

Crime and Punishment: The Genders Compared

Last Update: 7/2/14

How many people are in prison? Data for England & Wales are published weekly and can be found, for example, at <https://www.gov.uk/government/publications/prison-population-figures-2014> and similar web sites. Recent numbers of male and female prisoners are given in Table 1. The total prison population in England & Wales reached its all-time record peak of 88,179 in December 2011.

Table 1: Numbers of Male and Female Prisoners in England & Wales

Date	Men	Women	Men:Women Ratio
31/1/14	81,045	3,932	20.6
3/1/14	80,176	3,786	21.2
4/1/13	79,750	3,882	20.5
2/12/11	83,958	4,221	19.9

The salient fact is that there are 20 times more men in prison than women.

The long term trend in the total prison population in England & Wales is shown in Figure 1, taken from "Prison Population Statistics", House of Commons Library, Standard Note: SN/SG/4334, 29 July 2013, by Gavin Berman & Aliyah Dar. Since World War 2 the prison population has increased enormously, by about a factor of 8 or 9. Since men are the overwhelming majority of prisoners this implies that the number of male prisoners has increased by a factor of 8 or 9 over this period. This is confirmed by Figure 2 which shows the historic data for female prisoners. The percentage of the prison population who are women has been in the range 3% to 6% over the whole period since ~1945.

Fig.1: Total Prison Population (England & Wales), 1900-2012

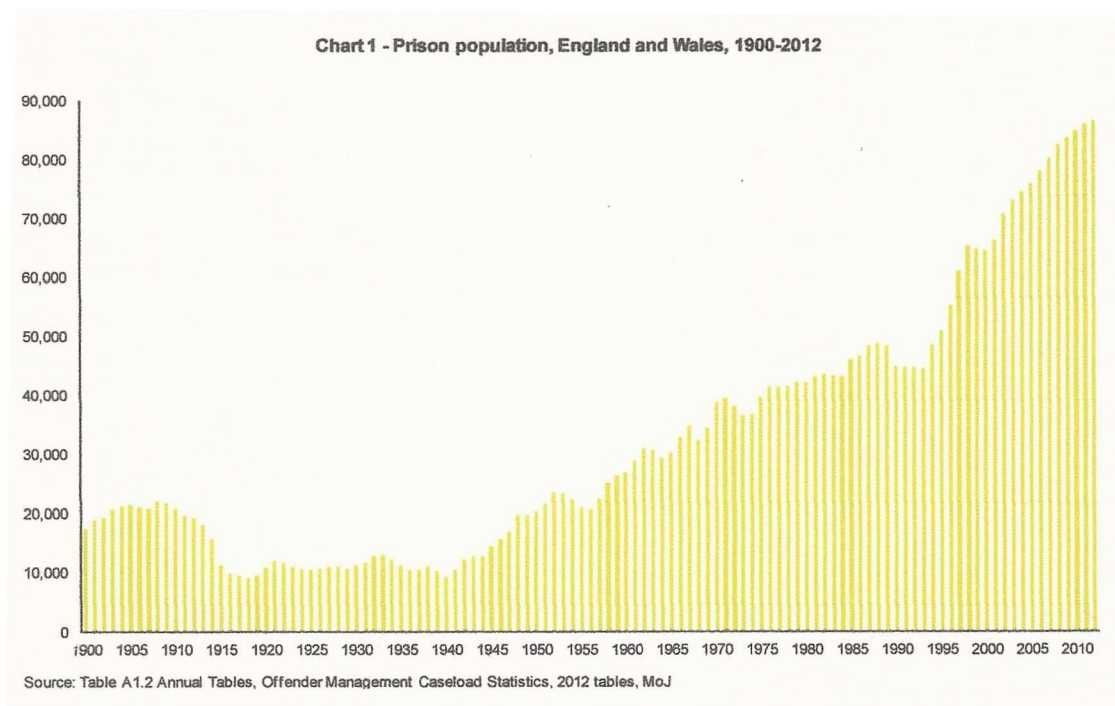
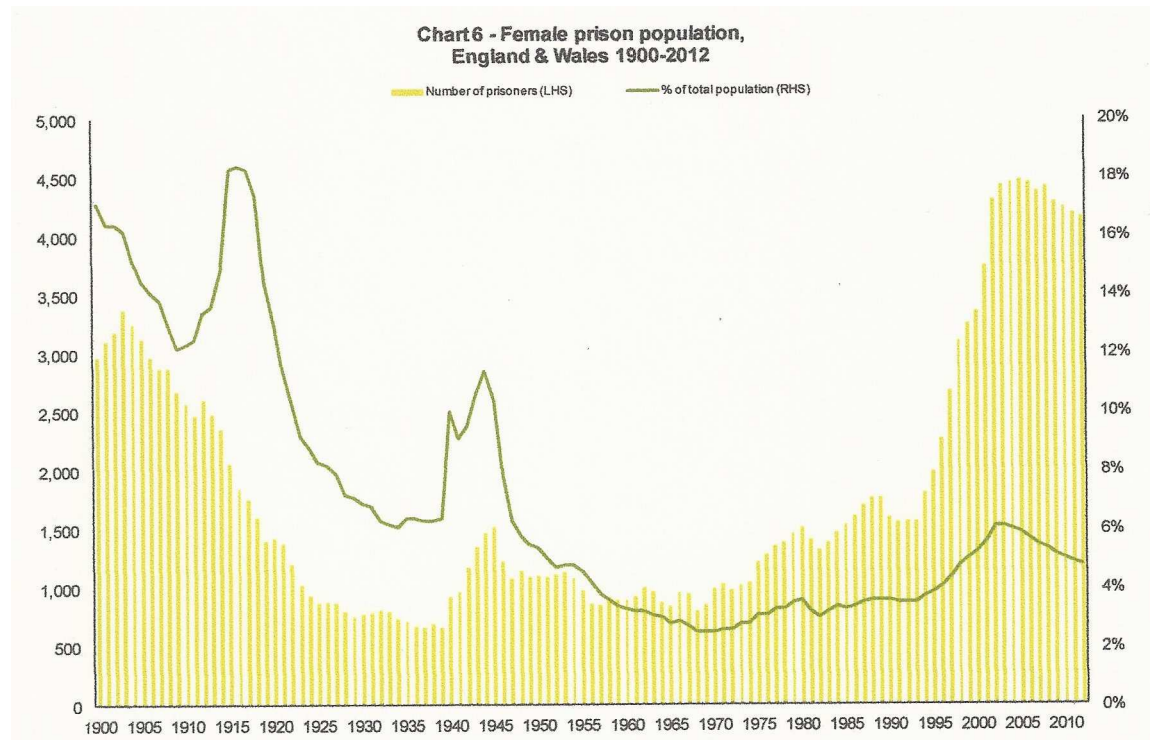


Fig.2: Female Prison Population (England & Wales), 1900-2012: Absolute and as a Percentage of the Total Prison Population



Why are there so many more men in prison than women? If asked this question virtually everyone will say that it is because men commit more crimes. And that is true. Men do commit more crimes. But do men commit 20 times more crimes?

The answer is "no" as can be seen from the data on how many people of each sex are sentenced by the courts in England & Wales each year. Table 2 gives these data for a number of example years, taken from the reports titled *Criminal Justice Statistics, Quarterly Update to March 2012, Ministry of Justice Statistics Bulletin* (and similarly for the other years). The data are the totals from all courts, i.e., the sum for Crown Courts and Magistrates Courts. All data are for England & Wales. The 'Reference' given is the Table and/or page number of the report for that year from which I have taken the figures.

Note that only a small percentage of people sentenced are sentenced to prison (immediate custody). The majority of offences are addressed by fines, community service, suspended sentences, enforced remedial treatment, etc.

Table 2: Numbers of Men and Women Sentenced per Year (England & Wales)

year	Men sentenced	Women sentenced	Ratio Men:Women	Reference
2006	1,135,228	277,712	4.1	Table 2.4
2009	1,046,281	314,627	3.3	Table 1(iv)
2012	929,720	297,034	3.1	Table Q5.4 (P.50)

So men currently commit about 3 times more crimes than women.

Then why are there 20 times more men in prison?

There are two possibilities,

- Sentencing is fair but men's crimes are, on average, about 7 times as heinous as women's (i.e., because $7 \times 3 \approx 20$), or,
- Sentencing is simply not fair, men being more harshly punished than women for identical crimes.

The first of these possibilities seems unlikely from the start. One must recall that the majority of prisoners are not the really nasty, dangerous, pathologically violent types that hit the headlines. The majority of people go to prison for theft, drug offences, motoring offences, public order offences, burglary, shop lifting, fraud and forgery. Are men's drug offences in these categories really 7 times more serious than women's? It seems unlikely. But what data is available to examine the matter?

We can look at three contributing factors: firstly the percentages of those sentenced who are sentenced to prison; secondly, for people who *are* sentenced to prison, the length of the sentence and how this compares between genders; and, finally, the effect of parole in releasing prisoners early. Let's take a look at these factors in turn.

The Percentage of Offenders Sent to Prison by Gender

Data on the numbers of people sentenced to an immediate custodial sentence may be obtained from the above mentioned *Criminal Justice Statistics* reports or from regular statistical updates available via the following web link <http://www.statistics.gov.uk/hub/crime-justice/offenders/sentencing>. These provide the example data given in Table 3.

Table 3: Numbers of Men and Women Sentenced to Prison as a Percentage of the Total Sentenced (England & Wales)

year	Men sent to prison	As percentage of total men sentenced	Women sent to prison	As percentage of total women sentenced	Disparity Factor
2006	88,173	7.8%	7,844	2.8%	2.8
2009	91,762	8.8%	8,098	2.6%	3.4

Hence a male defendant who is found guilty is about 3 times more likely to go to prison than a woman defendant who is found guilty, averaged over all offences.

Incidentally, the above cited "Prison Population Statistics", by Berman & Dar indicates that ~26% of the prison population are ethnic minorities, compared with ~13% of the UK population as a whole being ethnic minorities. This is a disparity by a factor of 2 (which may relate partly to demographic not just race, but this is beyond the scope of this note). My point is that the gender disparity (a factor of ~3) is considerably greater even than the ethnic disparity (which is bad enough).

Whilst these data do confirm that guilty men do get sent to prison substantially more frequently than guilty women, how do we know whether or not this is as a result of their crimes being far worse? We can examine this by looking at the percentages of guilty men and women sent to prison in the various categories of crime. The data for 2009, in the supplementary data file called "sentencing-stats-09-supp-tables", Table 2i, provides data which I have presented in graphical form in Figures 3a to 3k.

Note that I have not been selective. I have presented all the published data in the file. Figures 3a-k show that women receive prison sentences markedly less often than men *for the same category of offense*. This is true in every category of crime with the sole exception of drug offenses. Over all indictable offenses men receive prison sentences roughly twice as often as women. Over all summary offenses men receive prison sentences five times as often as women.

Hence, there is clear, unambiguous and *major* gender bias in the frequency with which men and women are sent to prison for the same category of offense. The courts appear far less willing to send women to prison compared to men for the same offense.

Fig. 3a: Percentages of Each Sex being Sent to Prison for Violence Against the Person

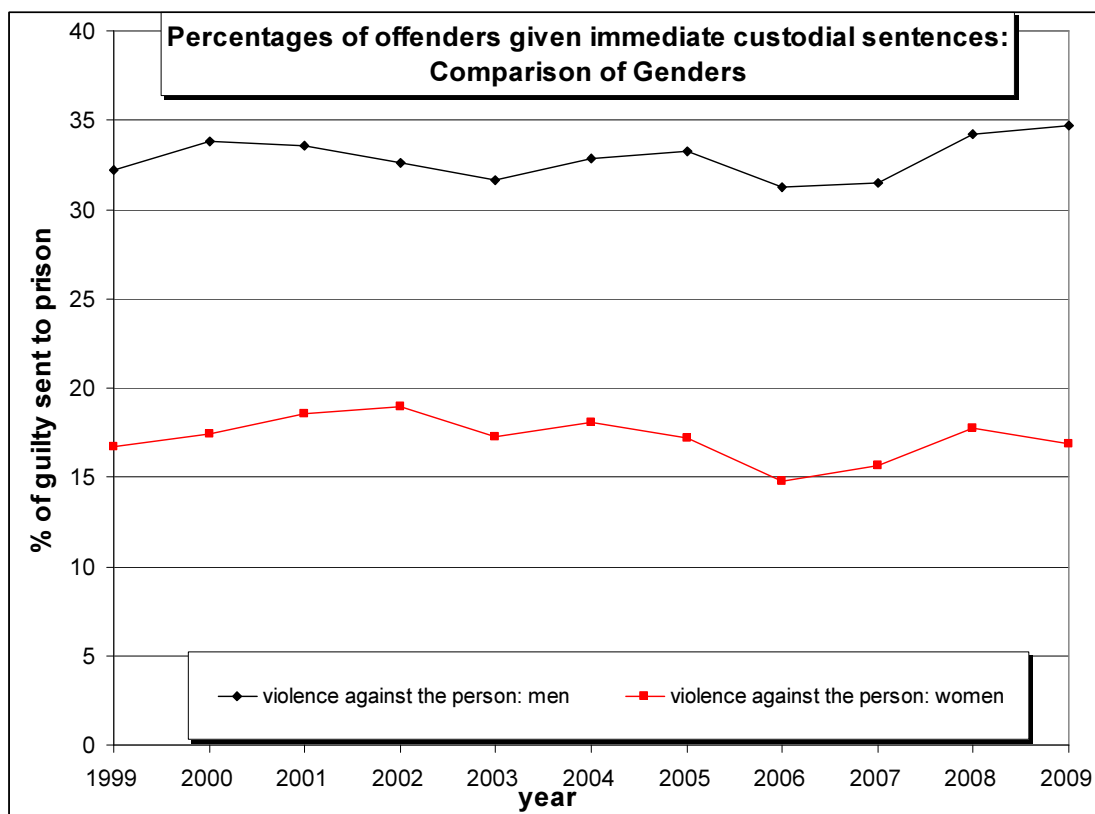


Fig. 3b: Percentages of Each Sex being Sent to Prison for Burglary

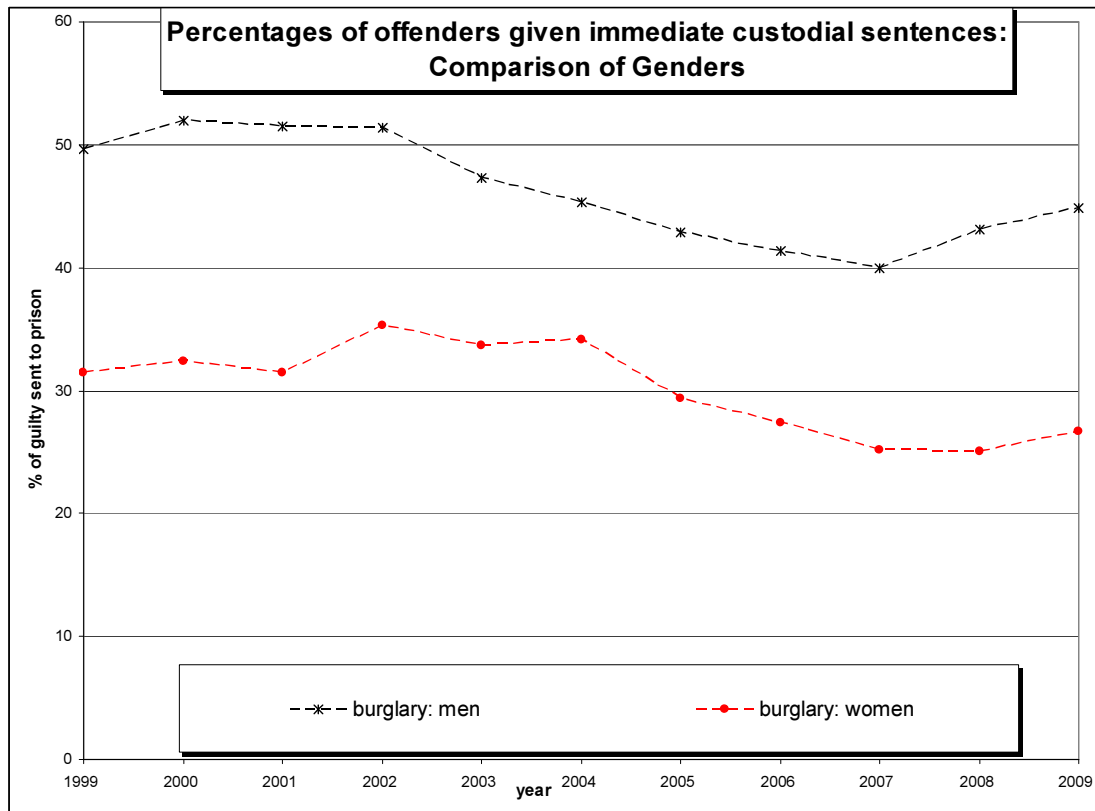


Fig. 3c: Percentages of Each Sex being Sent to Prison for Robbery

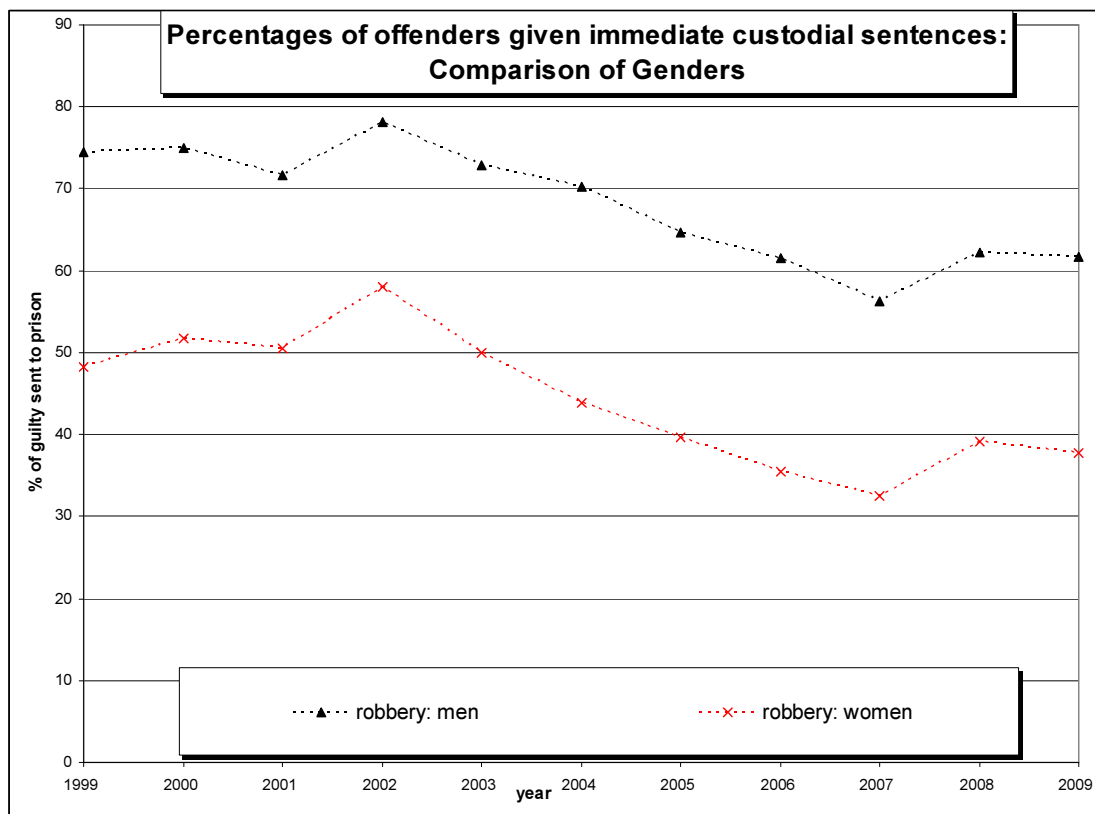


Fig. 3d: Percentages of Each Sex being Sent to Prison for Theft or Handling Stolen Goods

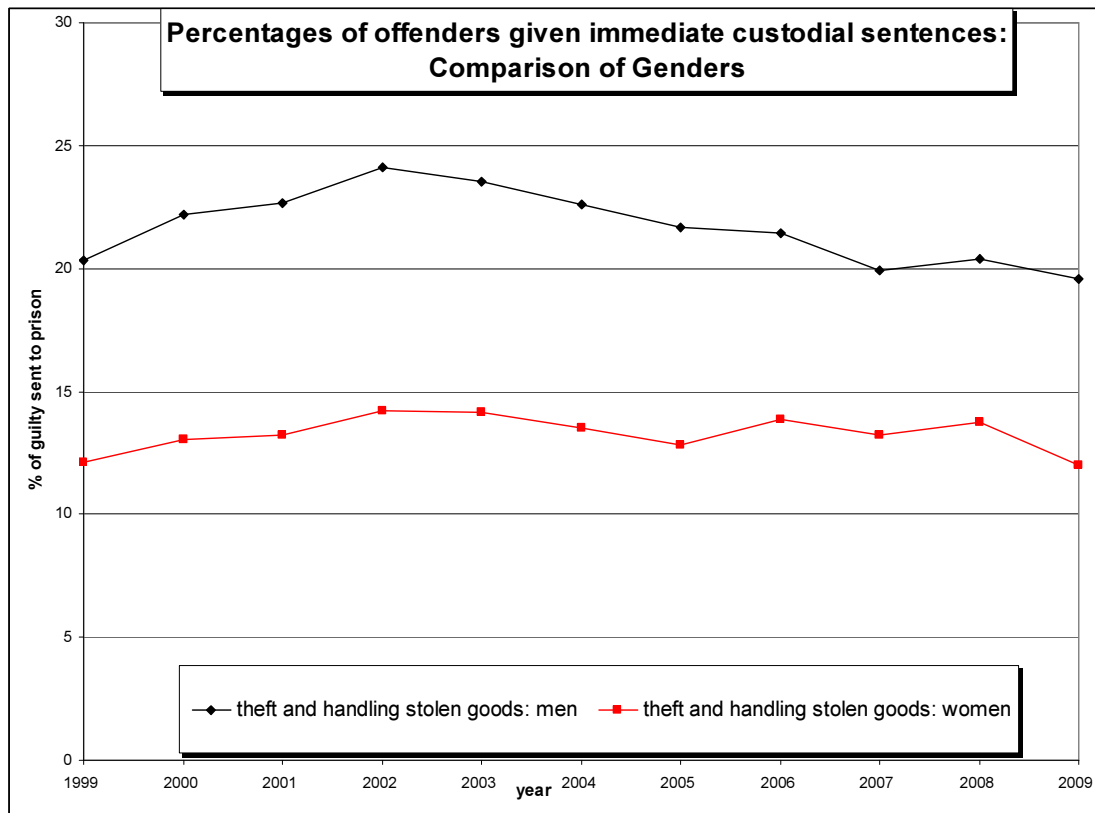


Fig. 3e: Percentages of Each Sex being Sent to Prison for Fraud or Forgery

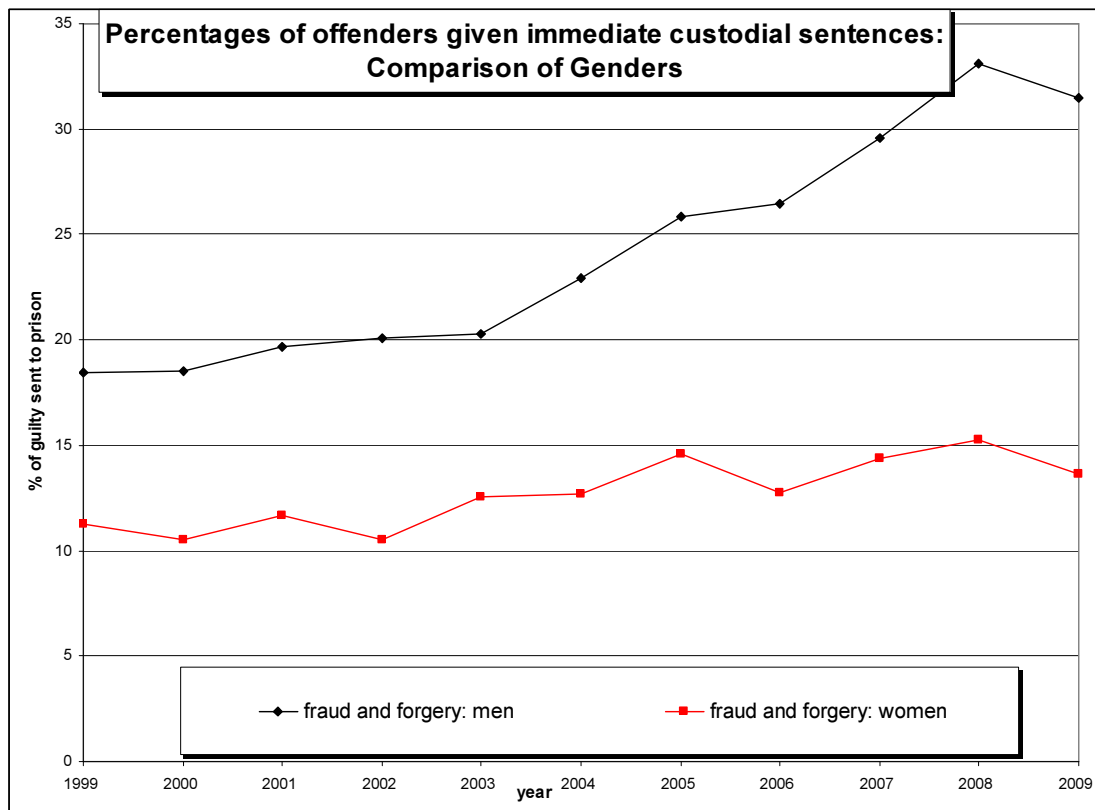


Fig. 3f: Percentages of Each Sex being Sent to Prison for Criminal Damage

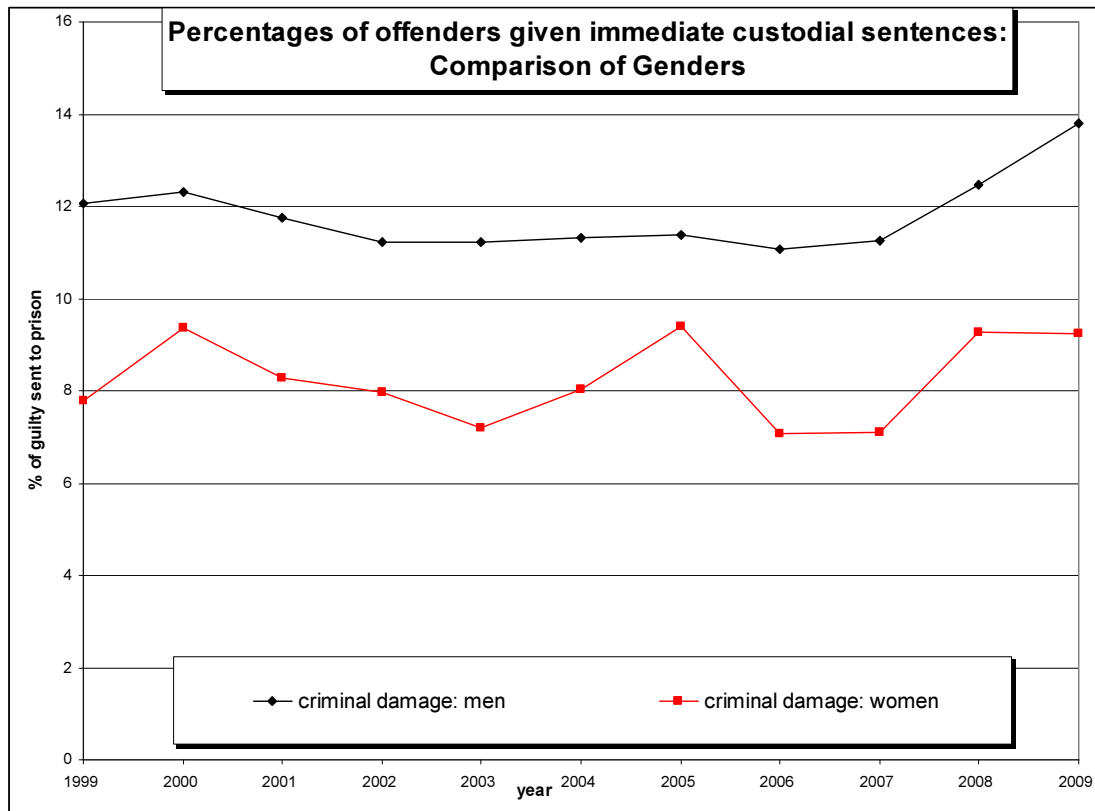


Fig. 3g: Percentages of Each Sex being Sent to Prison for Motoring Offenses

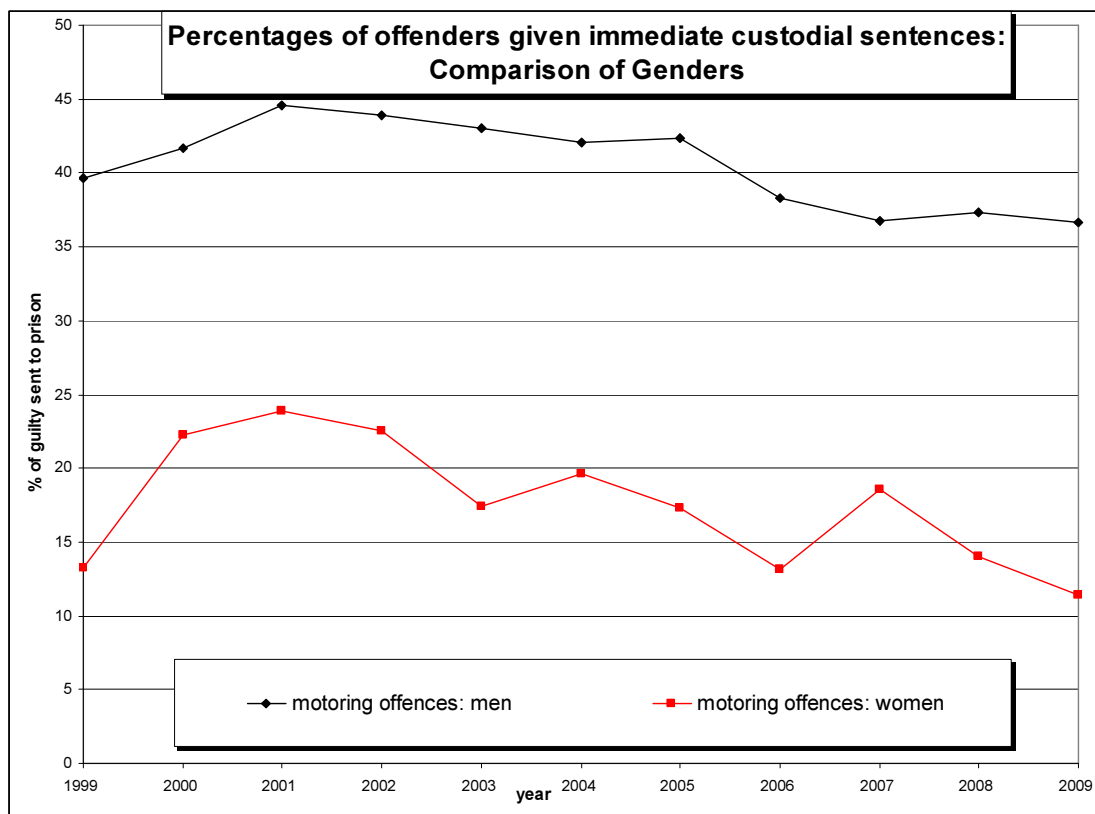


Fig. 3h: Percentages of Each Sex being Sent to Prison for Sexual Offenses

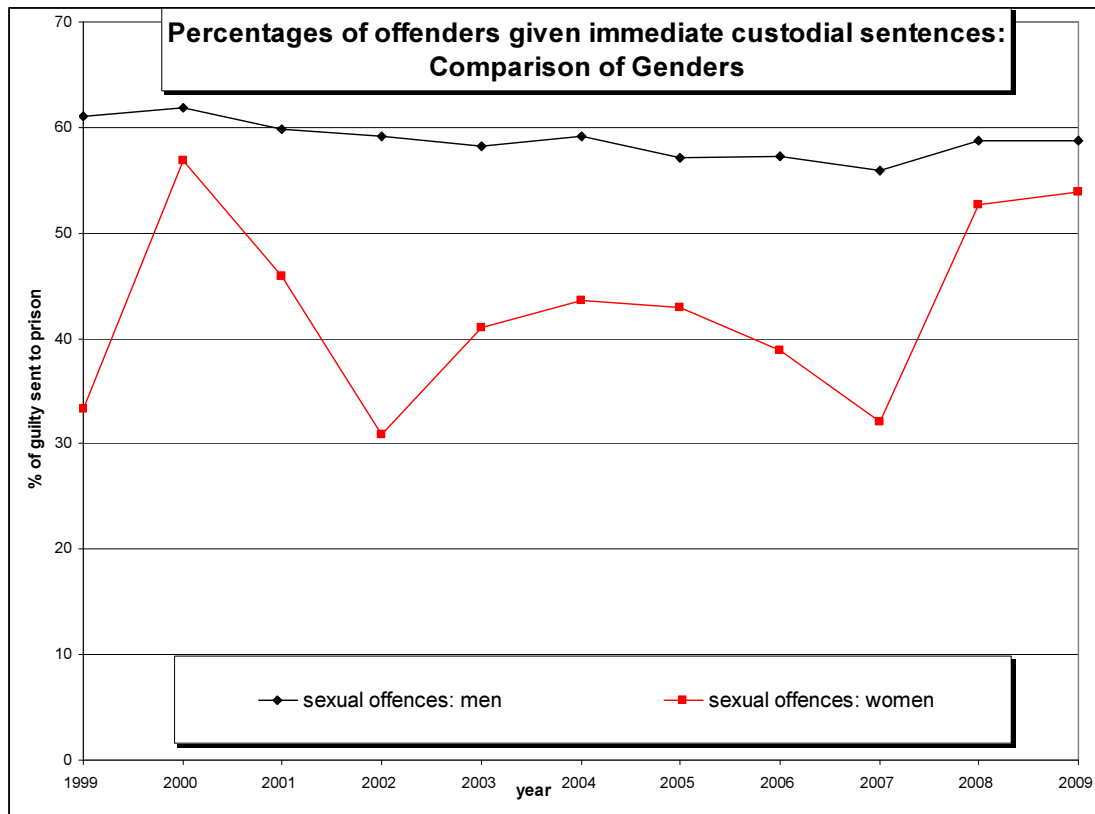


Fig. 3i: Percentages of Each Sex being Sent to Prison for Drug Offenses

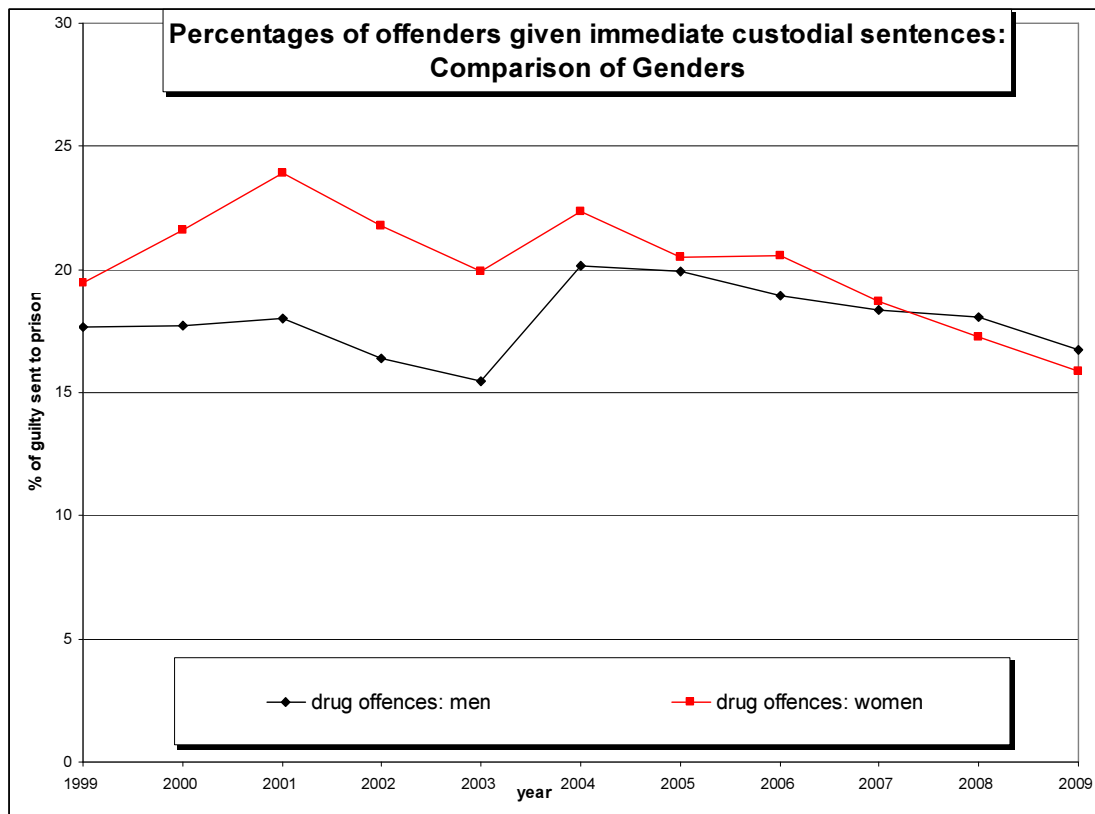


Fig. 3j: Percentages of Each Sex being Sent to Prison for All Indictable Offenses

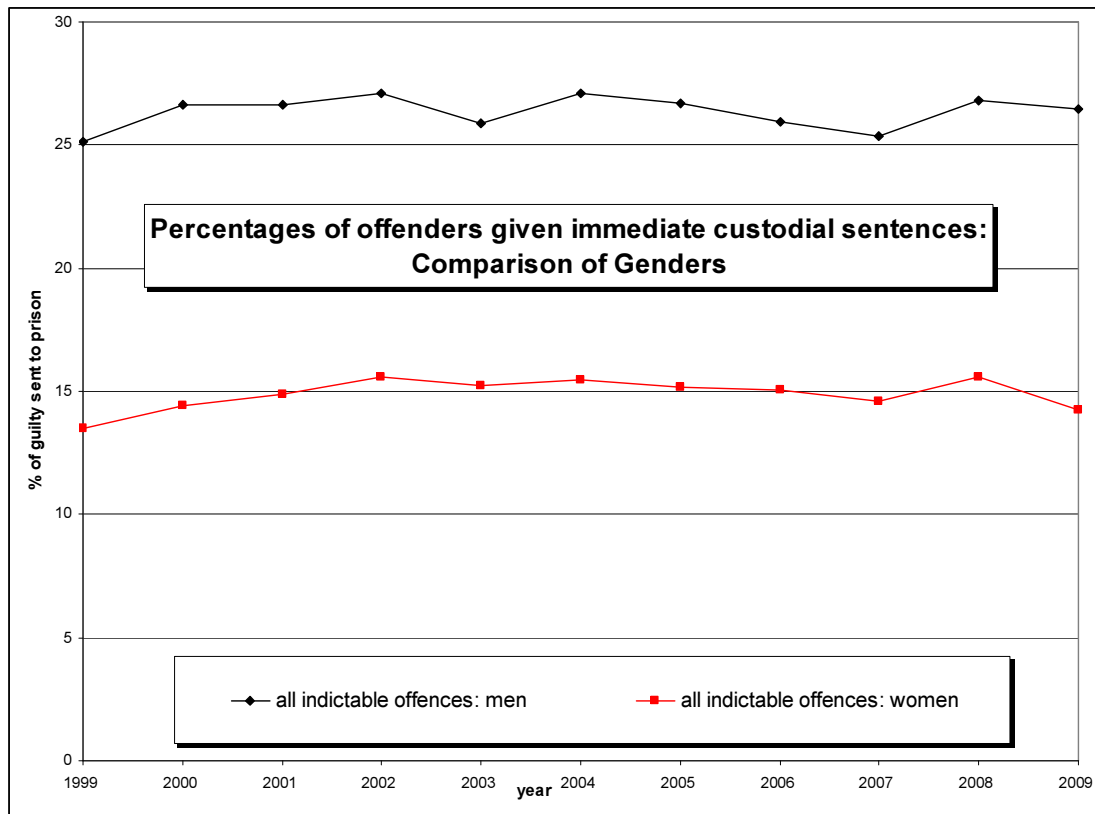
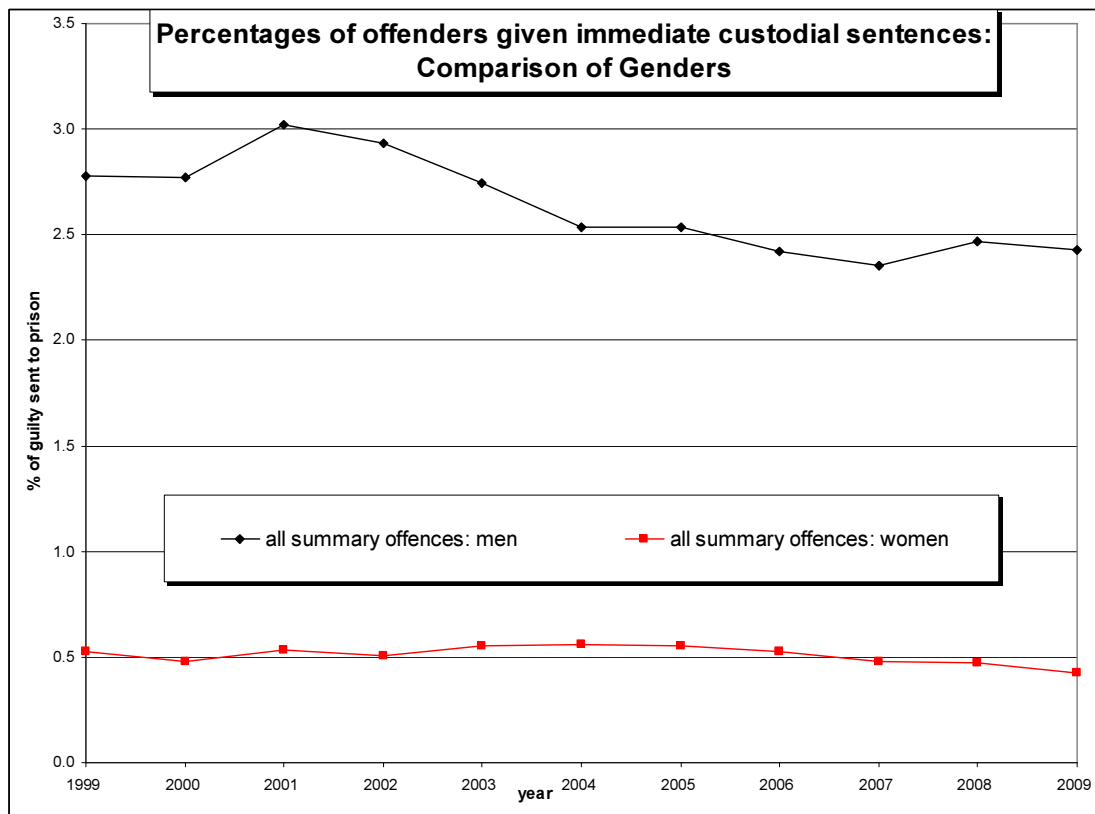


Fig. 3k: Percentages of Each Sex being Sent to Prison for All Summary Offenses



The Length of Prison Sentences by Gender

Even when women are sentenced to prison, do men receive longer prison sentences for the same crimes? They do, as we shall now see.

The above cited data sources indicate the following average sentences, where the averaging is over all, and only, people of the stated sex who were sentenced to prison. In 2009: 14.1 months for men and 9.8 months for women, excluding life and indeterminate sentences. Making an allowance for life (assumed to be 15 years) and for indeterminate sentences (assumed to be 30 years) these figures become: 18 months for men and 11 months for women. Data obtained for the 4th quarter of 2009 to the 3rd quarter of 2010 give: 18 months for men and 11 months for women, excluding life and indeterminate sentences. Hence, over all crimes which receive a prison sentence, men receive on average a sentence which is about 1.64 times longer than women's sentences. (As before, all data are for England & Wales).

However, there is the issue of whether this is because women commit less serious crimes on average. The question, therefore, is whether men and women get similar sentences for the same category of crime. The 2009 data tables give a breakdown by crime category. In this case I have not attempted to reproduce all the data because there are around 150 different crime categories. Instead I list in Table 4 all cases where the average sentence for men and women differs by more than 20%. Crime categories where there are less than 10 men or women sentenced have also been deleted in general to make the numbers more manageable since these will have negligible influence on the average. However, I have retained some where the crime is particularly heinous, e.g., involving death, attempted murder, or the abuse of children.

The offenses of rape or sexual assault of a female, familial sexual assault (incest), abuse of trust sexual offenses and miscellaneous sexual offenses would be in the 'deleted' category since all these involve fewer than 10 women offenders. However, if all are lumped together, which still makes a total of only 10 women sent to prison in this combined category, there was little difference in the average sentences (57 months for men and 58 months for women). Hence these crimes do not feature in Table 4.

Rape of a male by a female does not feature in Table 4 because this is not recognised as a crime in English law (for the injustice of which see the page on rape and sexual assault). Similarly, statutory rape by a woman (i.e., sex with a minor) does not feature because there were no prosecutions for this crime in the UK in 2009. This is almost certainly because this crime goes undetected rather than because it does not happen (I say this by comparison with the USA where unlawful sex by adult women with underage children features increasingly commonly in crime statistics as society recognises its existence).

Except in three cases (shaded yellow in Table 4) men receive longer sentences than women in all categories of crime.

Table 4: Comparison of Lengths of Prison Sentences for Men and Women (averaged over those found guilty only) - see text for limitations: 2009 data

Offence	sex	Total people sentenced	Average sentence length in months	Ratio of average man's sentence to average woman's
2 Attempted Murder	M	75	179.8	1.54
	F	9	117	
4.4 Causing Death by Reckless Driving	M	199	45.5	1.49
	F	19	30.6	
4.7 Causing Death of a child or vulnerable person	M	4	60	1.64
	F	7	36.5	
5 Wounding or other act Endangering Life	M	1523	53.2	1.24
	F	103	42.8	
8 Other Wounding etc.	M	10551	11.3	1.20
	F	581	9.4	
13 Child Abduction	M	15	23.6	2.95
	F	1	8	
17 Sexual Assault on a Male	M	116	28.1	1.25
	F	2	22.5	
24 Exploitation of Prostitution	M	27	19.3	1.46
	F	20	13.2	
70 Sexual activity etc. with a person with a mental disorder	M	14	37.5	1.25
	F	1	30	
71 Abuse of children through prostitution and pornography	M	18	52	5.78
	F	1	9	
74 Gross Indecency with Children	M	41	32	2.37
	F	2	13.5	
29 Aggravated Burglary in a Dwelling	M	240	51.2	2.50
	F	6	20.5	
30 Burglary in a Building Other than a Dwelling	M	2825	8.7	1.50
	F	53	5.8	
34 Robbery	M	4858	34.1	1.34
	F	292	25.5	
38 Money laundering offences	M	439	20.6	1.24
	F	48	16.6	
39 Theft from the Person of Another	M	1535	8.5	1.20
	F	411	7.1	
40 Theft in Dwelling not Automatic Machine or Meter	M	288	5.7	1.97
	F	42	2.9	
41 Theft by an Employee	M	247	11.4	0.79
	F	81	14.5	
43 Abstracting Electricity	M	19	2.4	3.43
	F	2	0.7	
45 Theft from Vehicle	M	1016	3.8	2.00
	F	9	1.9	
47 Theft from Automatic Machine or Meter	M	98	11.3	1.43
	F	9	7.9	
48 Theft of Motor Vehicle	M	232	6.5	1.63
	F	1	4	
54 Handling Stolen Goods	M	1279	7.3	1.20

	F	72	6.1	
52 False Accounting	M	42	18.5	1.28
	F	13	14.4	
53 Other Fraud	M	2237	12.1	1.41
	F	445	8.6	
60 Forgery etc. of Drug Prescription	M	9	10.8	10.80
	F	1	1	
61 Other Forgery etc.	M	2172	9.2	1.16
	F	385	7.9	
Total Fraud and Forgery	M	4522	10.8	1.29
	F	846	8.4	
56 Arson	M	484	32	1.29
	F	65	24.8	
Unlawful importation - Class A	M	422	94.1	1.22
	F	106	77.4	
Unlawful importation - Class B	M	63	39.2	1.70
	F	11	23.1	
Unlawful importation - Class C	M	59	34	1.61
	F	23	21.1	
Production, supply and possession with intent to supply a controlled drug - Class A	M	4482	38.6	1.28
	F	342	30.2	
Production, supply and possession with intent to supply a controlled drug - Class C	M	898	19.8	1.48
	F	69	13.4	
Production, supply and possession with intent to supply a controlled drug - Class unspecified	M	213	50.3	3.07
	F	10	16.4	
Possession of a controlled drug - Class B	M	356	2.1	0.72
	F	13	2.9	
33 Going Equipped for Stealing, etc.	M	361	4.3	1.34
	F	12	3.2	
36 Kidnapping, etc.	M	291	42.9	1.20
	F	19	35.8	
66 Other Offence against the State or Public Order	M	2965	8.6	1.25
	F	96	6.9	
81 Firearms Act Offence	M	576	38.6	1.38
	F	20	27.9	
84 Trade Descriptions Act and Similar Offences	M	207	6.2	2.14
	F	25	2.9	
Total Other Indictable Offences (Excl. Motoring)	M	9927	10.2	1.44
	F	904	7.1	
131 Summary Aggravated Vehicle Taking	M	359	3.8	1.46
	F	10	2.6	
151 Social Security Offence	M	21	2	0.80
	F	15	2.5	
Summary Motoring Offences	M	5092	3.2	1.33
	F	152	2.4	
Total All Offences 2009	M	91762	14.1	1.44*
	F	8098	9.8	

**1.64 for 2010 data, or for 2009 data if an allowances are made for life and indeterminate sentences*

Parole and Release on Home Detention Curfew

According to <http://brightonmanplan.wordpress.com/2012/10/20/five-myths-about-the-sentencing-of-female-offenders/> women benefit to a greater degree than men as regards early release from prison. There are two contributions to this,

- On average, males served a greater proportion of their sentence in custody, 53 per cent compared to 48 per cent for females in the quarter ending December 2011
- Women have 50% more chance than men of being released from prison early on home detention curfew.

I have seen no data regarding how the latter point affects average time served. However the first point makes a difference of $53/48 = 1.1$, and so the combined effect will exceed this.

That women serve a smaller proportion of their sentences than men is most peculiar and appears to indicate yet another gender bias. You might think that it arises from women's better behaviour whilst inside. But not a bit of it. In fact women's behaviour in prison is substantially worse than men's. Evidence for this is provided by the frequency with which disciplinary action is required. The Ministry of Justice publication "Statistics on Women and the Criminal Justice System", November 2010, contains the following information about the behaviour of men and women when in prison, one of the key factors which one would expect to influence parole decisions.

In the period 2005-2009, the rate of punishment in prison establishments was higher for women than for men (by between 20% and 56%). This was also the case in each of the last five years. The largest disciplinary offence category that both women and men were punished for (an average of 86 and 53 adjudications per 100 prisoners per year respectively) was disobedience or disrespect. Also, a larger proportion of women's than men's offences in prison were for violence (by up to 50%).

One myth regarding female prisoners is that most women are in prison for petty or non-violent offences. In fact only 22% of female prisoners are in custody for up to 12 months, which covers all cases heard in magistrates courts and some cases heard in Crown courts. All other female offenders are serving sentences of more than one year, which means their offences were so serious that they had to be dealt with by a Crown court. 78% of the total female prison population, are not serving short sentences for not-so-serious offences, as people would have us believe, but are serving much longer sentences for the most serious crimes.

- Just under 16% of female prisoners are serving sentences of less than six months
- A further 6% are in prison for up to one year
- 34% are serving between one and four years
- 28% serving sentences of four years to life
- 11% serving indeterminate sentences
- 5% of offenders are in prison because after previously being released, they have either reoffended or breached their licence conditions

(<http://brightonmanplan.wordpress.com/2012/10/20/five-myths-about-the-sentencing-of-female-offenders/>).

Comparison with Studies in the USA

The review of sentencing data in England & Wales presented above is broadly consistent with studies in the USA. The paper "Racial, Ethnic and Gender Disparities in Sentencing: Evidence from the US Federal Courts" by David B. Mustard, University of Georgia, in *Journal of Law and Economics*, vol. XLIV (April 2001) gave the data on prison sentence lengths shown in Table 5. Over all offenses receiving prison sentences, men's sentences were on average 2.8 times longer than women's. However, that does not control for severity of the offense. Controlling for severity of offense can be done by first taking the ratio of the sentence length to the "offense level" quoted in the paper. When this is done it is found that sentences for men are still double those for women, i.e., for the same severity of offense.

Racial bias is also clear from the data, there being a factor of 1.63 between the sentences handed down to blacks compared with that to whites, after controlling for offense severity. Consequently the discrimination against men is more severe than the discrimination against blacks, though both are remarkably large.

Table 5: US Data on Sentences and Offense Level from Mustard's 2001 Paper

	White	Black	Men	Women
Sentence (months)	32.06	64.09	51.52	18.51
Offense Level	15.48	19.01	18.30	13.11
Ratio	2.07	3.37	2.82	1.41
Disparity	1.63 against blacks		2.0 against men	

Mustard also considered the frequency with which prison sentences were awarded and the dependence of this upon gender, race and demographic - all of which were highly significant. Women were markedly less likely to be sent to prison than men, just as is the case in the UK.

In summary, Mustard's analysis estimates the extent to which an individual sentenced in the same US district court, who commits the same offense, and has the same criminal history and offense level as another person receives a different sentence depending upon the race, ethnicity, and gender of the offender. Its primary conclusion is that after including more exhaustive controls than any previous study, large differences in the length of sentence exist on the basis of race, gender, education, income, and citizenship. These disparities occur in spite of explicit statements in the sentencing guidelines that these characteristics should not affect the sentence length. Importantly, these disparities are primarily generated by departures from the sentencing guidelines, rather than differential sentencing within the guidelines. Departures produce about 70 percent of the male-female difference. This is a clear indication of gender-bias.

The Laughably-Named "Equal Treatment Bench Book"

The future does not look terribly bright as regards justice for men. In the UK 70% of people graduating in law are now women. Of course it does not automatically follow that this means the anti-male bias in sentencing that we have identified will necessarily get worse. But you would have to be rather stupid not to be concerned that this might be likely. And there does seem to be a determination in some quarters to show further favour to women. For example, the UK government Judicial College publishes an Equal Treatment Bench Book, which is the official guidance on how to

treat people within the criminal justice system. The section on Gender Equality is headed by a summary of the Key Points which it contains. These are,

- Women remain disadvantaged in many public and private areas of their life; they are underrepresented in the judiciary, in Parliament and in senior positions across a range of jobs; and there is still a substantial pay gap between men and women.
- Stereotypes and assumptions about women's lives can lead to unlawful discrimination.
- Factors such as ethnicity, social class, sexual orientation, disability status and age affect women's experience and the types of disadvantage to which they might be subject; assumptions should not be made that all women's experiences are the same.
- Discrimination is often unconscious and based on a person's own experience and perceptions; it is important to be aware of the wide diversity of women's experiences.
- Women may have particular difficulties participating in the justice system, for example, because of child care issues, and courts may need to consider adjustments to enable women to participate fully.
- Women's experiences as victims, witnesses and offenders are in many respects different to those of men.
- As judges, we can go some way to ensuring that women have confidence in the justice process and that their interests are properly and appropriately protected.

Do please note that this is the official guidance being given to those people, judges, who decide on sentencing. How do these Key Points align with what we have just discovered about the massive disparity in sentencing between men and women? All seven points are concerned solely with emphasising how disadvantaged women are and advising that women are given special consideration. I would say that the evidence is that women are already being treated with very marked favouritism in the criminal justice system. But no advantage, it seems, is ever enough.

In the 2013 edition of this Bench Book, the following final bullet point has been added,

- Of course, men can suffer from gender discrimination too; this section reflects the reality that this is rarer.

What? We must assume that the authors of this document are familiar with the sentencing data we have analysed above. That these authors have the audacity to include such a statement can mean only one of two things. Either they are completely unable to make a balanced and fair judgment, or they are so confident of the unassailability of their sexist mindset that they feel confident to cock a snook at men in general.

This Equal Treatment Bench Book includes the following infamous quote from Lady Justice Brenda Hale: *It is now well recognised that a misplaced conception of equality has resulted in some very unequal treatment for the women and girls who appear before the criminal justice system. Simply put, a male-ordered world has applied to them its perceptions of the appropriate treatment for male offenders.... The criminal justice system could ... ask itself whether it is indeed unjust to women.* Unbelievable!

The Corston Report

In 2007 the Home Office published a report by Baroness Corston on the treatment of women within the UK criminal justice system, especially prisons. The thrust of the report's recommendations are for a more understanding, caring, compassionate treatment of offenders. I could be persuaded that a great deal of the report's recommendations, perhaps most of them, are good ideas. I tend to think that there must be something more constructive to do with offenders than simply having them sitting bored to death doing nothing for months or years. But there is one little problem. This caring compassionate and understanding approach is for women only. Of course, the report was commissioned to be about women only - but that only begs the question "why?". But it is clear from what is said in the report that the furthest thing from the good Baroness's mind is that a similar approach should be adopted for male offenders. As a result I am tempted to say that this vile document is the most gynocentric thing I have ever seen coming out of a formal governmental source - but unfortunately the competition in that respect is very strong. Some extracts from the Corston report follow (in italics, with my commentary in some cases).

- *"Custodial sentences for women must be reserved for serious and violent offenders who pose a threat to the public. Community solutions for non-violent women offenders should be the norm."* OK, but why should this not apply to men also? About 80% of women prisoners are sentenced for non-violent crimes, so this approach would release the great majority of women prisoners. However, about 70% of men are imprisoned for non-violent offences. No reason is given for not treating male prisoners in the same way. It is just flagrant discrimination. The proportion of male prisoners sentenced for violent offenses must be falling because violent crime has been trending downwards for 20 years, whilst over the same period the male prison population has increased from ~50,000 to ~80,000.
- *"Women must never be sent to prison...to teach them a lesson."* I could not believe I had read this right. Surely there has always been an element of punishment involved in sentencing offenders. Rehabilitation is not the only issue. As far as I am aware this principle of retributive justice, which is expected by society and victims alike, has not been suspended for male offenders - and rightly so. Why is it wrong to teach offenders a lesson...if they are female? What more proof of rampant gynocentrism do you need?
- *"Women have been marginalised within a system largely designed by men for men."* What does this mean? It means we cannot possibly condone treating women the same way we treat men. It's nasty in prisons, you know. Not a suitable place for women at all.
- *"Treating men and women the same results in inequality of outcome. Equality does not mean treating everyone the same. The new gender equality duty means that men and women should be treated with equivalent respect, according to need. Equality must embrace not just fairness but also inclusivity. This will result in some different services and policies for men and women. There are fundamental differences between male and female offenders and those at risk of offending that indicate a different and distinct approach is needed for women."* Orwell could have learnt something from Baroness Corston. This is 1984 and Animal Farm together - both new-speak and "some animals are more equal than others". It defies belief that anyone has the nerve to pass this off as acceptable in a society which is supposed to be egalitarian. But feminists do, because we have

been letting them get away with it for nearly half a century, and over that time they have got bolder and bolder and ever more powerful.

- *"Most women do not commit crime. The biological difference between men and women has different social and personal consequences. Prison is disproportionately harsher for women because prisons and the practices within them have for the most part been designed for men. Women and men are different. Equal treatment of men and women does not result in equal outcomes."* It makes your head hurt, doesn't it? Thanks, Baroness, I now understand exactly why "equal treatment" means that you cannot possibly treat women the same as men because, heck, that would be too harsh. Err...on reflection, can you just run that by me again?
- *"Coercion by men can form a route into criminal activity for some women."* The text of the report amplifies the myriad of ways in which, when women offend, it is really men's fault. Remember when you were at school aged 7 and the teacher didn't accept "Waa! waa! He *made* me do it" as an excuse? Well the excuse is now acceptable - for women only, of course.
- *"The women's prison population suffers disproportionately because of the rapidly increasing male prison population and the pressure to find places for men, leading to re-rolling of female prisons."* This is one of my favourites. Let me translate. It says that we are putting more and more men in prison and this is really hard on women. It leaves one open-mouthed in admiration at the sheer audacity.
- *"Men in general appear better able to cope with institutional life. For men prison is a "bad patch". For women, prison is not just an interruption in their lives; it can separate them from their children permanently."* This is another great one. Prison is just worse for women, don't you see? And the reason? Why they can lose their children. Hmm...the family courts have taken millions of children off their fathers, and these men haven't even done anything wrong.
- *"Women's physical and emotional health and well-being is damaged by their experience within the criminal justice system in a way that differs from men's experiences and is beyond the comprehension of some men."* Yes, you're right there, Baroness, your concept of equality is totally beyond my comprehension.
- *"We are rightly exercised about paedophiles, but seem to have little sympathy, understanding or interest in those who have been their victims, many of whom end up in prison."* Aargh!!! You silly woman, you clearly know nothing. For a start at least 20% of paedophiles are women - and they almost always get away with it. But worse, this statement could have been made with at least as much veracity of men in men's prisons. Did you not know that nearly 80% of male sex offenders against women have a history of having been sexually abused as a child by their own mothers? Yes, those men who are the most reviled creatures on the planet would, just a few years earlier, have been regarded as victims - if anyone had known - but they almost never do.
- *"I would add that I do not rule out the need for a separate sentencing framework for women at sometime in the future, indeed, the statutory duty from next April to take positive action to eliminate gender discrimination and promote equality under the Equality Act might require this in due course."* Mention of the Equality Act might bring on a whole new rant on my part. Suffice it to say that Harriet

Harman's Equality Act allows for positive action to eliminate discrimination where none exists - in this case by introducing different sentencing framework for women. It can hardly make very much difference since women are so advantaged in practice in any case. My blood would boil, but it's all boiled off already.

Contrary to some feminist activists, the good Baroness states, "*I do not believe, like some campaigners, that no women should be held in custody.*" However, she is being somewhat disingenuous because, as the Daily Mail paraphrased it, "*Even the most violent and abusive female offenders should not be locked up. Indeed, they would no longer go to one of the country's 15 women's prisons, which would all close. Instead, killers such as Rose West*, serving life for the murder of ten young women and girls, would be sent to "homely" local custody units. There they would be allowed to live as a "family unit" with between 20 and 30 other women prisoners, organising their own shopping, budgets and cooking. The units would also allow them to stay close to their families ... All the women's jails would shut within the next decade, and could instead be converted into prisons for men.*" <http://www.dailymail.co.uk/news/article-442113/Womens-prisons-close-decade.html>. * and, we would now add, Joanna Dennehy.

In Summary

To recap, we have identified four causes of there being 20 times as many men in UK prisons as women. These are,

- (i) Men commit more crimes. We have shown that this accounts for perhaps a factor of ~3.3 on the relative prison populations in recent years.
- (ii) Men are sent to prison more often than women for the same crimes. We have shown that this gender bias accounts for perhaps another factor of ~3.4.
- (iii) Men receive longer sentences than women, even when both are sentenced to prison for the same crime. This gender bias accounts for another factor of ~1.64.
- (iv) Men serve a greater proportion of their sentence, allowing for parole. I have not seen reliable data to permit this factor to be estimated, but it exceeds x1.1.

Hence the overall factor by which the male prison population might be expected to exceed the female prison population is a bit greater than $3.3 \times 3.4 \times 1.64 \times 1.1 = 20$, successfully accounting for the actual figure of ~20. This agreement provides a degree of cross-check on the above estimates, though they are obviously only rough.

Whilst item (i), above, is a genuine indicator of men's greater criminality, items (ii), (iii) and (iv) are all the result of gender bias. This leads to the following staggering conclusion...

Men are subject to massive discrimination in the criminal justice system.

If male offenders were treated in the same way as female offenders there would be only one-sixth the number of men in prison. About 68,000 men would not be in prison if they were female, leaving a male prison population of only 13,000.

Despite this, there is a determination to treat women still more leniently in future, whilst the male prison population continues to increase steeply despite a 20 year trend of decreasing violent crime.

I did not expect to reach such a dramatic conclusion at the outset of this little piece of research, but I can see nothing wrong with the basis of the claim.