

Helmut Kury · Sławomir Redo  
Evelyn Shea *Editors*

# Women and Children as Victims and Offenders: Background, Prevention, Reintegration

Suggestions for Succeeding Generations  
(Volume 1)

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# Foreword

This volume on “Women and Children as Victims and Offenders: Background, Prevention, Reintegration. Suggestions for Succeeding Generations” takes an interdisciplinary approach to the situation of women and children involved with the criminal justice system, placing a special emphasis on them as offenders and victims of crime.

Over past decades, the international community has adopted important standards to safeguard the rights of women and children who come into contact with the criminal justice system, including as victims and offenders. These include the right to access justice, to legal aid and assistance, to protection from unlawful or arbitrary detention, to social reintegration as well as to freedom from violence.

Unfortunately, the gap between these critical commitments and reality remains wide, compromising the rights of countless children and women around the world. Children and women involved with the criminal justice system remain surrounded by stigma, and their situation is seldom a priority on the national agenda. Awaiting trial for months or even years, denied access to legal aid, placed in overcrowded and unsuitable facilities and deprived of health services, education and vocational training, children and women are also often exposed to humiliating treatment by staff and at risk of harassment, torture, rape and abuse.

As a result of disturbing reports on serious violations of their rights, including human trafficking, sexual violence and homicide, the plight of women and children has gained increasing visibility on the domestic and international justice and security agenda. The urgency of safeguarding their fundamental rights and the need to identify and address the root causes leading to their exposure to violence have helped to generate increasing attention and action across regions. Yet, implementation on the ground remains a serious challenge.

This publication is designed to overcome this challenge and thus promote the effective realisation of the rights of children and women. Risk diagnoses, trust, fairness, justice and restorative justice approaches, the roles of the family, the education system and the media as well as the impact of urban planning in the life of girls are some of the important questions discussed in depth. Another

important dimension considered is the implementation of the right to education from preschool to university level, and the attacks against schools that seriously compromise the opportunity to promote children's education and personal development and have been condemned in significant resolutions by the United Nations Security Council.

Taking into consideration intergenerational, intercultural and socio-economic perspectives, this multidisciplinary volume also discusses a wide range of other topics such as bioethics, the promotion of interfaith dialogue, the reintegration and rehabilitation of young offenders, the abolition of the death penalty, the need to counter online abuse of children and women as well as tackling corruption, in which women and children may have an as-yet unexplored preventive role.

As the Special Representative of the UN Secretary General on Violence against Children, I have urged Member States to spare no efforts in mobilising governmental departments, national institutions, civil society partners, faith-based organisations, communities and families at large to build nations free from violence. Violence against children is never justified and all violence against children can be effectively prevented. Strong political will, strategic alliances, sound knowledge and unshakable action can bring violence to an end. This volume makes a significant contribution to this goal and is a useful reminder of the values of the United Nations and its unwavering resolve to build peaceful societies and strong institutions, guided by human rights, committed to justice and fairness, and respectful of the dignity and worth of every person.

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Marta Santos Pais

# Women and Children as Victims and Offenders: An Introduction

In criminological and public discussions, women and children are often seen as victims rather than as offenders—a view that has not much changed over time. In times of war and armed conflict, they still are the group that has to bear the most suffering: they are displaced, misused, raped and even killed.

It was the founding purpose of UNICEF in 1946, after the horrors of World War II, to protect children from the effects of war. This task is today as necessary as it was then.

The UNICEF Report 2015 (“Children between the Lines”) documents this vividly: “We are currently experiencing one of the worst phases of conflicts since the end of World War II. UNICEF estimates that in 2014 about 230 million children grew up worldwide in war and crisis zones. Their everyday life is marked by violence and hatred – often for years . . . Wars and armed conflicts have forced nearly 60 million people to leave their homes. More than half of these refugees and the internally displaced are women and children. They are particularly affected by the consequences of war, characterized by poor supply and lack of educational opportunities. Moreover, cases of serious violence have increased dramatically against boys and girls in the war” (p. 1). According to UNICEF one in ten children grows up in a country or region affected by crises and violent conflicts (UNICEF 2015).

Many children do not have adequate supplies of essentials, including food, water and medical assistance. Most are only able to attend school infrequently, if at all. “In the civil wars raging in Syria, Iraq, South Sudan and the Central African Republic children are also targets of the worst form of abuse” (ibid., p. 2). Groups such as ISIS in Syria and Iraq and Boko Haram in Nigeria blatantly disregard the principles of international humanitarian law. The UN Security Council lists for 2014 a total of 23 conflict situations in which children were exposed to serious human rights violations (UNICEF 2015). They were kidnapped, abused as sex slaves or child soldiers or sent to death as suicide bombers. In the first 7 months of 2015, UN officials reported 27 suicide bombings by Boko Haram. In at least three-quarters of the blast, the bombers were women or children (UNICEF 2015).



Why are young people attracted to terror organisations such as IS, even to the extent to give their lives? UNICEF gives the following answer: “The cynical use and display of children as victims makes them an object of political propaganda . . . Ideologies like those propagated by IS promise adventure, social inclusion and the feeling to be able to get past the limitations imposed on young people in their everyday life. They make the youngsters feel important, make them believe that they can influence world events and impose their ideas on the whole world” (UNICEF Report 2015, p. 4).

Phenomena such as IS make it clear “that general humanitarian principles are not automatically part of human traditions. They will never be because in times of war they are contrary to many primary instincts. The only way to entrench humanitarian values in the mind of each person – as a civilian, potential fighter, actual combatant or policy maker – is education” (ibid., p. 5).

According to UNICEF, in 2015 more than 62 million children in conflict areas will urgently need food, clean water, medical aid, the possibility to continue their education and protection from exploitation and violence. The realisation of the post-2015 UN sustainable development goals will depend to a large extent on whether we succeed in caring for and protecting children in such situations.

In its “Core Commitments for Children in Humanitarian Action”, UNICEF spelled out its main obligations to children in war situations: providing life-saving measures for pregnant women, newborns and children; facilitating school attendance even in emergency situations; help in searching for dispersed family members; and care for victims (UNICEF Report 2015, p. 6). As far as the creation of a durable peace is concerned, UNICEF gives children and adolescents a major role as “natural agents of change”, and mediators between the generations. There shall be no more “lost generations”, but instead all children shall have access to education and a better economic future. These are ambitious aims. Their realisation will need a greater commitment of wealthier nations and much work at persuasion. This work wants to make a small contribution.

As far as the situation of women is concerned, their equality in society has improved in many countries, but not to an extent that would allow us to speak of true gender equality (Kury and Obergfell-Fuchs 2005). It is not that long ago that the old legal tradition giving the husband dominion over his wife has been abolished in western countries, and it is still alive in many Muslim countries and other countries with a strong tribal tradition.

Recent research on women as victims presents the following picture (Lundgren et al. 2002; McGee et al. 2002; Medina and Barberet 2003; Müller and Schröttle 2004; Rodriguez Menés and Safranoff 2013): “The key findings include confirmation that violence against women is a universal phenomenon and occurs in every age and economic group although at different rates; there is indication that between 35 and 60 % of women in the surveyed countries have experienced violence by a man during their lifetime and that less than one third of women reported their experience of violence to the police (and where they do report, women are more likely to report stranger violence than intimate partner violence)” (Gelsthorpe and Larrauri 2014, p. 193). A study covering nine countries of the European Union

concluded that in roughly 25 % of all sexual aggressions, the offenders were either partners or ex-partners of the victim and that in these cases the level of violence was higher (Burman et al. 2009; see also Gelsthorpe and Larrauri 2014, p. 194; Müller and Schröttle 2004).

Hester (2013, p. 634) demonstrated in her study that women are not only more frequently victims of domestic and partner violence, but that the victimisation is more serious and that if they retaliate, the courts treat them worse than the male offenders: “While cases were very varied, there were significant differences between male and female perpetrators of domestic violence in many respects. Men were the perpetrators in a much greater number of incidents; the violence used by men against female partners was much more severe than that used by women against men; violence by men was most likely to involve fear by and control of female victims; women were more likely to use weapons, often in order to protect themselves; and female perpetrators were more likely to be alcoholic, or mentally ill, although alcohol misuse by men had a greater impact on severity on outcomes. Despite these patterns, however, women were three times as likely to be arrested per incident, indicating gendered injustice in the approach. There was little evidence that cases involving dual perpetration might generally be categorised as ‘mutual’ and men were in the main the primary aggressors”.

Not only women, but also children, become victims of domestic violence. As Levi and Maguire (2002, p. 818) point out, there are many reasons that may lead to child abuse, not the least the incessant crying of a baby. “Situational opportunity variables are also salient to baby battering; modern nuclear families are far more isolated than the extended families found in many Third World Countries, where parents are seldom alone in the house”. But more than situational opportunities, it is societal factors such as unemployment, poverty or isolation that lead to problems in a family and may expose children to violent reactions from frustrated parent. The fault in such cases is usually attributed only to the offender and society feels no blame. If anything, it is up to “the politicians” to do something about it. Moser (1972, p. 289) says it clearly: “It is astonishing to what extent society gives these children time to develop into full-fledged delinquents. It hardly cares about them, as long as they are the victims. Only when society itself is victimized or at least can present itself as victim, does it decide to act. And then [they act] like neglected and immature parents that hit blindly when the crying and the pranks of their neglected children exasperated them, when the angry need to have peace becomes the main motive of their intervention”.

The social cost of domestic violence is very high. In Finland, for instance, it has been estimated that the annual financial cost amounts to approximately 91 million euro (Heiskanen and Piispa 2002, p. 36; see also Walby 2004; Haller and Dawid 2006; Brzank 2009). Such cost are however difficult to estimate and we should not forget that the financial aspect is only one part of “social costs”. Numerous studies have shown that “Children who are physically abused or neglected tend to become offenders later in life” (Farrington 2002, p. 674; see also the chapter by Farrington in volume 1; Widom 1989; Widom and Ames 1994). Already in 1951, Bowlby

developed the theory that there is a strong connection between broken homes and delinquency (see also Farrington 2002, p. 675; McCord 1983).

Much of domestic violence remains hidden, as many women are reluctant to denounce their partners. In order to get some more precise figures of actual victimisations, victim studies include now specific questions on domestic violence (see, for instance, the British Crime Survey). Many countries have also introduced special legislation to protect women and children from domestic violence. According to Gelsthorpe and Larrauri (2014, p. 194): “European responses to IPV (Intimate Partner Violence) and domestic violence have revolved around civil or criminal protection orders in each country ([http://ec.europa.eu/justice/fundamental-rights/document/index\\_en.htm](http://ec.europa.eu/justice/fundamental-rights/document/index_en.htm) as well as the Directive 2011/99/EU of the European Parliament and of the Council of 13 December 2011 on the European protection order); additionally all European countries have created new specific public offences or increased penalties, and domestic violence courts; and all have some form of victim support and protection mechanisms”.

There is no doubt that there has been considerable progress, especially in the West, concerning equal rights for women and the protection of children, but much still needs to be done. As Gelsthorpe and Larrauri (2014, p. 198) put it: “There is still a need for wider recognition of violence against women (including attention to sub-cultural gender violence such as ‘forced marriages’, and to women in different structural positions, immigrant women, women with multiple social needs or disability, drugs or alcohol problems, for example). Additionally we need consistent monitoring and evaluation of changing policies in relation to domestic violence and sexual assault across countries, and attention to the high rates of attrition in regard to the prosecution of violence against women, for instance”.

The growing increase of refugees fleeing from wars and persecutions creates new problems concerning their integration. Most come from different cultural backgrounds and bring with them traditions and attitudes that may be at odds with those of their host countries, especially their attitudes towards women and children as well as their perception of what constitutes legitimate violence. Stamatel, in her study of female homicide victimisation rates across Europe from 1985 to 2010, calculated time series over four time periods for 33 countries and came to the following conclusion (2014, p. 596): “Better economic conditions reduce female homicide victimization, as they do for violence more generally. Gender dynamics play a contradictory role: less traditional gender roles increase the risk of victimization, whereas improving the collective status of women in society reduces that risk. Most importantly, controlling for these known predictors of female homicide victimization, the historical legacies and socio-historical contexts of nations matter greatly for explaining variation across Europe”.

When women turn to offending, they do so considerable less often than men. In his international comparison of crime rates, Heidensohn (2002, p. 496) underlines that “such differences [in crime rates] seem to be common across a variety of nations and cultures. In surveying material on Europe, I found that crime is still an activity overwhelmingly dominated by men in all European countries” (see also Heidensohn and Farrell 1991). The same is true for countries such as Brasil or India

(Lemgruber 2001; Patkar 2001). The author continues (Heidensohn 2002, p. 496): “This apparently consistent pattern has led some commentators to suggest that women offenders are ‘only 10 % of the trouble’. Considering different types of offences and changes over time, a more complex and qualified picture emerges. Women contribute to all types of offending, but their share varies considerably”. Austin gives a similar assessment of the situation in the United States (2003, p. 560): “I have calculated that if the males behaved like females, violent crime rates would drop by 2/3 and the 2 million people in the prison and jail population would not exceed 200,000. The associated costs of a 112 billion dollar criminal justice system would shrink to less than 20 billion dollars”.

Some authors claim however that the situation is changing: female crime rates are rising faster than those of males, and the gap is narrowing. Adler (1975) commented already in the 1970s on this rise and explained it with a change in female behaviour: women, according to him, have become more aggressive and violent, and therefore their offending resembles increasingly that of their male counterparts. Responsible for this change, in Adler’s view, is primarily the strengthening of the women’s movement and the greater freedom women enjoy today. But the topic remains controversial. Heidensohn puts it as follows: “Arguments about whether female crime was rising at a faster rate than male, and that thus the female share was going up, have been a highly contended criminological issue since the 1970s. Indeed, this is one of the few topics to do with women and crime to excite widespread attention” (Heidensohn 2002, p. 496).

Gelsthorpe and Larrauri (2014, p. 188) refer to another important aspect: “At the beginning of the twenty-first century new crimes and concerns have emerged: terrorism, cyber-crime, human trafficking and other human rights violations for instance, all of which have produced new ways of women being involved in crime as offenders, or as victims”. The authors underline further (p. 188): “Women certainly have a much higher profile than they once did, but it can still be argued that there is a general neglect of women in relation to crime and criminal justice”. Even if we have more information about crime than ever before, there are still very few empirical studies on gender-related differences and their causes. Crime is still seen as a “male domain”.

The situation of women in prison was also for many years a neglected theme in criminology—their number was too small to be noteworthy. Whereas the number of rehabilitation programmes for male offenders was increasing, it didn’t seem “worthwhile” to elaborate such programmes for the small number of female prisoners. Only recently more attention has been paid to the collateral damage of female imprisonment, for instance, on children, and the special victimisation risks women are exposed to in prison.

The percentage of female inmates is relatively low: only 4–5 % of the total number of inmates, with little variations between countries. Most of them fit exactly into the category described by Moser (1972, p. 291) already 40 years ago: “Most misfits, in particular those who are locked up, belong to those minorities, who cannot speak for themselves, who have no public voice, can’t organise themselves, and can’t defend their interests. They depend on an enlightened public that pit their

fate, and not just their actual fate but their whole life against the ideal – so dear to society – of the right of each person to personal development; the public will then have to ponder if the kind of punishment meted out today is a just reward for their deeds or if it is not rather help that should be given greater importance”.<sup>1</sup> The role of proper public information in this context cannot be underestimated and is a focal concern of this work.

In the quest to improve the plight of women and children, the United Nations has played a most important role. After the horrors of two world wars in the twentieth century, it has made an invaluable contribution to pave the way for a durable peace. The goal, admittedly difficult to reach, is already clearly set out in the Preamble of its foundational Treaty of 1945<sup>2</sup>: “We the Peoples of the United Nations are determined to save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind”. . .and “to unite our strength to maintain international peace and security” (1 UNTS 16). Women and children (girls and boys)—now roughly half of the present world’s population—determine any “succeeding generation”.

The concept of “generations” was formulated in the beginning of the twentieth century (Nora 1997, p. 2992). Combined with the UN Charter’s Preamble term “succeeding”, it means parents, children and grandchildren succeed each other at more or less regular intervals (Suleiman 2002, p. 278).<sup>3</sup> It is for the “succeeding generations” that the Charter calls for the promotion of “social progress and better standards of life in larger freedom”, including full employment, and conditions of economic and social progress and development (art. 55).

This two-volume book responds to this call by focusing on the intergenerational, international and intercultural transmission of values through learning. Yet the main focus of the book is on justice issues with global commonalities. The work blends academic with UN considerations, findings and recommendations on justice. A common thread is the prevention of crime/delinquency and victimisation of women and children. The most glaring form of crime and delinquency is violence. As repeatedly emphasised by the UN leadership, violence against women and children must be countered effectively. Ban Ki-moon, the present Secretary-General has appealed to “break the silence” concerning violence against women,<sup>4</sup> and also the UN Special Representative of the Secretary-General on Violence against Children has underscored that “violence against children is never justified

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<sup>1</sup> Free translation by Evelyn Shea.

<sup>2</sup> The Charter of the United Nations was signed in San Francisco, California, on 26 June 1945, by 50 of the 51 original member countries.

<sup>3</sup> It is in this broader context in which the concept of “1.5 generation” originally emerged: of child survivors of the Holocaust “too young to have had an adult understanding of what was happening to them but old enough to have been there during the Nazi persecution of Jews” (Suleiman 2002, p. 277).

<sup>4</sup> <http://www.un.org/en/women/endviolence/about.shtml>.

and all violence against children can be effectively prevented. With strong political will, wide mobilization and steady action, it can be brought to an end”.<sup>5</sup>

While the emphasis on physical component of violence is understandable, violence against children can also be “mental” (art. 19 of the Convention on the Rights of the Child, 1577 UNTS 3). However improper and detrimental, this or that form of violence may be for the future conduct of a child, let us not forget that child’s conduct can also be mishandled in many other forms. From a criminological perspective, subtly manipulating child’s sense of trust, disorienting a child about his/her entitlements, mishandling mental anguish or facilitating emotional deprivations is likewise important for crime prevention. This work caters also to this broader crime prevention function and vision.

The UN has joined that vision 45 years after the Second World War (1939–1945), when the concept of “succeeding generations” (up to that point faintly related to war prevention) did receive some more attention. In 1990 “The United Nations Guidelines for the Prevention of Juvenile Delinquency” (“The Riyadh Guidelines”, A/RES/45/112) emphasised in paragraph 15 the socialisation function of family in the prevention of delinquency: “Special attention should be given to children of families affected by problems brought about by rapid and uneven economic, social and cultural change, in particular the children of indigent, migrant and refugee families. As such changes may disrupt the social capacity of the family to secure the traditional rearing and nurturing of children, often as a result of role and culture conflict, innovative and socially constructive modalities, for the socialization of children have to be designed”.

Ten years later, in the “Guidelines for the prevention of urban crime”, the UN Economic and Social Council (ECOSOC) explicitly recommended Member States to “Consider the relevance to the crime prevention action plan of such factors as . . . relationships in the family, between generations or between social groups etc.” (ECOSOC resolution 1995/9). Finally, in 2002, the Council adopted the “Guidelines for the Prevention of Crime” (ECOSOC resolution 2002/13). They emphasise how crime prevention action should be developed, with a focus on local communities, where crime is experienced, as well as those with high needs, and that it be conducted through partnerships across government sectors and with civil society and the participation of communities, that it be sustained and accountable, rather than short term, and be based on sound evidence-based practice.

A set of eight basic principles is involved for pursuing these approaches (articles 7–14 in the Guidelines):

1. *Government leadership*: All levels of government should play a leadership role in developing effective and humane crime prevention strategies and in creating and maintaining institutional frameworks for their implementation and review.
2. *Socio-economic development and inclusion*: Crime prevention considerations should be integrated into all relevant social and economic policies and

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<sup>5</sup> Political will, ‘steady action’ can end violence against children, UN envoy tells Indonesia, [www.un.org/apps/news/story.asp?NewsID=50207](http://www.un.org/apps/news/story.asp?NewsID=50207).

- programmes, including those addressing employment, education, health, housing and urban planning, poverty, social marginalisation and exclusion. Particular emphasis should be placed on communities, families, children and youth at risk.
3. *Cooperation/partnerships*: Cooperation/partnerships should be an integral part of effective crime prevention, given the wide-ranging nature of the causes of crime and the skills and responsibilities required to address them. This includes partnerships working across ministries and between authorities, community organisations, non-governmental organisations, the business sector and private citizens.
  4. *Sustainability/accountability*: Crime prevention requires adequate resources, including funding for structures and activities, in order to be sustained. There should be clear accountability for funding, implementation and evaluation and for the achievement of planned results.
  5. *Knowledge base*: Crime prevention strategies, policies, programmes and actions should be based on a broad, multidisciplinary foundation of knowledge about crime problems, their multiple causes and promising and proven practices.
  6. *Human rights/rule of law/culture of lawfulness*: The rule of law and those human rights which are recognised in international instruments to which Member States are parties must be respected in all aspects of crime prevention. A culture of lawfulness should be actively promoted in crime prevention.
  7. *Interdependency*: National crime prevention diagnoses and strategies should, where appropriate, take account of links between local criminal problems and international organised crime.
  8. *Differentiation*: Crime prevention strategies should, when appropriate, pay due regard to the different needs of men and women and consider the special needs of vulnerable members of society.

All these UN guidelines adopted for women and children as one of the vulnerable groups with special crime prevention needs are summarised in the subsequent UN handbook, as follows: “In essence, the principles laid out in the 2002 and the 1995 guidelines, establish the normative basis with the importance of the rule of law and respect for human rights, of the social and economic inclusion of populations, whatever their status and background, and the importance of ensuring that the particular needs of vulnerable minorities, as well as gender differences, are taken into account” (UN Handbook 2010, p. 23).

On balance, in the 70 years since the founding of the United Nations, it has paid more attention to “succeeding generations” in its ideology than in its legal instruments. The specific crime prevention needs of women and children, as the succeeding generation, are only nominally addressed. Generally, so far, the balance of the UN’s mandate and functions involving “prevention” and “control” has remained negative, not only regarding the needs of “succeeding generations” pointed out above but also demographically and politically—despite the proclamation of the UN Secretary-General that “prevention is the first imperative of justice” (S/2004/616, para. 4). Notwithstanding this imbalance, academic and UN criminology studies have accumulated and reviewed evidence for diagnosing and

countering crime not only for the current but also for the succeeding generation. The goal of this work is to widen this perspective.

Before presenting the individual chapters, it may be helpful to clarify the concept of “succeeding generations”: First, on a demographical note, the expected lifespan of the present generation is, globally, over 67 years (over 65 for males and 70 for females). In 1945, at the time of the creation of the UN, the expectancy was five years shorter (ST/ESA/SER.A/313). In years 2045–2050 it should increase to 74 years (Cohen 2003, p. 1173). Of course, between one and the other generation, there are overlapping generations, and within one generation, there are smaller decimal-point generations. They may be differently (sub-)divided and named. However, certainly the division between “Generation-C” (“connect, communicate, change”) or “Digitally Native” generation (Palfrey et al. 2009; Matvyshyn 2012, p. 1979) and others is worth mentioning, because of the fundamentally different childhood than that of their parents, hence different attitudes to law and ensuing effects (violation and victimisation).

Second, in this work, “education” is a broad term. It “comprise[s] all deliberate and systematic activities designed to meet learning needs [and] involve[s] organized and sustained communication designed to bring about learning” (UNESCO 1997). It includes formal (preschool, primary, secondary, tertiary) and non-formal, i.e. outside the formal education system<sup>6</sup>—both mutually complimentary and necessary for a socio-economic development and the implementation of the right to education (Hausler et al. 2012, pp. 72–77).

Third, education is negatively correlated with women’s fertility—“a uniquely universal negative relation between female education and fertility” (Basu 2002, p. 1779)—and positively correlated with infants’ health (Krueger and Lindhal 2001, p. 1107). In turn, girls born into smaller families are more likely to be sent to school and to complete more years of education (Basu 2002, p. 1788). This, coupled with the fact that already more than half of the world population experiences fertility rates below the replacement level of two surviving children per woman (exactly 2.1 by a conventional estimate, Wilson 2004), begs the question of the sustainability of our present culture. In particular, as far as the topic of this work is concerned, it begs the question of the sustainability of a culture of lawfulness. This axiologically Western concept—the culture of lawfulness—(Redo 2014) nominally entered the UN crime prevention agenda through the 2002 Guidelines. Only very recently the Declaration of the Thirteenth UN Congress on Crime Prevention and Criminal Justice (Doha, Qatar, 2015) made it a fully-fledged UN concept (A/CONF.222/L.6) with emphasis on education for all children and youth, including the eradication of illiteracy. Education and the eradication of illiteracy are both fundamental to the prevention of crime and corruption and to the promotion of a culture of lawfulness that supports the rule of law and human rights

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<sup>6</sup> Education provided through nursing, kindergarten care, human rights training sessions, workshops, seminars and webinars is a non-formal education. Informal education is acquired through other life and work experience.



while respecting cultural identities. Finally, the Declaration stressed the fundamental role of youth participation in crime prevention efforts.

In 1992, in paragraph 21 of the Rio Declaration, Member States of the UN urged that “The creativity, ideals and courage of the youth of the world should be mobilized to forge a global partnership in order to achieve sustainable development and ensure a better future for all” (A/CONF.151/26: Vol. I). But only now, with the forthcoming Rio+20 post-2015 UN sustainable development goals, particularly “Goal 4. Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all” (A/68/970), the organisation took a comprehensive and incisive look into the role of culture in sustainable development. We read there, that by 2030, Member States and other stakeholders should “ensure that all learners acquire the knowledge and skills needed to promote sustainable development, including, among others, through education for sustainable development and sustainable lifestyles, human rights, gender equality, promotion of a culture of peace and non-violence, global citizenship and appreciation of cultural diversity and of culture’s contribution to sustainable development” (ibid., p. 13/24).<sup>7</sup>

Fourth, it follows that non-violence is a recognised element of any legal culture. And so is anti-corruption about which the framers of the UN post-2015 sustainable development agenda speak as a part of the envisioned goal 16—the promotion of peaceful and inclusive societies for sustainable development, the provision of access to justice for all and building effective, accountable and inclusive institutions at all levels. A global culture of lawfulness for the succeeding generation will have on its agenda such moral universals.

Interculturally universalising morality by dignifying our partners, children and others is not automatic. Bringing up children in the spirit of universal moral values starts in our bedrooms and homes, becomes public in the nurseries, kindergartens, schools and then goes into the streets, businesses and other governance. Universal morality rather than once and for all “given”, every now and then, needs to be revived to keep humanity on the track of progress. Franklin D. Roosevelt, one of the fathers of the UN Charter, said that “the test of our progress is not whether we add more to the abundance of those who have much; it is whether we provide enough for those who have too little” (quoted after Grafton 1999, p. 61).

Since the inception of the UN, Roosevelt’s ideas have had a considerable impact on it and in the world. The organisation has witnessed a four-fold increase in the world’s quality of life, as measured by the GDP per capita. More precisely, in comparison with 1945, there are now respectively 4 rich to 1 poor *vis à vis* 4 poor to 1 rich in terms of average income per capita in the constant purchasing power parity (PPP) (Acemoglu 2012, p. 5). This considerable improvement concurs with the one

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<sup>7</sup> As this book goes to print, the United Nations General Assembly finalised its action on the draft sustainable development goals 2016–2030, now reflected in resolution A/69/L. 85 (pending A/RES/70/?), unanimously adopted on 25 September 2015, with unamended wording. Therefore, the references to them or quotations drawn by the contributors to this book from various earlier UN source documents are fully compatible with A/69/L. 85.

hundred year projection to that effect in 1930 by John Maynard Keynes in his *Economic Possibilities for Our Grandchildren* (Keynes 1935).

As comforting as the factual corroboration of Keynes' projection may now be, those economic possibilities have currently been monopolised by 1 % of the adult population in the world. According to Oxfam, as of 2016, 1 % will proportionally own more than 50 % of global wealth (possessions) than the 99 % of the adult population of the world (Oxfam 2015). Is this moral? In many Western industrialised countries like Germany in the last decades, more people got extremely rich and more poor; the difference between both groups is obviously not decreasing but increasing.

This two-volume book originated with the latent premise that excessive socio-economic inequality is immoral. It reduces opportunities in education, especially in quality education. Notwithstanding the different professional backgrounds of the editors of the work, and even more diverse professional backgrounds of its contributors, we believe we all share in the idea that evidence-based, quality crime prevention and education are the prerequisites for a successful Culture of Lawfulness anywhere in the world. We also believe that to achieve this goal, partnerships of all kinds will become ever more important. They should involve government agencies, the private sector, civil society, academia, philanthropic foundations and faith-based organisations. Their collaboration will prove critical to the implementation of the UN's new sustainable development agenda that stresses inclusiveness as the core vehicle for poverty amelioration and peaceful non-violent societies.

We expose this idea to the critical scrutiny of the readers in the academic spirit of "organized criticism" (Robert Merton). We are keenly aware that this interdisciplinary work covers only some criminological and other aspects of a more equitable, effective and humane treatment of women and children as victims and offenders and that much remains to be said. Yet, we still trust that the various chapters will open new visions how to reduce the victimisation of women and children as well as their offending.

The contributions to this work are opened by *Santos Pais*, the United Nations Special Representative of the Secretary-General on Violence against Children, and closed by H.E. Ambassador *Martin Sajdik*, the 70th President of the United Nations Economic and Social Council. We very much appreciate the contributions of these eminent representatives. These contributions both demonstrate that a strong political will, partnerships, sound knowledge and decisive action can help to counter violence, corruption and other crimes and their negative impact on sustainable development and the fortunes of succeeding generations.

As to the contributors, some of them are academics, some of them practitioners and still others are both academics and practitioners. We hope that this diversified authorship adds to the value of this work that aims at providing suggestions for succeeding generations to deal more effectively and humanely with women and children as victims and offenders. Some of these suggestions are explicit, others implicit. Some articles explicitly and some other implicitly invoke the UN values embodied in the UN crime prevention and criminal justice standards and norms. The five questions at the end of each text were added to stimulate discussion about

possible solutions for the problems raised. Since the two volumes are written by academics and policy-makers, scholars and practitioners, their action profile involves more often strategic than tactical work of a “manual” kind.

On the understanding of these limits, in the *Post Scriptum* we roughly outline and envision the implementation of the work’s suggestions until 2030. However, the floor is open to alternative recommendations, to a more visionary and incisive discourse, to closer fieldwork and follow-up. When the UN ideas about sustainable development and crime prevention interact with those of the academic world, in the next 15 years the academic world will have a unique opportunity to contribute to improve crime prevention for women and children. In this context we thank all the authors for their generous contributions and sincerely hope that their texts will advance “social progress and better standards of life in larger freedom” (art. 55 of the UN Charter) and the “Future We Want for All”.

These texts are grouped in six parts. **Part I “UN Principles for Crime Prevention-Treatment of Women and Children”** starts with “International Human Rights Law on Violence Against Women and Children and Its Impact on Domestic Law and Action”, examined by *Goldfarb and Goldscheid*, two US scholars. They examine the impact and potential of international human rights law as a component of efforts to prevent and redress violence against women and children. Other components, such as laws, policies and community-driven initiatives, countering violence against women and children has made important inroads internationally and in several countries domestically. The chapter’s authors not only document the scope of these various initiatives, but discuss particular legal cases and other actions against parties of the UN and regional treaties, whose residents complained about gender violence and the lack of due diligence by State authorities to protect them or their children from such a form of violence.

*Dussich*, an international victimologist, notes in his chapter about “Blue Victimology and Femicide: The UN Response to Victims and Female Victims of Gender Killings” that since its beginning the UN championed the rights of women and children. In the face of the fact that across the globe every day female children and adults are being killed by men (“femicide”), usually with impunity just because they are females, one of the UN’s central goals is to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men. The author gives a detailed account of the enormity of the problem in different parts of the world and puts his main hopes on the UN as the most significant forum to take unified action. It has the obligation, the resources and the will to bring about the necessary changes across the globe.

*Mwenifumbo and Fuentes*, two UN officers, present a chapter about “In the Pursuit of Justice for Women and Children and the Right to Development: A Review of Concluding Observations of the United Nations Human Rights Treaty Bodies”. The authors discuss relevant to the UN treaties human rights regime criminal and preventive aspects of “justice” and “the right to development”, as far as women and children are concerned. The article analyses the intergenerational issues from, both, the local and global perceptions of justice. It looks into how the UN human rights treaty bodies advance the global justice standards and norms for

the treatment of women and children, particularly with regard to victims. In the light of the concluding observations by the UN treaty bodies and the right to development in general, the article makes recommendations concerning gender mainstreaming in formal and informal education.

The final contribution to Part I is provided by *Wintersteiner*. His “International Strategies for Building a Culture of Peace Through Access to Good Education” connects this part of the book with the subsequent ones. He stresses that education may be the only instrument for creating and maintaining democratic, just and peaceful societies. Moreover, education is the cornerstone of a strategy towards a culture of peace and describes what happens when this cornerstone is undermined and education comes under attack (for a specific case, see *Carapic* and *Dönges* in Part II). *Wintersteiner* emphasises that whilst education is a fundamental human right and essential for the exercise of all other human rights, other human rights have to be guaranteed to be able to make use of the right to education. Education is a prerequisite for the economically and socially marginalised adults and children to lift themselves out of poverty and participate fully as citizens. The author concludes with a brief note on the preparation of the post-2015 education agenda in the framework of the UN sustainable development goals that marks a new step in integrating the human rights approach.

**Part II “Education and Social Learning: Their Impact on the Development of Children and Adolescents”** is composed of 11 chapters.

*Carapic* and *Dönges* present a chapter about “Attacks on Education in Conflict, Post-conflict and Non-conflict Settings”. The authors discuss the need for a more informed implementation of the right to education. They note that not much is known about the actual prevalence of attacks on education, the perpetrators involved, the circumstances under which it takes place, for what purpose it is used and how it is regulated. They suggest that understanding attacks on education requires disaggregating the phenomenon along four dimensions: frequency, targeting, repertoire and purpose. After discussing the four dimensions, the authors then show the utility of the proposed framework by examining attacks on education carried out by the Nigerian militant group Boko Haram. In conclusion, they note that despite a number of initiatives to provide more and better monitoring and reporting, the mechanisms necessary for systematic data collection have been found wanting.

In their chapter “The Role of Early Childhood Education in Social behaviour of Children”, *Nores* and *Barnett* discuss the importance of the first five years in the development of children and consequently the need for public investments into early childhood care and education. A large body of evidence on early childhood interventions has found short- and medium-term effects that extend beyond narrowly academic or cognitive outcomes to improvements in pro-social behaviours and skills such as self-regulation, commitment to schooling, employment and earnings, as well as mental and physical health (see also *Farrington* in his chapter). Given the importance of the early years in child development, the chapter focuses on summarising the evidence of the impact of early childhood interventions on children’s social and emotional behaviour in the United States and globally; it

describes which aspects of these interventions are associated with larger short-term and long-term social and emotional effects and identifies which types of programs have been found to affect parenting and households in ways that matter for children's behavioural development.

*Kanngiesser, Schmidt and Rossano* write on "Young Children's Understanding of Social Norms and Social Institutions" at the early preschool level. The authors remind us that as adults we typically navigate our social world effortlessly and mostly unaware of the intricate web of social norms and institutions shaping our behaviour. Children are born into this web that defines (mis-)behaviour. Social norms also form the basis of more complex social institutions such as ownership that create obligations, rights and duties. The authors use the example of ownership to argue that it is one of the first social institutions that young children understand. The chapter seeks to broaden our crime prevention perspectives by going beyond "mental violence" that victimises children (Art. 19 of the Convention on the Rights of the Child) to the question of children's understanding of ownership—an issue that may be at the core of early anti-corruption education (see also *Redo* in Part V).

*Farrington* ("Family Influences on Offending and Family-Based Intervention") discusses the aspect of intergenerational transmission. Mindful that "cold, rejecting parents tend to have delinquent children" and that "parental warmth could act as a protective factor against the effects of physical punishment", he reviews the insights obtained by cross-national research on the effectiveness of family-based interventions (about emotions see also *Kury* in Part V). The author concludes that a great deal still has to be learnt about family influences on offending and effective family-based programmes in order to further corroborate the present research. He points out that the time is ripe to establish national agencies in all countries willing to participate to advance our knowledge about family risk factors (from longitudinal studies) and about effective family-based interventions (from randomised experiments and cost-benefit analyses).

In "Women's Substance Abuse and Its Impacts on Children's Early Development and Deviant Behaviors", *Gao and Liu* examine from an international perspective the root causes of women's substance abuse, including women's victimisation. The authors focus on the intergenerational sociolegal consequences and impacts of women's drug abuse on children's early development. Like other authors in this work, they conclude that with the continued global growth of female substance abuse, the research and discussion in the international arena should focus not only on implementing meaningful gender-specific programmes for women, their children and families, but should also test whether programmes that were successful in other countries fit into their specific cultural needs.

The moral development of children is a complex problem, which has rather been neglected in criminology. Little attention has been paid, for example, to the relationship between justice and trust. *Brugman, Out and Gibbs* ("Fairness and Trust in Developmental Psychology") point out the importance of this relationship. They emphasise that fairness or justice is central to moral development, but without relating it to trust, there is little cooperation among people. This interpersonal relationship starts in early childhood and foreshadows the close social relationship

individuals develop later in life. These essential developments have not been sufficiently studied. The authors review them from a theoretical and empirical perspective, both of which bring new insights. They conclude that a successful mutual moral understanding, difficult in practice as it always has been, depends to a large extent on sensitive parenting and a long process of education and schooling.

*Marshall* discusses in her chapter “Results of the Second Round of the International Self Report Delinquency (ISRD2) Study: Importance of Education and Social Learning for 12–15-Year Olds” criminological aspects of education and schooling. She notes that, typically, policymakers tend to be more concerned about those youth who are involved in frequent, repeated delinquent behaviour. Although repeating classes and below-average performance of pupils may be warning signs, other school-related factors (such as truancy and type of school, e.g. egalitarian/quality-focused) appear to be more strongly linked to delinquent behaviour. Like *Bokil and Raghavan* (Part IV), *Marshall* notes the importance of social learning (SL) in understanding effective prevention of delinquency. Pupils with higher acceptance levels of violence also tend to have significantly higher levels of involvement in delinquency. Finally, she presents recommendations that may counter delinquency through early education, better training and pay for teachers who work in low-income areas and greater flexibility in allowing students to gradually move to higher tracks.

In “The Role of Justice and Fairness as Global Values: Promoting Public International Law at the (Pre-)university Level”, *Clark* looks into the avenues and precepts of inculcating an appreciation for international law and international principles (especially justice and fairness) through education at the university level, particularly at the pre-university level, based on the UN Charter and other international instruments that promote justice and international law as cornerstones of peace and security. The chapter discusses ways in which relevant learning takes place both in the regular curriculum and in such extra-curricular activities as Model United Nations Conferences, which involve both high school and university students. Various efforts by the UN and its specialised agencies to stimulate such education are noted, such as the “United Nations Academic Impact Initiative”. The author also points out the dearth both of curricular requirements and of teaching materials suitable for teaching the subject at the pre-university level.

*Pływaczewski and Kraśnicka*'s chapter “Legal Education in Transition: Is the Bologna Process Responding to Europe's Place in the World?” looks into the implications of the Bologna Process (a series of ministerial meetings and agreements between European countries aimed at harmonising the standards and quality of higher education qualifications) for the region and beyond. The authors regret that the Bologna Process is exclusively centred on Europe and has left out from its purview other regions of the world, such as North America. Europe could, for instance, benefit from the US system of legal education, which promotes not only an effective teaching mechanisms but core fundamental principles such as rule of law and human rights. The authors show how the North American approach could be integrated into European legal education, but that also US universities could learn from the Bologna Process.

*Stanners* (“A Critical Examination of the Contention of the Existence of a Culture Justice Education at the Vienna International School, Austria”) deals with international justice education at the secondary level, exemplified by the curriculum choices of the Vienna International School. She explores research on justice and democracy in education in the context of a school which “gives no message of gender differences in any of its approaches or teaching” and asks which of the characteristics identified as being necessary for justice and democracy to be present exist in the school. The author thinks that whilst the curriculum plays a strong part in providing a context in which justice and democracy can be nurtured, this by itself is insufficient to guarantee a culture of justice but that the real key to the presence of such a culture in the school can be found in the relationships that exist between all the stakeholders.

*Barberet* writes about college-level “Education for Justice: Experiences and Prospects for Further Internationalization”. She discusses in her article the internationalisation of criminal justice education in the United States, highlighting the experiences of John Jay College of Criminal Justice (JJC) of the City University of New York (USA), a leader in international criminal justice education. The author reviews the development of the most recent JJC program, the Master of Arts program: its curriculum, faculty, the undergraduate and graduate students it attracts and the prospects of these programs for the future. The chapter then moves on to international curricular initiatives concerning women, crime and criminal justice. It ends with a discussion of why and how nations around the world might encourage similar curricular development and how the work of intergovernmental organisations such as the UN could contribute to such developments as well as benefit from them.

In **Part III “Children/Juveniles and Women as Victims and Offenders”** (18 chapters), *van Dijk* discusses “The Criminal Victimization of Children and Women in International Perspective”. The author presents an overview of the results of the national and international victims surveys regarding the distribution of victimisation according to age and gender with a focus on violent crime. The results show a consistent inverse relationship between age and criminal victimisation for all types of crime. The relationship between gender and victimisation is less straightforward. Men are more exposed to various types of non-sexual violence by strangers, including homicide. Cross-national analyses suggest that violence by intimates against females is most prevalent in countries where gender equality is low. However, self-reported victimisation rates of violence against women by intimates are also relatively high in countries where gender equality is the highest, such as in the Scandinavian countries, presumably because of increased sensitivity to acts of lesser violence among female respondents in those countries. The author ends on a practical note, recommending the expansion of special services for female victims of domestic violence and the provision of similar services tailored to the needs of male victims.

*Lappi-Seppälä and Lehti* analyse “Global Homicide Mortality Trends by Gender 1950–2010”. Historical data series show that the higher the level of violence, the smaller the share of female victims and perpetrators. This chapter tests the current

differences in male and female homicide mortality levels with the most extensive available data today. In spite of various differences between male and female homicide mortality, the authors find that social control and economic factors have very similar effects on lethal violence regardless of the gender of victims: High male and female homicide mortality rates as well as female/male homicide ratio correlate with the same socio-economic factors and in almost an equal manner. Increasing gender equality seems to increase the *relative* homicide victimisation risk for women. This is due to the fact that gender equality seems to go along with general welfare indicators, which reduce all types of lethal violence in society; male victimisation decreases in this case even faster than female victimisation. The authors conclude that well-governed, legitimate and prosperous democracies are safe—and equal—societies.

*Schröttle and Vogt* (“Women as Victims and Perpetrators of Violence: Empirical Results from National and International Quantitative Violence Research”) discuss empirical findings on the extent, causes and consequences of violence against women from national and international empirical research. These studies show that if women are victims of physical, sexual and/or psychological violence, it is most often a case of domestic violence by intimate partners. The two authors evaluate the value and effectiveness, as well as the limitations, of violence prevalence studies from a methodological and gender-critical perspective. They conclude that there is still a lack of empirically well-founded analyses that focus on the construction and deconstruction of violence, gender, disability, migration and other aspects. In this respect, a targeted expansion of qualitative research, which would also aim at deepening representative quantitative violence prevalence studies, would be a great gain, in order to be able to better portray contexts of occurrence and causality, as well as the significance of violence.

*Lysova* presents data about “Victims but also Perpetrators: Women’s Experience of Partner Violence”. The chapter opens with an analysis of major negative health consequences of partner violence (PV) for women around the world: homicide, suicide, injury, antenatal and postnatal mental disorders and HIV/AIDS. The author then reports on studies analysing why women themselves become active participants in PV. The author concludes that because a “one size fits all” approach does not seem to work for addressing such a complex and multidimensional phenomenon as PV, carefully tailored interventions at various levels for different types of violence and violent types/incidents should be considered. Integrating attention to the dynamics of partner violence with elements of the “violence against women” framework would allow global research to recognise and give voice to women’s diverse experiences of partner violence, help reveal its intrinsic, interactional nature and, as a result, promote a more effective approach to crime prevention at the international and domestic level.

*Alvazzi del Frate* in her text “A Reflection on Women, Girls and Armed Violence” discusses aspects of (lethal) violence against women and girls, with special emphasis on firearm violence. The author presents international data on armed violence against women and girls in different settings. Although there is a correlation between high levels of violence and high numbers of females killed,



most of the violent deaths of women and girls occur in settings where there is no declared armed conflict. Whether firearms are used in fatal killings very much depends on the ease of access to such weapons. In conclusion, the author expresses the hope that the UN Sustainable Development Goals and recent developments in the policy and research agendas on ending violence against women may represent a unique opportunity for a more effective prevention and reduction of many forms of violence impacting on women and girls, including firearm violence.

*Nikolic-Ristanovic and Stevkovic's* chapter "Women and Children as Victims and Offenders: The Impact of Armed Conflict and Post-conflict Period Challenges" assess the role played by the State, civil society and international actors concerning domestic violence and trafficking in persons in the aftermath of armed conflict. The brutalisation effect of war on crime lasts longer than the war itself, as the factors that drive up crime during armed conflicts continue in the post-war period. Once violence has been legitimised by war and the settling of interpersonal differences by force, these attitudes carry over to the period immediately after. After describing in detail the Serbian experience concerning the victimisation of women and children during the war (1991–1999), the authors acknowledge many important changes in post-war Serbia but note that the lack of timely and adequate protection and support of victims during the war has still not been remedied. They recommend therefore shifting the attention of scholars and policymakers from treating victimisation and offending of women and children merely as a legal problem to that of a social problem.

In their chapter "A Biopsychosocial Model of Female Criminality: Implications for Assessment and Evidence-Based Treatment Approaches", *Peper, Krammer and Klecha* present their cross-disciplinary research findings on offending behaviour by women and indicate how the complex factors underlying female criminality could be integrated in a multilevel model. For this purpose, the authors interlink clinical and other criminological information with recent results from the cognitive, social and affective neurosciences. In the opinion of the authors, because of the anthropological and biological antecedents of early criminology, the contemporary way of dealing with a biopsychosocial model of female criminality may be still short of taking their new approach into account, and it is hence unable to contribute to that multilevel model.

*Chesney-Lind and Hadi* discuss the important topic of "Criminalizing Women: Global Strategies for Denying Female Victimization". Their chapter opens with the staggering statistics that nearly one-third of the world's female population will become victims of violence and not only that, in many cases, they will also be blamed for it. The authors address the problem of victim blaming from four angles: the merging of religion and law to criminalise female sexuality and sexual expression, the demonisation and sexualisation of "enemy" women as a justification for mass rape in wartime, the criminalisation of reproductive rights and the use of courts to punish victims of sexual abuse who run away from their abusers. The authors suggest that the pattern of criminalising women and girls' victimisation requires both research to document and action to challenge the "legal" abuse of women and enforcement of patriarchal privilege. They try to establish that there is a

direct interface between women's victimisations globally and systems that both punish the victim and avoid punishing the assailants.

*Krahé* addresses a related topic, "Societal Responses to Sexual Violence Against Women: Rape Myths and the 'Real Rape' Stereotype", from a socio-psychological perspective. Her chapter examines the role of stereotypes and myths about rape in understanding societal responses to victims of sexual violence. She notes that there is a widely shared stereotype of the "real rape" that is squarely at odds with the reality of the sexual victimisation of women yet serves to inform the social perception of victims and their credibility. After presenting prevalence rates of sexual assault worldwide, the author analyses the attrition process from the initial police investigation to eventual court proceedings and a verdict. She provides strong evidence of the impact of rape myths and stereotypes on the handling of rape complaints and concludes with a review of potential strategies for challenging rape myths and stereotypes and reducing their influence in the criminal justice system.

*Pakzad and Alipour* write from an Iranian perspective about "Justice and Family Issues in the Shiite: Confronting with the Domestic Violence in Shiite Communities". The authors incisively discuss domestic violence against children and women in Shia communities and point out the great differences that exist across the Muslim world. Looking at the various approaches of Islamic sects makes it clear that religion is not inflexible in the face of social changes, or regional and cultural components. Since family issues in the Shia tradition depend on a dynamic jurisprudence, some jurists have attempted to interpret religious laws in an up-to-date manner and have brought about legal changes improving the status of women, such as giving women preference over men as primary caretakers of children or introducing sanctions for the ill-treatment of women by men. The chapter also deals with women as offenders, in particular with women who consider it their right to use violence themselves and justify such acts in the light of religion and regional cultures.

*Asli and Amrollahi Byouki*, also Iranian academics, comment on "Forced Marriage in Islamic Countries: The Role of Violence in Family Relationships". In their chapter, the authors make a clear argument for equality of women and men by contending the custom of forced marriage that deprives both sexes of their fundamental rights and in the case of women often leads to their victimisation. The authors point out that forced marriages have been a persistent issue in most societies, not only in Islamic countries, and have more to do with customs and traditions than with religious rules. In order suggest to eradicate this tradition, Islamic countries must insist that the religious ordinances prohibiting this kind of marriage are followed, fulfil their international obligations in terms of proper legislations for proscribing forced marriage and use the mass media and all public and private resources to raise public awareness about its harmful effects.

*Bokil and Raghawan* discuss "The Case of De-notified Tribes in India". Their text renews our interest in the fate of "Indian criminal tribes" under the British colonial rule, the study of which provides material for the social learning theory of criminal behaviour through the intergenerational transmission of values. The two

authors review the history of British legislation regulating the conduct of those tribes and point out the incorrect colonial understanding of the Indian caste system. This lack of understanding led to the marginalisation and social exclusion of the de-notified tribes (DNTs) and their eventual de-citizenship and criminalisation. Women and children had to bear the brunt of this process, in terms of institutional and structural violence—poor access to food security, education, healthcare, social protection and justice delivery. The authors argue that the vicious circle forcing the DNTs to remain in the criminal nexus can still be broken through concerted efforts by the state, community associations and individual members of DNTs, and civil society.

*Klaus, Rzeplińska and Woźniakowska-Fajst* describe “Victimization and Delinquency of Minors in Central-European Countries”. The authors note that despite the considerable differences among the individual countries, Central Europe still takes a fairly patronising and paternalistic approach to children. Their research takes a closer look at the situation in Hungary, Poland and the Czech Republic—three former post-socialist countries that have a great deal in common, both from a historical and a socio-economic perspective. The Czech Republic has the fewest juvenile issues, whilst Hungary has the highest level of crime in the region. Hungary, Poland and the Czech Republic also differ in their juvenile justice systems and the ideology underpinning their response to juvenile offences. The authors conclude their chapter by emphasising that Poland, Hungary, and the Czech Republic have been continually striving for higher standards of caring for children and protecting their rights at every stage of criminal trials in the 25 years or more that have elapsed since these countries set out on the road to democracy and during their 10 years as EU members.

*Selmini’s* chapter examines “Sexual Abuse of Children in Comparative and International Perspective”. Child sexual abuse (CSA) is a chronic problem that can occur in any family or any country. In recent times, it has increasingly become a priority topic of the European Union, the UN and other intergovernmental and non-governmental organisations. Scholars have also given CSA greater attention, even though more at clinical case study than at policy levels. The author analyses national and international quantitative violence studies which show that if women are the victims of physical, sexual and/or psychological violence, it is most often a case of domestic violence by intimate partners—in contrast to men, who are more often victims of violence in public spaces at the hands of persons known or unknown to them. Both women and men are primarily victims of violence by male perpetrators. Women comparatively rarely act as perpetrators of severe violence.

*Kangaspunta, Sarrica and Johansen* report on “Trafficking in Persons: The Involvement of Women and Children” from the perspective of the UN “Global Report on Trafficking in Persons”. The authors analyse the global dynamics and patterns of trafficking in persons, especially of women and children, who are disproportionately involved, both as victims and as offenders. Women comprise a majority of the detected trafficking victims, but women are also prosecuted and convicted of trafficking in persons in a far larger proportion than for nearly any

other crime. Children are frequently victims. The authors draw particularly on findings from the 2012 “Global Report on Trafficking in Persons” and examine some of the patterns of trafficking in persons as detected and reported by countries worldwide. They report that the share of women has somewhat declined during the last years. At the same time, the share of detected girl victims has increased which could indicate that the traffickers are turning to the exploitation of younger victims.

*Shirwadkar*'s chapter “Exploring Hidden Spaces: Sexual Abuse of Girl Children in India” describes different aspects of sexual abuse of girls, focusing largely on an Indian context. In spite of progress and new opportunities of education, social and structural divides, traditional cultural practices and gender inequality are some factors that make girl children particularly vulnerable and easy victims for sexual abuse. The measures taken by the state to control this danger as well as the limitations to address the issue are discussed in the context of the changing social situation in India. The author analyses the different factors underlying the sexual abuse of children and stresses the need to strengthen the effort to improve education and awareness and make every possible effort to control the threat.

In “Sexual Abuse Within the Family: The Intergenerational Transmission of Victimhood and Offending”, *Bijleveld, Hill and Hendriks* address a related topic in a European context. Their chapter provides an overview of research carried out on 185 juvenile male sex offenders who received treatment in a residential centre in the Netherlands. In their study, the authors examined both the offenders' and their parents' history of sexual abuse. Specifically they tested hypotheses relating to the mechanisms linking offender and victim status in cases of sexual abuse within families, i.e. intra-familial abuse. Their findings offer support for the theory of social learning of sexual abuse. Juvenile sex offenders either from families where intra-familial abuse has occurred or who have a father with a history of sexual abuse against children occurring during their childhood have an increased risk of abusing children themselves. Also juvenile sex offenders who themselves have been the victim of intra-familial abuse, or who have a sibling that has suffered intra-familial abuse, have an increased risk of committing such an offence themselves.

In his chapter “‘Violence Against Children Sells Very Well’. Reporting Crime in the Media and Attitudes to Punishment”, *Hestermann* critically evaluates the role of the media in crime reporting. In order to reach a wide audience, the media stir up emotions, especially sympathy with the victim and fear of violence. Whilst children generate a lot of attention as victims of violence, whilst older people are ignored. The more dramatic a crime, the more closely associated it is with sexual violence, the greater the chance of its being presented in detail. The media contrasts a dark image of the perpetrator (“real scum”) with a bright iconic image of an idealised victim, preferably childlike and female. Against the background of international findings from Brazil, Colombia, India, Spain and USA, the author finds this dichotomy corroborated by the results of his research in Germany. The contrast between the villain and the innocent victim facilitates the calls for tough sentencing. In effect, politicians come under pressure to introduce stiffer penalties—not as a reaction to a real increase in criminality but as a reaction to assumptions about criminality fed by the media.

**Part IV “The Role of Crime Prevention: Punishment–Imprisonment–Alternative Sanctions”** opens with a chapter by *Hermann and Dölling*, “General Prevention: Does It Work?” To answer this question the authors present the results of a meta-analysis of 700 international empirical studies on negative general prevention with more than 7800 effect estimates. The questions asked were two in particular: whether deterrent effects are dependent on the age of the target group and whether they also depend on the type of offence. The results vary, depending on the econometric or criminological approach taken to measure those effects. If an economic theory of behaviour is used, the deterrence hypothesis is refuted less often than with a recourse to criminological-sociological theories. The deterrent effects are also confirmed relatively rarely for young people, and they vary depending on the offence. In the light of their very comprehensive research, the authors conclude that “A high discovery probability and consistent prosecution of crimes are more important than severe punishment”. This conclusion is shared by the UN penal policy recommendations.

*Zapatero*’s chapter deals with “Actors, Factors and Processes on the Road to the Abolition of the Death Penalty”. He addresses the degree of compliance with two UN initiatives: the 2000–2015 Millennium Development Goals (MDGs) and the 2007 General Assembly resolution calling for a universal moratorium on the application of the death penalty. The author sees both UN initiatives as the product of political and academic work of people who have a leading role in the life of the organisation as diplomats, staff members, experts and members of non-governmental organisations that construct a cultural and political heritage of humanity. The author vigorously supports the objective of the eventual abolition of death penalty, stipulated in Art. 6 para. 6 of the International Covenant on Civil and Political Rights. Through *Zapatero*’s contribution we learn that in genuinely inclusive societies, someone’s exclusion by the death penalty is not an option. His text supports the further expansion and implementation of the right to life.

*Huber* in her chapter “Women Prisoners: Women in Criminal Justice Systems and the Added Value of the UN Bangkok Rules”, asks various questions. For instance, do prosecutors and judges deal more leniently with female offenders? Should prison conditions, treatment in detention and rehabilitation programmes be equal for all prisoners, and aren’t they in correctional facilities nowadays anyway? Her answers outline aspects of discrimination faced by female suspects, defendants and prisoners in criminal justice systems, their number, profile and characteristics, and the offences they are typically charged with or convicted for. The chapter covers key conditions in detention as well as programmes in place with regard to rehabilitation and reintegration. In doing so, it draws on data, country examples and findings from a number of research studies. The findings show that there are usually fewer educational and training opportunities for women and those that are available are less varied and of poorer quality than those offered to male detainees. She concludes that women undeniably face discrimination in the criminal justice system, mirroring discrimination in society as a whole.

*Beichner and Hagemann* write about “Incarcerated Women: Their Situation, Their Needs and Measures for Sustainable Reintegration”. Their chapter centres on

incarcerated women offenders worldwide, their experiences, specific problems and needs, as well as correctional programmes intended to help them reintegrate back into society. It provides a theoretical understanding of the general marginalisation of women in almost every modern society and an overview of theories that have been developed to explain why women commit offences. Next, the authors provide statistical information on the prevalence of women prisoners in various parts of the world and the ways in which policy changes in the war on drugs and mandatory sentencing have impacted women's incarceration rates. The chapter then explores the gender-specific differences in women's pathways to prison and their distinct problems and needs, including the detrimental effects of mothers' incarceration on children. Based on experiences of several countries, the authors conclude with suggestions for promising approaches that involve sustainable reintegration.

*Gelsthorpe and Durnescu* discuss "Probation Supervision for Women and Young Offenders". The authors note that ever since the question of probation has entered the international arena through the Eighth International Penitentiary Congress in Washington, DC (1910), the topic of probation supervision for women and young offenders can be located in a number of theoretical and practice contexts. The focus in this chapter is on the risk/need/responsivity model (RNR): the intensity of the intervention should match the level of risk; interventions should target so-called criminogenic needs such as antisocial attitudes, antisocial cognition, antisocial associates, substance abuse, etc. and, finally, the programme delivery has to be in a style and mode that is consistent with the learning and the ability of the offender. The authors recall in this context the United Nations Rules on the Treatment of Women Offenders and Prisoners and conclude that there is emerging evidence that provision for women offenders in the community should be even more gender-oriented, i.e. on women only.

In her chapter "Release Management for Female and Juvenile Prisoners. How Important Is Release Management in Prison for Crime Prevention?" *Pruin*, in looking for answer to this question, first takes a closer look at the recommendations and results from the debate on prisoner "resettlement" that pertain to pre-release preparation, how these recommendations have been put into practice, and whether we can identify good or promising practices in the literature. Among the most important legal instruments the author lists the United Nations Standard Minimum Rules for the Treatment of Prisoners ("The Mandela Rules") and the Convention on the Rights of the Child. Her findings suggest that the use of open institutions and of strategies that allow women and juveniles to leave the prison temporarily has not yet reached satisfactory levels. Also the provision of gender-specific education, vocational training and work opportunities is greatly lacking in Europe. The author concludes that research does not paint a particularly satisfying picture of release management for women and juveniles, but that there are a number of promising approaches worth monitoring.

*Allen* analyses "The Impact of Sanctions on Child and Female Offenders". The author notes that meeting basic practical needs in prisons remains crucial. Research on young offenders has shown that supervisors in whatever setting are effective if they are clear about their role show positive social values and behaviour themselves