and turmoil, when formal economic and social structures breakdown, women can inevitably become involved in crime, such as drug trafficking, etc.³. However, the report also notes that in some post-conflict situations, disruption of traditional gender norms has temporarily expanded women's empowerment and economic opportunities, leading to increased participation in market and civic life⁴.

Importantly the report emphasizes that, in contrast to the patterns observed among male offenders, women's criminal behavior is often shaped by frustration, anger and self-defense rather than deliberate goals⁵. In addition, women associated with members of male gangs faces an increased risk of violence, including sexual violence, both from rival gangs and from the members of their own gangs⁶.

Studies generally show that women's involvement in crime is strongly influenced by gender inequality, lack of economic and social opportunities, and the destabilizing effects of conflict-factors that disproportionately affect women compared to men. Addressing these factors is critical to reducing crime among women⁷.

Relevance of the study

Studying the factors influencing women's criminal behavior is very important because it sheds light on the complex factors involved in women's crime. Understanding these factors is critical to developing effective policies and interventions tailored to the unique needs and challenges of women in the criminal justice system.

One key significance lies in the genetic, environmental, personal and social factors that influences the development of women's criminal behavior. Genetic predispositions, family upbringing, cultural background and socio-economic status all influence women's involvement in crime⁸. By learning about

¹Anthony Morgan and Hannah Chadwick, "Key Issues in Domestic Violence" 7 *Canberra: Australian Institute of Criminology* (2009).

²Patti Petesch, "Women's Empowerment Arising from Violent Conflicts and Recovery" *US Agency for International Development (USAID)* (2011).

³ *Ibid.*

⁴*Supra* Note 2.

⁵Anthony Morgan and Hannah Chadwick, "Key Issues in Domestic Violence" 7 *Canberra: Australian Institute of Criminology* (2009).

⁶UNODC "Global Study on Homicide" (2019).

⁷Anthony Morgan and Hannah Chadwick, "Key Issues in Domestic Violence" 7 *Canberra: Australian Institute of Criminology* (2009).

⁸Mehak Sikand and K. Jayashankara Reddy, "Role of Psychosocial Factors in Criminal Behaviour in Adults in India" 12 *International Journal of Criminal Justice Sciences* (2017).

these factors, policymakers and practitioners can better understand the root causes of women's crime and tailor interventions to effectively address them.

Moreover, the other significance lies in the incidence of female offenders, although lower than that of males, presents a unique challenge that requires a nuanced understanding of the risk factors for female recidivism. Factors such as antisocial attitudes, history of antisocial behavior and substance abuse have been identified as the most important predictors of female criminal behavior⁹. By identifying and addressing these risk factors, authorities can develop targeted strategies for relapse prevention and successful reintegration into society.

Furthermore, research into factors influencing women's criminal behavior highlights the need for gender sensitive approaches in the criminal justice system. Various research has shown that female offenders are often treated differently than male offenders, and sentencing patterns reflect expectations and gender stereotypes¹⁰. By recognizing these disparities and biases, policymakers can work to create a fairer and more just system that takes into account the unique circumstances and needs of female offenders.

In addition, understanding the factors that influence women's criminal behavior is important to promote gender equality and address the systematic problems that contribute to women's involvement in crime. By examining socio-cultural factors, social norms and gender roles, stakeholders can create a more inclusive and supportive environment that empowers women and reduces their vulnerability to criminal behavior¹¹.

In summary, the importance of research on the determinants of women's criminal behavior lies in its potential to inform evidence-based policies, practices that address the root causes of women's criminality. By adopting a holistic and gender sensitive approach to understand these factors, stakeholders can work to create a more just, fair and supportive justice system that promotes rehabilitation, reduces recidivism and empowers women to lead fulfilling and law-abiding lives.

Overview of existing research on women's criminality and the factors influencing it –

Existing research on women's criminality and its determinants dives into a multifaceted dimensions that includes psychological, biological, cultural and socio-economic dimension. The study of women's crime challenges traditional notions that associate criminal behavior mainly with men. Research has highlighted various theories and factors that influence women's involvement in crime, which have shed light in the complexity of women's criminal behavior.

1. Psychological factors:

Psychological theories provide insight into the differences in criminal behavior between men and women. Scholars such as Burt and Bonger present conflicting views on women's criminality. Burt suggests that women commit less crime due to dominant emotions such as tenderness and fear, while Bonger argues that women are psychologically stronger, resulting in lower crime rates. In addition, the study also suggest that women may have more psychological pressure than men, which may influence their criminal Behavior¹².

⁹Risk assessment of recidivism of violent sexual female offenders, available at <https://www.corrections.govt.nz/resources/research/risk-assessment-of-recidivism-of-violent-sexual-female-offenders/risk-factors-for-repeated-criminal-behaviour> (last visited on May 11, 2024).

¹⁰LawTeacher.net, Relationship between Gender and Crime, available at <https://www.lawteacher.net/free-law-essays/criminology/relations-between-gender-and-crime.php#citethis> (last visited on May 11, 2024)

¹¹ Nadia Campaniello, "women in Crime" *IZA World of Labor* (2019).

2. Biological factors:

Biological perspectives, such as advocated by Lombroso, suggest that women's criminal behavior may be due to physical unfitnes or altered thought processes¹². Lombroso's theory emphasizes the role of biological characteristics in determining criminal behavior¹³.

3. Cultural factors:

Cultural influences significantly affect the development of women's crime. Cohen's work highlights how the subcultures of women differ from that of males where women tolerate less mistake and receive more oppressive training. Family dynamics and social norms contribute to such subcultures that influence criminal behavior of women¹⁴.

4. Socio-economic factors:

A study of women's crime in India highlights the influence of socio-economic factors on women's involvement in crime. Issues such as economic coercion, imbalance in interpersonal relationships and personality growth have been identified as important factors in women's criminal behavior. Lack of adequate counseling services, socio-cultural factors and personal reasons also contribute to women's criminality¹⁵.

5. Sociological factors:

Sociological factors emphasize unfairness, unequal opportunities and dependence on men as factors influencing women's criminal behavior. Role conflicts in families, sexual dissatisfaction, etc. are cited as the background of women's criminality. To solve these social problems, it is recommended that efforts be made to create a more humanitarian environment, provide rehabilitation measures and incorporate modern methods of reformation and re rehabilitation of women involved in criminal activities¹⁶.

In summary, the existing studies on women's criminality emphasizes the need for a thorough understanding of the psychological, biological, cultural and socioeconomic factors that influence women to commit crimes. by examining these various dimensions, researchers seek to develop targeted interventions, policies and social changes that address the root causes of women's criminal behavior and promote a more just and equitable criminal justice system.

Theoretical frameworks and conceptual models relevant to understanding women's pathways to crime –

Theoretical frameworks and conceptual models related to understanding women's pathways include different perspectives that shed light on the complexity of women's criminal behavior. Various leading theories have been developed to explain the factors influencing involvement of women in crime:

1. Opportunity theory

Rita J. Simon¹⁷ is considered as the one of the major proponents of this theory. This theory states that women's involvement in crime increases when they have more opportunities. It emphasizes the role of social opportunities, skills and networks in influencing criminal behavior of a female. It further

¹² "Critical Analysis of Female Criminality in India" *Jus Corpus Law Journal* (2022).

¹³ Lombroso Cesare, "The Female Offender" *New York: D. Appleton Company* (1895).

¹⁴ "Critical Analysis of Female Criminality in India" *Jus Corpus Law Journal* (2022).

¹⁵ Oishika Banerji, "Female Crimes: Related Theories and Postulations" *iblogpleaders*, available at <https://blog.ipleaders.in/female-crimes-related-theories-and-postulations/> (last visited on May 11, 2024).

¹⁶ J. K. Pattanaik and N. N. Mishra, "Social Change and Female Criminality in India" 31 *Social Change* 103-110 (2001)

¹⁷ Rita J. Simon, "Women and Crime" *Lexington Books* (1975).

emphasizes the influence of social context on women's criminality and emphasizes the importance of social interaction and efficiency. It is limited to explaining differences in the criminal behavior of women in different social context¹⁸.

2. Masculinization theory

The theory is supported by Freda Adler. This theory indicates that the criminal behavior of women is influenced by the adoption of male traits and behaviors in the development of traditional gender roles. It assumes that empowered women commit more serious violent crimes because of their embrace of masculinity. The theory explains the patterns and trends in crimes committed by female in industrialized and developed countries. This theory was highly criticized due to its male-centric ideology and its inefficiency to explain criminal behavior of females in third-world societies¹⁹.

3. Marginalization theory

One of the major proponents of this theory is Meda Chesney-Lind. This theory states that the marginal social status of women. Characterized by low income, inadequate jobs, and family victimization, drives them to engage in criminal behavior. It focuses on the impact of social exclusion on women's criminality. The theory provides insight into how social factors influence criminal behavior of women and emphasizes the role of social structures in shaping women's criminal pathways. This theory oversimplifies the complex interaction of factors that influence female criminality²⁰.

4. Chivalry theory

This theory suggests that liberal and differential treatment towards women by criminal justice system reduces the number of criminal convictions for women compared to men. It highlights the role of gender bias and stereotypes in shaping legal outcomes for women²¹.

These theoretical frameworks provide valuable insights into the various pathways that lead women to criminal activity and highlight the interaction of social, economic, cultural and psychological factors in shaping the criminal behavior of women. Understanding these theories is important for developing targeted interventions and policies that address the root causes of women's criminal behavior and promote effective prevention and rehabilitation strategies.

Factors affecting Women's Criminality

Socioeconomic factors –

Economic inequalities, employment issues and financial struggles are important factors in women's involvement in crime. Research has shown that economic hardship, unemployment and financial instability can push women into criminal activity as a means of survival or coping with pressure.

A study revealed that economic hardship at the county level, particularly with high foreclosure rates and unemployment, is consistently associated with increased violence, including child abuse, elder abuse and

¹⁸ Mohammed J. Islam, Subrata Banerjee, *et.al.*, "Theories of Female Criminality: A Criminological Analysis" 7 *International Journal of Criminological and Sociological Theory* (2014).

¹⁹ Mohammed J. Islam, Subrata Banerjee, *et.al.*, "Theories of Female Criminality: A Criminological Analysis" 7 *International Journal of Criminological and Sociological Theory* (2014).

²⁰ Mohammed J. Islam, Subrata Banerjee, *et.al.*, "Theories of Female Criminality: A Criminological Analysis" 7 *International Journal of Criminological and Sociological Theory* (2014).

²¹ *Ibid.*

intimate partner violence perpetrated by women²². The study also indicated a gendered effect of mass layoffs: male mass layoffs were associated with higher rates of child abuse, whereas female mass layoffs were associated with lower rates, possibly due to gender norms and expectations²³.

Financial pressure and lack of job opportunities can also increase the likelihood of women becoming involved in crime. A study examining the effects of criminal stigma concluded that employment affects the reduction of crimes committed by male and that financial pressure has a positive effect on the increase in female criminal behavior²⁴. The financial costs of involvement in the criminal justice system, such as fees and fines, further increase the economic instability of women upon reentry, and making it difficult for them to reintegrate into society²⁵.

In India, socio-economic factors, including financial coercion, maladjustment of relationships and personality traits, have been as important drivers of women's criminal behavior²⁶. Lack of adequate counseling services, sociocultural factors and personal reasons such as property rights and self-defense also influence involvement of women in crime²⁷.

Economic inequalities, employment problems and financial struggles are important factors that can lead women to engage in criminal activities. Addressing these factors through targeted interventions such as job training, financial support and support services is important for reducing women's involvement in crime and promoting their successful reintegration in society.

Impact of socio-economic behavior on female's criminal behavior –

The influence of socio-economic status on women's criminal behavior is a complex subject that has been extensively studied in various contexts. Socio-economic status includes a number of factors such as income, education, occupation and social class that may influence an individual's likelihood of engaging in criminal activity. This analysis focuses on the relationship between socio-economic status and women's criminality, examining various ways in which socio-economic factors may influence women's criminal behavior.

1. Socio-economic status and female criminality

various research shows that socio-economic status plays a pivotal role in shaping women's criminal behavior. Research has consistently shown women from lower socio-economic backgrounds are more likely to engage in criminal activity than women from higher socio-economic backgrounds²⁸. This disparity may be due to a number of factors, including limited access to education and employment opportunities, higher rates of poverty and unemployment, exposure to criminal networks and an environment encouraging criminal behavior²⁹.

²² N. Jeane Santaularia, Marizen R. Ramirez, *et.al.*, "Economic Hardship and Violence: A Comparison of County-Level Economic Measures in the Prediction of Violence-Related Injury" *Journal of Interpersonal Violence* (2022).

²³ *Ibid.*

²⁴ Scott H. Decker, Cassia Spohn, *et.al.*, "Critical Stigma, Race, Gender and Employment: An Expanded Assessment of the Consequences of Imprisonment for Employment" (2014).

²⁵ Lisa Servon, Ava Esquier, *et.al.*, "Gender and Financialization of the Criminal Justice System" *10 Social Sciences* (2021).

²⁶ *Supra* note 16 at 4.

²⁷ *Supra* note 13 at 4.

²⁸ J. J. Rath, "Socio-economic Condition as a contributing factor for Criminality of Women Prisoners in Odisha" *Odisha Review* (2012).

²⁹ Avdi S. Avdija and Dennis M. Giever, "The Impact of Prior Victimization and Socio-Economic Status on People's Crime-Reporting Behavior" *International Journal of Applied Psychology* (2012).

2. Education and female criminality

Education is an important factor in determining an individual's socio-economic status and thus their likelihood of engaging in crime. Studies have shown that women with lower levels of education are more likely to engage in criminal activities than women with higher level of education³⁰. This is because education gives people the enough skills and knowledge for securing a decent paying job and improve their socio-economic status, thereby reducing the likelihood of criminal behavior³¹.

3. Occupation and female criminality

Occupation also plays an important role in shaping women's criminal behavior. Multiple studies have shown that women working in unstable jobs are more likely to engage in criminal activity compared to higher paying and more stable jobs³². This difference may be due to the financial pressures and stress associated with unstable jobs, which can lead to greater frustration and the likelihood of criminal behavior³³.

4. Socio-economic change and female criminality

Socio-economic changes can also affect women's criminal behavior. Studies have shown that the accelerated industrialization and westernization in India, for example, due to changes in the social and economic roles, of women has caused an increase in crime among women³⁴. These socio-economic changes make women challenge traditional gender roles resulting in involvement in crime³⁵.

The impact of socio-economic status on women's criminal behavior is significant. Socio-economic factors such as education, occupation and socio-economic change can influence women's criminal behavior. Understanding these factors necessary in order to develop effective strategies to prevent and reduce women's criminality. By addressing the socio-economic inequalities that influence criminal behavior, an initiative to create a fairer and more just society can be taken where women can make positive choices and lead good lives.

Psychological factors –

Psychological vulnerability, trauma, abuse, mental health disorders and substance abuse significantly influence female's criminal conduct and shape their pathways into the criminal justice system. These factors often intersect to create a complex web of challenges that affect women's involvement in criminal activity.

1. Psychological vulnerability

Women who face psychological vulnerabilities such as low self-esteem, emotional distress and maladaptive coping mechanisms are at greater risk of engaging in criminal activity. Psychological vulnerability can stem from past trauma, abuse or untreated mental health disorders, causing women to use substances or engage in criminal activity to cope with emotional pain or stress³⁶.

³⁰ Cynthia Adaora Okafor and Bonaventure Chigozie Uzoh, "Socio-economic Determinants of Female Criminality Amongst Inmates of Correctional Services in South-East Nigeria" *5 International Journal of Health and Social Inquiry* (2019).

³¹ *Ibid.*

³² *Supra* Note 31.

³³ *Supra* Note 32.

³⁴ *Supra* Note 17 at 4.

³⁵ *Supra* Note 17 at 4.

³⁶ Hortensia Amaro, Mariana Sanchez, *et.al.*, "Social Vulnerabilities for Substance Use: Stressors, Socially Toxic Environments, and Discrimination and Racism" *Elsevier Ltd.* (2021).

2. Trauma and abuse

Trauma and abuse, especially during childhood, has a profound effect on women's psychological well-being and can significantly increase their likelihood of criminal activity. Various studies have shown that women who have experienced severe trauma such as sexual abuse, emotional abuse and neglect, are more likely to engage in inappropriate activities, including substance abuse and criminal behavior³⁷. Trauma can cause many psychological problems, such as post-traumatic stress disorder (PTSD), depression and anxiety, which can contribute to women engaging in criminal activity to numb their emotions or escape traumatic memories³⁸.

3. Mental health disorder

Women with untreated mental health disorders such as depression, anxiety, bipolar disorder or PTSD are at increased risk of engaging in criminal activity. Mental health disorders can cause impair judgement, increase impulsivity and cause difficulties in regulating emotions, all of which can contribute to women's involvement in criminal activity³⁹. In addition, the stigma associated with mental health problems can prevent women from seeking help, which increases their vulnerability to criminal behavior.

4. Substance abuse

Substance abuse can be regarded as a common coping mechanism for women dealing with trauma, abuse and mental illness. Studies have shown a strong link between drug addiction and criminal behavior in women, and drug use is often a way to escape troubling emotions⁴⁰. Substance abuse results into impair judgment, increase aggression and lead to criminal activity to support addiction and obtain substances. Psychological vulnerability, trauma, abuse, mental health disorders and substance abuse are inter-related factors that significantly influence women's involvement in criminal activity. Addressing these underlying issues through trauma-informed treatment, mental health support, and substance abuse treatment is critical to preventing and reducing crime among women. By providing comprehensive and extensive support that address the root causes of women's vulnerability, society can strive to create a more just and supportive environment that empowers women to live healthy and decent lives.

Familial and social influences –

Familial and social influences play a crucial role in shaping women's involvement in crime, reflecting the complex inter-relation of family dynamics, social structures and cultural norms. Understanding these influences is important for developing effective strategies to prevent and acknowledge women's criminal behavior.

1. Family history and criminality

Many research shows that a family history of crime can significantly affect a person's likelihood of engaging in crime. Research has shown that exposure to criminal behavior within the family, particularly by male family members such as husband or father or brother, can predispose individuals, including

³⁷ Annett Lotzin, Johanna Grundmann, *et.al.*, "Profiles of Childhood Trauma in Women with Substance Use Disorders and Comorbid Posttraumatic Stress Disorders" *PubMed Central PMC* (2019).

³⁸ Denise Aimee Hien, Lisa R Cohen, *et.al.*, "Is Traumatic Stress a Vulnerability Factor for Women with Substance Use Disorders? *Clin Psychol Rev*" *Researchgate* (2005).

³⁹ *Ibid.*

⁴⁰ *Ibid.*

women, to criminal activity⁴¹. However, the relationship between family crime and individuals, criminal behavior is complicated, the relationship between family of orientation and the family of procreation⁴². In some cases, women may be influenced by the criminal activities of their husbands or his family members, resulting in their involvement in antisocial behavior⁴³.

2. Family socialization and criminal behavior

Family socialization plays a crucial role in shaping women's behavior and involvement in crime. Although traditional views have often associated women's criminality with psychological or social deviance, recent research indicates that family boundaries and dynamics can significantly influence women's criminal behavior⁴⁴. In some cases, women may be labeled criminal not because of their own criminal tendencies, but because of the criminal activities of male family members, indicating the complicated co-relation of family structures and individual behavior⁴⁵.

3. Socio-cultural factors

Socio-cultural factors also play an important role in involvement of women in crime. In many societies, gender inequality, male dominance and destitution increase women's vulnerability to criminal behavior and influence women's choices and actions⁴⁶. The rapid increase in female crime affects the social structure of families and emphasizes the need to address the socio-cultural factors that influence women's involvement in crime⁴⁷.

4. Impact of gender roles and power dynamics

Traditional gender roles and power dynamics within families can have a profound impact on women's participation in crime. In patriarchal systems, women may have less autonomy and little opportunities over their own personal development, resulting in limited choices and behavior⁴⁸. The persistence of patriarchal systems and their emphasis on values and power, restricts women's freedom of choice influencing their criminal behavior⁴⁹.

Familial and social factors are crucial to understand women's involvement in crime. Family history, socialization, socio-cultural factors and gender dynamics, all contribute to women changing path to criminal behavior. Addressing these effects requires a comprehensive approach that takes into account the complexities of family dynamics, social norms and gender roles. Policymakers and practitioners should identify and address these factors, leading to the creation of targeted measures that enhance women's empowerment, tackle the root causes of criminal behavior and create, more just societies where woman have access to more resources and opportunities.

⁴¹ Asha Bhandari, "The Role of the Family in Crime Causation: A Comparative Study of 'Family of Orientation' and 'Family of Procreation' (A Study of Women Prisoners in the Central Jails of Rajasthan)" *19 journal of International Women Studies* (2017).

⁴² *Ibid.*

⁴³ *Supra* Note 44.

⁴⁴ *Supra* Note 44.

⁴⁵ *Supra* Note 44.

⁴⁶ Adina Aslam, Sajida Iqbal, *et.al.*, "Sociocultural Influences on Women's Involvement in Crime" *6 Jahan-E-Tahqueek, Bilingual Research Journal* (2023).

⁴⁷ *Ibid.*

⁴⁸ Mahmoud Jaraba, "The Nexus of 'Women and Clan Crime': Unraveling the dynamics and constraints" *Trends in Organized Crimes* (2024).

⁴⁹ *Ibid.*

Legal and systematic factors –

Legal and systematic factors significantly influence involvement of women in crime. Among these are policies, practices and structures within criminal justice system that either exacerbate or mitigate women's crimes. Understanding the impact of these factors is critical to create effective strategies to address women's crime and their successful reintegration into society.

1. Gender bias and discrimination

Gender biases and discrimination in the criminal justice system is one of the most significant legal and systematic factors that contribute to women's participation in crime. Many studies have shown that women are often treated differently than men, which reflect the sentencing patterns of societal expectations and gender stereotypes⁵⁰. For example, it has been observed that sometimes women may receive lighter punishment for certain crimes, such as offences related to property as they are considered less dangerous or, more likely to be primary caregivers⁵¹. However, this type of treatment can also result in harsher punishments for those women who break gender norms, such as those found guilty of violent crimes⁵².

2. Lack of gender- responsive programming

Throughout history, the criminal justice system has been designed by keeping male offenders in mind and as result, there are very less programs or services that specifically cater to women⁵³. Due to their higher risk of becoming victim of abuse and their obligation to children, women's need in justice system are different than men⁵⁴. Without trauma-informed treatment, mental health support and parenting resources, women may struggle to deal with the issues that lead to their criminal behavior, increasing their risk of reoffending⁵⁵.

3. Collateral consequences of incarceration

Women's involvement in crime can also be affected and increased due to the negative consequences of being incarceration. Incarcerated women often face significant barriers to reintegration into society, including difficulties in finding work, housing and social support⁵⁶. These challenges can lead to financial instability and increased stress, which can push women to engage in criminal activity as a means of survival⁵⁷. Additionally, the negative perception associated with a criminal record can diminish women's opportunities and hinder their progress in life⁵⁸.

4. Systematic inequalities and marginalization

Women may also be exposed to crime due to the effects of widespread systematic inequalities and marginalization. Females who come from disadvantaged backgrounds and are exposed to harsh realities like poverty or discrimination are more likely to engage in criminal activities due to their limited access

⁵⁰ *Supra* Note 12 at 4.

⁵¹ *Supra* Note 12 at 4.

⁵² *Supra* Note 12 at 4.

⁵³ Office of Justice Programs, *Women and Girls in the Justice System*, 2020, available at <https://www.ojp.gov/feature/women-and-girls-justice-system/overview>

⁵⁴ *Ibid.*

⁵⁵ *Supra* Note 55.

⁵⁶ By Sankeertana Kavuluru, "Involvement of Women in Crime: Women Offenders" *Legal Service India E-Journal* (2023).

⁵⁷ *Ibid.*

⁵⁸ *Supra* Note 59.

to education, employment and social support⁵⁹. These systematic barriers can create a cycle of disadvantage where women turn to crime to cope with stress, trauma and financial hardships⁶⁰.

Legal and systematic factors have a decisive influence on women's participation in crime. Gender bias, the lack of gender-specific programming, the consequences of incarceration, and systematic inequalities can influence women's criminal behavior. Reforms to the criminal justice system that priorities gender equality, trauma informed treatment, and evidenced-based interventions tailored to the unique needs of women are essential to addressing these issues. By addressing the systematic factors that contribute to women's criminality, an initiative to create a more just and equal society that empower women to live a decent life.

Intersectionality and gendered perspectives –

The role of intersectionality and gendered perspectives in understanding women's criminal behavior is evident, as it reveals the complicated relationship between various social identities and power structures that shape their participation in crime. Intersectionality as a theoretical framework, emphasizes the interdependence between social categories such as race, class, gender and age and how these identities impact people's experiences of criminal behavior and the criminal justice system.

1. Intersectionality and women's criminal behavior

By examining women's criminal behavior, intersectionality offers crucial insights into various dimensions of their identities and how they are interconnected. Various studies have shown that women's experiences of crime are shaped by multiple factors such as race, class gender, etc., which interact to create unique vulnerabilities and opportunities for criminal behavior⁶¹. These dual identities can be utilized to examine, study and gain insight into the complicated interconnected patterns that lead women to commit criminal acts.

2. Gender perspective on female offending

Various gender perspectives on female offending underscores the interplay between social expectations, gender roles, and power structures that shape their criminal behavior. The traditional notion that women are the caregivers and carers of their children, frequently conflicts with the realities faced by women, leading the tensions between gender roles in criminal and stereotyped female behaviors⁶². Gendered theories of crime emphasize consideration of women's unique experiences, challenges and motivations when analyzing their involvement in crime.

3. Impact of race, class and gender inequality

The inter-relation of race, class and gender inequality significantly influence the involvement of women in criminal activities. Especially women from disadvantaged communities including low-income and subject to racism, face disproportionate obstacles in terms of education, employment and social support

⁵⁹ *Supra* Note 49 at 10.

⁶⁰ *Supra* Note 50 at 10.

⁶¹ Keren Gueta, "Exploring the Promise of Intersectionality for Promoting Justice-Involved Women's Health Research and Policy" 8 *Health Justice* (2020) available at <https://healthandjusticejournal.biomedcentral.com/articles/10.1186/s40352-020-00120-8#citeas> .

⁶² Caroline Agboola, Erasmus Kofi Appiah, *et.al.*, "Women's Pathways into Crime and Incarceration: Insights from South Africa" 8 *Cogent Social Sciences* (2022).

that make them more susceptible to crime⁶³. From an intersectionality perspective, the criminal justice system presents unique challenges and opportunities that are shaped by systematic inequalities.

4. Intersectionality in criminological research

Intersectionality has increasingly been used in criminological research to examine the complex relationship between social identity and criminal behavior. Researchers have used cross-referencing to analyze disparities in the criminal justice system, document trends in sentencing, and understanding the experiences of the marginalized population, such as women in the criminal justice system⁶⁴. By incorporating intersectionality into criminological research, researchers can uncover the hidden biases, structural barriers, and power dynamics that shape women's interaction with the justice system.

Women's criminal behavior necessitates a strong understanding of communication and gender perspectives. Research on the intersection of identities based on race, class, gender and age provides insight into the social factors that contribute to women's criminality. Embedding intersectionality in criminological research and policy development is critical to address the unique needs and challenges of women in the criminal justice system and promoting more just and equitable outcomes for all individuals.

Policy recommendations and strategies for enhancing gender-responsive approaches –

The following policy recommendations and strategies can be used to improve gender-based approaches in criminal justice system and community interventions:

1. Gender-responsive programming

The gender-responsive programming acknowledge the needs and experiences of women in the criminal justice system. The programming includes women specific challenges, and addresses the vulnerabilities through mental health support, substance abuse treatment and parenting resources⁶⁵.

2. Intersectional approaches

Implement interactive approaches to the formulation of policy and programming that address complex interaction among race, class, gender and other social constructs that impact women's participation in crime. The identification and consideration of these intersectional elements can aid policymakers in devising more effective and fair justice-related interventions for women⁶⁶.

3. Training and capacity building

The capacity of criminal justice practitioners is enhanced by providing them proper training and support to comprehend gender-based approaches and meet the requirements of the women in the criminal justice system. The approach incorporates trauma-based therapy training, gender-specific programming and interdisciplinary approaches to serve female offenders more effectively⁶⁷.

⁶³ Beatriz Cruz, Susanne Strand, *et. al.* "Gender Perspective of Victimization, Crime and Penal Policy, in *Gender-Competent Legal Education* 467-562 (Springer Textbooks in Law, 2023) available at https://link.springer.com/chapter/10.1007/978-3-031-14360-1_14

⁶⁴ *Supra* Note 64.

⁶⁵ Linda Sydney, "Supervision of Women Defendants and Offenders in the Community" *Gender-Responsive Strategies for Women Offenders*, 2005, available at <https://www.prearesourcecenter.org/sites/default/files/library/14genderresponsivestrategiescommunity.pdf>

⁶⁶ Elizabeth Flemming, Allison Upton, *et. al.*, "Adopting a Gender-Responsive Approach for Women in the Justice System: A Resource Guide, *The Council of State Governments Justice Center*, (2021).

⁶⁷ *Supra* Note 68.

4. Collaboration between systems

The system ensures that women receive adequate care and support during their re-entry process in the society by working with corrections and community providers. After their release, women are provided with comprehensive and synchronized support by working closely with various service providers to address their needs and challenges⁶⁸.

5. Education and employment opportunities

In order to address the socio-economic factors that influence the involvement of women in crime, access to education and job opportunities are increased. Vocational training, job search assistance and educational programs are provided to help women obtain stable employment and financial autonomy, which will decrease their risk of engaging in criminal activities again⁶⁹⁷⁰.

6. Trauma-informed care

Implementation of the trauma-informed care practices in the criminal justice system helps in addressing the consequences of abuse and trauma on the path of women's criminal behavior. In order to aid their recovery and decrease the risk of re-offending, trauma-informed care involves offering specialized services, counseling and support to women who have experienced trauma or abuse⁷¹.

These policy recommendations and strategies can assist in establishing a more trauma-sensitive and inclusive criminal justice system that accommodates women's needs and challenges, while also improve the experiences of women involved in the justice system.

Conclusion

In summary, it can be said that the issue of women's involvement in crime is multifaceted and complex issue that can be tackled through various socio-economic, psychological, familial and social, systematic and intersectional factors. This study was done in order to reflect the subtleties that shape the criminal conduct of women and the obstacles they encounter in the criminal justice system. Considering the insights gained and the implications for policy, practice and future research, following key points have emerged:

- It is crucial to understand that women's participation in criminal activities cannot be viewed solely from one perspective. The diverse experiences of female offenders are often overlooked by traditional stereotypes and misconceptions, leading to inadequate responses and pervasive biases in criminal justice system. By taking an intersectional perspective, we recognize and address the intersection of identities that intersect with social contexts in which women experience victimization, abuse and justice. This requires tailored interventions, culturally competent services, and policies that address the needs of diverse groups of women in the system.
- Preventing and addressing the root causes of women's involvement in crime requires early intervention. The risk of criminal behavior of women can be significantly reduced by investing in programs that address destitution, economic inequality, trauma, abuse, mental health issues and lack

⁶⁸ *Supra* Note 68.

⁶⁹ Emily Salisbury, "Understanding the Importance of Gender-Responsive Practices", *International Association for Correctional and Forensic Psychology (IACFP)*, June 18, 2023, available at: <https://www.myiacfp.org/understanding-the-importance-of-gender-responsive-practices/> (last visited on May 12, 2024).

⁷⁰ Barbara Bloom, Stephanie Convington, *et.al.*, "A Summary of Research, Practice and Guiding Principles of Women Offenders", *Gender Responsive Strategies*, (2005) available at <https://s3.amazonaws.com/static.nicic.gov/Library/020418.pdf>

⁷¹ *Supra* Note 68.

of support resources. Community based initiatives, educational programs, vocational training and providing better job opportunities are essential components of comprehensive prevention to empower women and promote positive lifestyle.

- It is important to implement the treatment that is trauma-based across all the levels of the criminal justice system. Recognizing the impact of trauma on the lives and survival of women offenders and adopting practices that focusses on women offenders can lead to more effective rehabilitation, reduced recidivism and better outcomes for women offenders. Education and training of criminal justice practitioners in trauma sensitivity, trauma-informed interviewing techniques and trauma-specific interventions are important steps in this direction.
- Women must be granted equal access and opportunities to justice in legal system through gender-sensitive policies. This involves creating guidelines for sentencing that consider gender, enhancing access to programs and services that cater to gender preferences such as religious education, combating gender prejudice, and advocating for alternative forms of correctional treatment that prioritize rehabilitation and reintegration. By promoting gender-based approaches, a just and fair system can be created which is inclusive and support women's rights and human dignity.
- Developing stronger community partnerships is essential to encourage collaboration, sharing of information and resource coordination among criminal justice system, social service providers, health care professionals, advocacy organizations and community stakeholders. By collaborating, we can leverage collective knowledge, promote best practice and improve the effectiveness of interventions and start support services.

Looking ahead in future, there are many opportunities for continued research, advocacy and action. To better understand the developmental patterns of female offenders, longitudinal study is necessary to assess the long-term effects and evaluate the impact of interventions. The intersection of identities and their impact on women's experiences in the criminal justice system requires more attention from intersectional analysis point of view. By examining the effectiveness of gender specific programs, trauma-informed interventions and community-based initiatives, we can identify best practices and provide guidance for future policy and practice decisions.

Efforts to promote and increase public recognition on policy changes, legislative reforming, budget allocation and public initiatives promoting women's rights and well-being must be maintained and continued. Empowering women who are in the system by respecting their rights, letting them participate in decision making processes and giving them opportunity to express must be promoted in order to maintain fairness, equality and justice.

In conclusion, addressing complex factors that influence women's criminality and promoting gender justice requires a collaborative effort by policymakers, practitioners, researchers advocates and communities. By committing to the equality, justice and dignity of all women in the criminal justice system, a society which is inclusive, supportive and just must, be created.