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## **Revisiting the Yorkshire Ripper Murders: Interrogating Gender Violence, Sex Work and Justice**

### **Abstract**

Between 1975 and 1980, thirteen women - seven of whom were sex workers, were murdered in the North of England. Aside from the *femicide* itself, the case was infamous for police failings, misogyny and victim-blaming. The article begins with a discussion of the serial murder of women as a gendered structural phenomenon within the wider context of violence, gender and arbitrary justice. In support of this, the article revisits the above case to interrogate police reform in England and Wales in the wake of the murders, arguing that despite procedural reform, gendered cultural practices continue to shape justice outcomes for victims of gender violence. In addition, changes to prostitution policy are assessed to highlight how the historical and ongoing Othering and criminalisation of street sex workers perpetuates the victimization of this marginalised group of women.

### **Introduction**

Between 1975 and 1980, Peter Sutcliffe, who became known as the Yorkshire Ripper murdered thirteen women and attempted to murder a further seven. With the exception of the doctor Harold Shipman who murdered 215 of his patients, most of whom were women, Peter Sutcliffe has murdered more women than any other British serial killer (Grover and Soothill, 1998). Seven of the murder victims were women involved in prostitution to varying degrees and early on in the case the murderer was labelled a 'prostitute killer' and compared to Jack the Ripper who murdered five prostitutes in the east end of London in 1888 and was never caught. Caputi (1987) argues that the Ripper 'myth' which originated from the label given to the unknown Victorian murderer has become the template for the 'modern sex crime' (p.14), as well as a cultural reference point which reinforces and legitimates violence against women.

The case represents an 'iconic criminal event' or set of events, assuming the notoriety of other high profile cases involving serial murder and becoming the stuff of numerous popular criminological texts (Rafter, 2007). Various commentaries from the time convey the effects of the murders on women in terms of fear and its consequences (Hanmer and Saunders, 1984; Caputi, 1987; Smith, 1992; Bindel, 2006), but also the more general incursion into the community as a whole as the ripper myth adopted a general cultural resonance for both local communities and more widely (Yallop, 1983; Upson, 2001).

Revisiting the 13 murders and seven attacks on women committed by Peter Sutcliffe allows the opportunity to reflect on gender, violence against women and victimhood on a number of levels. For instance, can this series of murders and attacks be viewed as an isolated event in terms of its socio-historical context and the nature of the crime or do they fit within a pattern of similar crimes, or within the broader context of violence against women? Serial killing is rare and the serial murder of thirteen women in the North of England over a five year period in the 1970s even more so. In terms of the police investigation and media coverage, there is support to argue that this was a crime of its time. It is unlikely that given advances in police investigative techniques and the ubiquity of CCTV a man could continue to murder women in this manner over a period of five years. For instance, between October and December 2006 when five sex workers were murdered in the English city of Ipswich, the murderer Steve Wright was arrested within two months of the discovery of the first victim's body (Harrison and Wilson, 2008). However, other cases since the Ripper, which have involved the serial murder of sex workers and other marginalised groups, demonstrate similar indifference towards victims. This is both in terms of the efficacy and commitment of police investigations and the way in which women are represented as victims (Jiwani and Young, 2006; Quinet, 2007, 2011). Furthermore, sex workers continue to be put at risk from violence

by uneven and repressive policy (Sanders and Campbell, 2006; Kinnell, 2008) which forms part of the historical repression and stigmatisation of prostitutes throughout the 19<sup>th</sup> and 20<sup>th</sup> Centuries in England and Wales (Walkowitz, 1982). The murders also lay bare extreme and embedded cultures of misogyny which is reflected in attitudes towards prostitutes<sup>1</sup>, condemnatory discourses regarding women's respectability and sexuality and subsequent victim blaming (Bland, 1992; Hollway, 1981; Smith, 1992).

After providing further background to the case, this article will address three distinct but interrelated themes. Firstly, it will consider the serial murder of women as a structural phenomenon. While this may be a given within feminist analyses (Caputi, 1987; Cameron and Frazer, 1987; Walkowitz, 1982), some of the more recent and innovative work on serial killing, which emphasizes how the structural and cultural conditions of modernity, late modernity and the current political economy produce serial killers and victims (Haggerty, 2009; Wilson, 2012; Hall and Wilson, 2014), fails to explicitly recognize how gender relations and masculinity may shape such violence against women (see Grover and Soothill, 1998 for an exception to this). The article puts forward the case for a gendered approach to serial killing by highlighting how it connects to male violence and misogyny more generally and the treatment and representation of victims of gender violence. In support of this claim, the article then discusses the culture of misogyny and victim-blaming which characterized the cultural habitus of police officers involved in the Ripper investigation (Smith, 1992; Bland, 1992). The significant changes to police investigative procedures in the wake of the case are acknowledged, but it is argued that the focus on practical failings loses sight of how cultural factors misled the investigation and continue to shape investigative and justice outcomes for a range of crime victims, including victims of gender violence. Lastly, the discussion locates the policing of street sex work and attitudes towards sex workers at the time of the Yorkshire

Ripper murders within a longer history of the repression and stigmatization of prostitutes within policy, legislation and policing in England and Wales and indeed more widely. It is argued that despite the identification of violence against sex workers as an issue within more recent multi-agency approaches, which now operate within discourses of welfare, the safeguarding of sex workers is undermined by increasingly punitive criminal justice strategies (Sanders, 2009; O'Neill, 2010). Moreover, despite some policy shifts, pejorative discourses persist in stigmatizing and denying sex workers citizenship and protection from the state (Sanders and Campbell, 2007; O'Neill, 2010).

Within this article the Ripper case is used as a useful and original reference point from which to analyze serial murder and male violence against women within the context of more recent theoretical approaches to serial killing. It also allows for observation of changes to police culture and the policing of violence against women and the way in which the social and criminal justice position of sex workers has been defined within policy and legislation. The case thus serves as a lens from which to re-examine how male violence against women and responses to it have altered in the decades following the murders, illuminating continuities and interconnections between violence, misogyny and the arbitrary assignation of victimhood.

### **Background to the case**

The majority of Sutcliffe's attacks took place in the red-light areas of the cities of Leeds and Bradford in the North of England, but also in Manchester and several smaller towns in the county of West Yorkshire. Victims were approached from behind and hit over the head with a hammer; they were often then slashed across the breasts and abdomen with clothing

rearranged to reveal mutilated bodies. Early on in the case, it was assumed that the murderer was a 'prostitute-killer' as seven of his victims were engaged in selling sex on a regular basis or more sporadically. More ambiguously, police working on the case would often refer to Sutcliffe's victims as 'good-time girls' (Yallop, 1983; Peace, 2001). They applied this label to women who may not have been prostitutes but were viewed pejoratively due to their lifestyle (Smith, 1992). This is expressed in the following statement from Detective Superintendent Dennis Hoban following the murder of Emily Jackson in January 1976: 'We are quite certain the man we are looking for hates prostitution ... I am quite certain this stretches to women of rather loose morals who go into public houses and clubs, who are not necessarily prostitutes' (cited in Kinnell, 2008: 5). Kinnell (2008) notes that the assumption that Sutcliffe was a prototypical 'prostitute killer' who only attacked prostitutes, or those he mistook for prostitutes, has been sustained within both academic and true crime narratives on the case. This is despite the fact that nine women were unmistakably not selling sex. Indeed, it is often assumed when sex-workers are murdered they are specifically targeted; however, as Kinnell (2008) further notes, they may merely represent available and vulnerable female victims for men who want to kill women. Sutcliffe's early attacks and his progressive, indiscriminate murder of women outside of red-light areas would suggest a more general motivation to murder women rather than the claimed hatred of prostitutes.

The police investigation is infamous for its failings (Yallop, 1983; Byford, 1981). During the course of the murders, police failed to follow up on a series of vital clues, which could have led them to Sutcliffe sooner<sup>ii</sup>. For instance, they interviewed Sutcliffe a total of nine times and failed to look into his previous convictions for violence (Yallop, 1983). They also ruled out surviving victims who did not fit the profile of a killer targeting prostitutes and 'good-time girls', but who unfortunately provided remarkably accurate descriptions of their

attacker. Arguably, the greatest failing of the investigation was the unquestioning acceptance of three hoax letters and a tape recording claiming to be the Ripper and signing off as 'Jack' which were sent to the police in 1979. The regional accent of the voice on the tape originated from the North East of England rather than West Yorkshire and this led police to believe the murderer came from out of area. On one occasion when Peter Sutcliffe was interviewed he was ruled out because of he had the wrong accent. The tape and letters formed the basis of a massive publicity campaign launched in the latter half of 1979, involving posters, television test cards and the widespread broadcasting of the hoax tape in pubs, night-clubs, youth clubs and at football matches. It was estimated that 40,000 people a day rang up to hear the voice on the tape. The campaign took place during the summer and autumn of 1979, almost four years after the first murder of Wilma McCann in 1975 and around the time of the murders of building society clerk Josephine Whitacker in April 1979 and student Barbara Leach in September 1979. Initial media and public apathy towards victims who were prostitutes was replaced by a climate of fear fueled by the realization that all women were now at risk. The police were overwhelmed by public response to the tape but the publicity machine ceased in February 1980, producing as one senior officer at the time commented, '100% rubbish' (Yallop, 1983)<sup>iii</sup>. Sutcliffe went on to murder two more women and attack two women who survived before he was caught in Sheffield in January 1981 by two uniformed officers carrying out a random check on the false license plates on his car. A hammer and screwdriver were found by officers who returned to the scene of the arrest and after two days of questioning, Sutcliffe confessed to the murders.

At the trial Sutcliffe pleaded guilty to manslaughter based on diminished responsibility. He claimed he was suffering from paranoid schizophrenia and had heard voices from God sending him on a divine mission to rid the streets of prostitutes. Initially, both prosecution

and defence were prepared to accept a guilty plea of manslaughter on the grounds of diminished responsibility due to schizophrenia. The judge however, rejected this and insisted on a trial by jury which found Sutcliffe guilty of murder with the defence of insanity dismissed. During the trial the defence claimed the murders were not motivated by sexual sadism and Sutcliffe was driven by a hatred of prostitutes. Notwithstanding, the trial heard from the prosecution how Sutcliffe slashed the majority of his victims across the breasts and abdomen, raped Helen Rytka while she was dying, inserted a wooden plank into Emily Jackson's vagina and stabbed Josephine Whitaker repeatedly in the vagina with a screwdriver. Indeed, feminist commentators have questioned the distinction that the male dominated legal and medical professions made at the time between a delusional 'divine mission' to kill women and the sadistic murder of women (Hollway, 1981; Cameron and Frazer, 1987) as arguably both can be identified as femicide located within a culture of misogyny (Russell and Radford, 1992). Such misogyny extends to the male-dominated legal process which perpetuated the denial of victimhood of 'non-respectable' victims and the more general lack of value assigned to the lives of thirteen murdered women (Bland, 1992; Hollway, 1984; Smith, 1992 Yallop, 1983). This is evident in the construction of the murder of prostitutes by the prosecution as rational and the insinuation that the actions of Sutcliffe's wife and mother may have provoked his motivation to murder women (Smith, 1992). The context of misogyny which characterized the investigation and trial of Peter Sutcliffe reveals the individual actions of a serial murderer of women as part of a wider system of gender violence and discrimination against women (Ensalaco, 2006). With this in mind, the following section considers the socio-structural nature of serial murder and goes on to argue that gender needs to be acknowledged more fully outside of radical feminist analyses of serial murder.

## **The Socio-Structural Nature of Serial Killing**

A number of writers have moved away from psychologically-oriented approaches to serial murder, seeking to understand it in socio-structural rather than individual terms. Leyton's (1986) work *Hunting Humans* was one of the first to apply a socio-structural analysis, identifying class configurations during pre-industrial, industrial and postmodern periods as producing offender-perpetrator relationships specific to these historical eras. Later writers elaborate on this approach asserting that specific features of the modern and late modern period define and sanction serial killing and growing inequality and marginality have led to its proliferation (Haggerty, 2009; Wilson, 2012). Modernity is conceived as the historical period post-enlightenment, during which modern capitalism, law and democracy emerged in the West. It is characterised by rationality, intellectual and scientific progress and the ordering, control and containment of human populations and the human condition (Bauman, 1992; Morrison, 1995). Late modernity or liquid modernity (Bauman, 2000) refers to the social and economic transformations of the late 20th Century when economic de-regulation ushered in by the ascendant neo-liberal orthodoxy of the late 1970s 'melted away' the expectations and certainties of solid and ordered modernity. Neo-liberal economies have created widening social inequalities, individualism and a decline in collective social life (Hall and Winlow, 2005; Hall and Maclean, 2008; Hall, 2012); all of which create marginality and vulnerability and are integral to potential victimhood (Wilson, 2012).

Writers keen to stress that serial killing transcends historical and cultural context provide evidence of mass and serial murder involving sadism and cannibalism which predates modernity (Schechter, 2003; Ramsland, 2005; Miller, 2014). There is evidence however, which suggests this type of murder has increased in the last 200 years. For instance, Hickey (1990) charts the 'rise' of serial murder in the US between 1795 and 1989, highlighting a

marked increase in cases after 1950. This is further explored in Hickey (2013) who identifies 367 cases of serial murder in the US between 1800 and 2004 with the majority (187) occurring between 1975 and 1995. Similarly, Fox and Levin (2011) note increases in serial murder in the latter half of the Twentieth Century with a significant peak in the 1980s. Evidence notwithstanding, such claims are open to contestation. Examples of serial murder do predate modernity (Schechter, 2003; Ramsland, 2005; Miller, 2014) and such crimes are both historically and contemporaneously rare so linking them to structure is problematic. Having said that, Haggerty (2009) does not dispute the existence of 'sequential killing' prior to the modern period and acknowledges the shortcomings of his argument given that historical accounts are scarce. However, he maintains that prior to the modern period, this form of killing simply 'did not exist' (p.171). It is clear that it did, but Haggerty (2009) argues persuasively for a set of 'necessary conditions' (p.177) for this type of violence. Likewise, Seltzer (1998) claims that the 19th Century may not have invented mass and serial murder, but by 1900 the shift from a focus on the act of violence to the violent individual brings the serial killer into being alongside the cultural fascination with atrocity and damaged individuals. This alludes to its cultural creation rather than its materiality, but there are elements of this in Haggerty's argument too. For instance, the notion that serial killing is afforded its motivations and rationale by modernity (see also Grover and Soothill, 1998) and the way in which the mass media provides the locus of subjectivity and identity formation for the serial killer. For Haggerty, antipathy, revulsion and the mission of 'progressive' eradication are values which are shared by both modernity and 'visionary serial killers' (see also Holmes and Holmes, 1996): 'Through a distorted mirror, serial killers reflect back and act upon, modernity's distinctive valuations' (Haggerty, 2009: 181). This view is further reinforced by the failure of formal agencies to protect and secure justice for marginal groups who appear 'beyond the law' (p.179). Furthermore, social and spatial transformations brought

about by modernity have created enhanced opportunity structures for killers to prey on strangers. Thus for Haggerty, greater accessibility coupled with marginalization represent the ‘mutually reinforcing operation of modernist frameworks of denigration and victimization opportunity structures’ (Haggerty, 2009: 182). Likewise, Wilson (2012) links neo-liberalism and widening inequality to vulnerability and victimhood: ‘As late capitalism has begun to widen the gap between the ‘haves’ and the ‘have nots’, the numbers of serial killers and their victims has grown accordingly’ (p.22). Such structural analyses locate victims, perpetrators and the state within axes of power, inequality and marginality. This is not automatically about gender; poverty, class, race, sexuality and other sites of inequality dictate individuals’ social value and their relationship to vulnerability. Gender is nevertheless integral to experiences of structural inequality, vulnerability and the designation of social value. It is therefore argued that the serial murder of women benefits from a feminist analysis, which locates it within the context of violence against women more generally.

### *Linking serial killing to violence against women*

Stanko (2003) notes how violence ‘is so much welded to (often unequal) social relations (p.5), but disentangling the dynamics of gender violence and masculinity and linking this to gender and serial murder is not straightforward. Is it possible to link the actions of a murderer like Peter Sutcliffe to structures and cultures of gender and power, or do they belong in the ‘micro-realm’ of an individualized, psychological framework? Such violence is committed by a minority of men so applying a structured gender analysis is problematic, especially given the relatively small numbers of victims and perpetrators and the range of motivations, and typologies, which encompass serial killing (Dietz, 1986; Holmes and Holmes, 1996; Hickey, 2013). Violence, homicide and femicide are nevertheless committed overwhelmingly by men

(Newburn and Stanko, 1994; Polk, 1998; Winlow, 2001; Jefferson, 2002; Hall et al., 2008; Ray, 2011) and the majority of serial killers are male (Kelleher and Kelleher, 1998; Miller, 2014): 86% between 2004 and 2011 in the US (Hickey, 2013); and a similar ratio between 1800 and 1986 (Hickey, 1990). Although men do figure significantly as victims, the majority of victims are women (Godwin, 2008; Hickey, 2013; Quinet, 2011) who are most frequently prostitutes (Quinet, 2007, 2011). Even where gender does not shape the relationship between victim and perpetrator, power imbalances generally figure (Fox and Levin, 2011).

More generally, radical feminist analyses identify male violence against women as systemic and structural: the means by which men secure and demonstrate power and control over women as part of patriarchy (Brownmiller, 1975; Kelly, 1987; Hanmer and Saunders, 1984; Radford, 1987; Stanko, 1987; Mackay, 2015). This type of analysis however, mistakenly assumes a coherence and instrumentality to gender relations which often cannot account for complexity and intersections with other aspects of inequality and identity (Smart, 1989; McCall, 2005). Connell's (1995) concept of 'hegemonic masculinity' offers a more nuanced account of gender and power, asserting that power differentials and male violence are a product of legitimated forms masculinity and femininity which values masculine traits such as aggression, competitiveness and sexism. For instance, Messerschmidt (1997) identifies male violence against women across various class-based contexts as a way of 'doing' or living up to hegemonic masculinity'.

But critics of hegemonic masculinity argue it is tautological, it fails to grasp the complexity of the male subject and misunderstands the relationship between violence and power (Collier, 1998; Jefferson, 2002; Hall, 2005; Hall and Winlow, 2009). Departures from the

concept include Jefferson (2002) who uses psychoanalysis and sexual genesis in order to understand the formation of the male subject. In addition, Hall and Winlow (2009) argue that male violence emanates from a working-class male habitus distorted and eroded by neo-liberalism and consumer culture and understood via a complex circuit of psycho-social processes. Moreover, within the context of neo-liberal capitalism, working-class male violence has been noted as a redundant means of securing power (Hall, 2002; Jefferson, 2002; Hall and Wilson, 2014). Ray (2011) distinguishes violence against women in the context of patriarchal relations involving gratification from men's violence against other men, which he also relates to a loss of power in the context of global economic restructuring, possibly manifest as 'a toxic or hypermasculinity' (p.116). Much of this recent work, which appears to reject patriarchy and hegemonic masculinity as a means of understanding violence, focuses on violence *intra* men (Winlow, 2001; Hall and Winlow, 2005; Hall and Winlow, 2009). However, the consistency of men's violence against women in varying forms, across social space/s and at the level of the global (Walby and Allen, 2004; Department of Health, 2005; Radford, 2000; Mackay, 2015; Sen, 1990; Charlesworth, 2000; Reilly, 2008)), is sufficiently systematic that it can be linked to gender, power and masculinity (Hollway, 1981). Furthermore, if one moves beyond the violence itself to consider how the state responds to it, the systematic nature of violence, power and inequality is brought more sharply into focus.

The socio-structural approaches to serial killing offered by Haggerty (2007) and Wilson (2012) do not acknowledge the relationship between serial murder and violence against women. Similarly, Hall and Wilson (2014) elaborating on this earlier work, identify the serial killer as the most extreme manifestation of 'capitalism's 'obscene Real', a term that means the system's functionally active yet systematically disavowed exploitative, predatory

and violent drives' (p.642). This places the serial killer within the power structures of contemporary capitalism, but does not cover how gender may shape such violence. An earlier paper by Grover and Soothill (1998) acknowledges gender relations more explicitly, connecting serial murder to both capitalism and patriarchy; etiology is explained via the frustrated status and thwarted ambitions of perpetrators with victim vulnerability exacerbated due to poverty and marginalization. But whereas Haggerty and Wilson refer to a more general discussion of marginality, Grover and Soothill's class-based analysis extends to identify patriarchy and heterosexuality as shaping the dynamics of the female-victim, male-perpetrator relationship. This feminist analysis locates violence within power structures which subordinate women and fail to protect them from violence. In terms of representation, additional feminist perspectives on the serial murder of women view it as constitutive of gender violence and control via fear (Cameron and Frazer, 1987; Dworkin, 1976). For instance, 'Ripper myths' operate as cautionary tales that communicate to women the danger of urban space (Walkowitz, 1982; Warkentin, 2010). Furthermore, it is noted that the original 19<sup>th</sup> Century Jack the Ripper narrative continues to have currency in understanding the murder of women and its representation within patriarchal and misogynist cultures (Caputi, 1987; Warkentin, 2010; Downing, 2013). Police cultures of misogyny and victim blaming and the historical and ongoing repression of prostitutes represent consistent features within this narrative. The following sections will take up these themes.

### **Police Cultures and Gender Violence: The Yorkshire Ripper and Beyond**

Matassa and Newburn (2007) note how the Ripper case focused a 'critical spotlight' on police investigative procedures. For instance, The Byford Inquiry (1981) and subsequent commentaries identified key failures in the investigation, primarily the unquestioning

acceptance of the hoax tape and letters (see also Maguire, 2008), the exclusion of accurate photo fit descriptions from surviving victims, as well as poor management and inefficient handling of information. Following Byford, a number of changes were introduced to modify the division of labour on investigations to ease the burden on senior investigating officers: officer training was improved and official guidance on conducting major investigations was introduced alongside the restructuring of incident rooms and external reviews of major cases (Neyroud and Disley, 2007; Maguire, 2008). Most significantly, and in recognition of the failure of the investigation to effectively process large volumes of information, the Ripper case ushered in the introduction of the HOLMES national police database (now replaced by HOLMES II) (Matassa and Newburn, 2007 ) which enabled the storage, retrieval and cross-referencing of all data relating to major crime inquiries (Neyroud and Disley, 2007).

Official and academic assessments of the Ripper case have tended to focus on procedural and practical failings (Byford, 1981; Newburn and Matassa, 2007; Maguire, 2008). On the other hand, feminist readings of the case draw attention to misogynist attitudes towards victims and the way police culture shaped the investigation (Bland, 1984; Hollway, 1984; Caputi, 1987; Smith, 1992). Smith (1992) notes that the sexism and machismo within Peter Sutcliffe's community and peer group (Burn, 1984 Ward-Jouve, 1987) was shared by the male dominated macho culture of the West Yorkshire police. Smith further argues that sexist attitudes towards women misguided the investigation because genuine victims were excluded if they did not fit the assumed victim profile of prostitutes and 'good-time girls' pursued by a criminal Other. Referring to a police dossier on the case containing details of the victims, Smith shows how the police categorized women as 'innocent' and 'non-innocent' based on class and lifestyle such as drinking, cohabiting and mental 'instability'. Smith argues that irrelevant prejudices were dressed up as facts with no real bearing on the case, revealing

‘more about working-class attitudes to what is and is not proper female conduct than about the mind of the killer’ (Smith, 1992: 173). Furthermore, Smith argues that the police’s construction of a prostitute hating murderer akin to Jack the Ripper, rather than a more extreme version of themselves, was central to the inadequacy of the investigation:

One of the chief ironies of the whole Yorkshire Ripper case is that police spent millions of pounds fruitlessly searching for an outsider when the culprit was just an ordinary bloke, a local man who shared their background and attitudes to a remarkable degree (Smith, 1992: 171).

In addition, the treatment of Marcella Claxton, a twenty-year old Afro-Caribbean woman who survived an attack by Sutcliffe in May 1976 highlights both racism and misogyny (Yallop, 2003; Smith, 1992). Despite the similarities with previous attacks, the police did not include it in the case and insisted Marcella’s attacker must have been Black. Furthermore, Marcella had learning difficulties, was wrongly labeled a prostitute and her accurate description was dismissed. Notoriously racist, internally police at the time referred to her as ‘just this side of a gorilla’ (Burn, 1984). Although race and ethnicity did not figure particularly strongly within this case, police attitudes towards Marcella Claxton highlight how gendered experiences intersect simultaneously and interdependently alongside other positions of inequality such as race to produce specific experiences of oppression and disadvantage (McCall, 2000) which shape experiences of crime, victimization and justice (Maher, 1997; Rice, 2000; Burgess-Proctor, 2006).

Police culture in England and Wales and indeed elsewhere is not monolithic (Foster, 2003)<sup>iv</sup>, nevertheless scandals involving police incompetence, malpractice, corruption and

miscarriages of justice suggest endemic cultural features which shape such misconduct (Maguire, 2008). Indeed, the widely recognised systemic failings of the Ripper investigation can be located within a series of police ‘scandals’ originating from the 1960s to the present day which have led to a decline in public confidence and a ‘crisis of legitimacy’ whilst also ushering in reform at various points in police history (Newburn, 2007; Maguire, 2008)<sup>v</sup>. The Yorkshire Ripper and Stephen Lawrence investigations are noted as particularly significant in terms of the level of public and media criticism they generated and their impact on reform (Newburn and Matassa, 2007; Maguire, 2008). Within police studies, the police’s failure to properly investigate the murder of Stephen Lawrence, the 18 year-old murdered in North London in 1992 by a gang of racist thugs, has been linked unequivocally to institutional racism (Macpherson, 1999; Newburn and Matassa, 2007; Maguire, 2008). As Maguire (2008) notes: the ‘wider ramifications’ of the Lawrence case ‘went far beyond investigative practice’ (p.455). However, Maguire’s assessment of the Ripper investigation focuses solely on procedural failings (see also Newburn and Matassa, 2007).

More widely, the police service is identified as a site where gender relations and inequalities are played out – evident in discrimination experienced by female officers and the treatment of victims of gender violence (Hearn, 1987; Heidensohn, 2003; Brown and Heidensohn, 2000; Miller et al., 2003). Using the Yorkshire Ripper as a means to reflect upon the investigation of violent crimes perpetrated by men against women, although there have been significant procedural reforms in light of this case, such reforms do not acknowledge the role of police culture in determining the course of the investigation and the treatment of victims. Comparing similar cases involving the murder of sex workers reveals that police attitudes and practice have changed: the murders of five women involved in prostitution in Ipswich in 2006 were handled far more professionally and sensitively by the police (Harrison and Wilson,

2008). However, Warkentin (2010) notes mixed media representations of the Ipswich murders; despite being humanized and recognized as victims, women murdered by Steve Wright were also portrayed pejoratively as ‘vice girls’ and ‘tarts’ in some newspapers. Moreover, familiar preoccupations with women’s sexuality and respectability reverberates in the investigation and prosecution of rape and other forms of sexual violence such as child sexual exploitation, reflected in the construction of victim credibility and skewed justice outcomes (Smart, 1989; Lees, 1997; Kelly et al., 2005; Wykes and Welsh, 2009). This is in spite of significant legislative reform of sexual offences (Westmarland, 2004; Wykes and Welsh, 2009) and a recognition across the criminal justice system that the investigation and prosecution of sexual violence and violence against women more generally remains inadequate (HMCPSI and HMIC, 2007; CPS, 2010). Most recently, Elizabeth Stanko’s 10 year study of the efficacy of the Metropolitan Police Service’s investigation of rape complaints concluded that ‘rape has effectively been decriminalised’ as 2/3s of reported rapes are dropped at the police stage of the criminal justice process (Hohl and Stanko, 2015). Furthermore, the criminalization of sex workers persists in jurisdictions across the United Kingdom at the same time as the state fails to protect marginalised women from violence (Kinnell, 2008; O’Neill, 2010; Sanders et al, 2009).

### **Policing prostitution, safeguarding sex workers: the criminalization and victimization of prostitutes**

Historically in the jurisdictions which constitute the United Kingdom, prostitutes have been subject to persecution and regulation by legal and criminal justice systems, which have exacerbated their vulnerability and victimisation (Walkowitz, 1982; Kinnell, 2008; Sanders and Campbell, 2007; Sanders *et al.*, 2009). From the Contagious Diseases Acts of the 1860s to the 1957 Wolfenden Report and the resultant 1959 Street Offences Act in the 20<sup>th</sup> Century,

policy and legislation relating to prostitution exhibits double standards in the pre-occupation with women's morality and sexuality which served to establish and marginalize the prostitute identity. O'Neill (2010) notes that during the Victorian period 'legislature enshrined in law the category 'prostitute' – what she does (sells sex) becomes who she is' (p.212). Twentieth Century legislation continued to disempower and stigmatise women. For instance, as a result of the 1959 Street Offences Act, the policing of street prostitution intensified alongside further erosion of the rights of prostitutes: women could be convicted on the basis of police evidence alone and were labelled 'common prostitute' after three convictions for soliciting. O'Neill (2010) identifies three key periods in the regulatory reform of prostitution. In addition to the Victorian and Wolfenden eras, the 1980s ushered in a different approach which combined regulation with welfare delivered by multi-agency partnerships and driven by the emphasis on policing communities and the sexual health of women in the wake of the HIV/AIDS crisis (see also Matthews, 2005). O'Neill nevertheless argues that the raft of legislation and policy guidance from the 1990s and 2000s, defined by abolitionist and exploitation discourses therein frames women both as victims to be rescued whilst at the same time persisting in their criminalization. Furthermore, the regulation of prostitution across a range of agencies has led to a wider network of control and surveillance set within a neo-liberal order of individual responsabilisation (Sanders, 2009; Scoular, 2010; O'Neill, 2010). Placed within this socio-historical and legal context, the culture and practice of the West Yorkshire police can be located within the state's historical and ongoing repression and regulation of prostitution and the enduring construction of the prostitute as 'morally deviant Other' (O'Neill, 2010: 217).

Throughout the course of Twentieth Century and after the Ripper murders, the overarching legislative and policy frameworks relating to prostitution has persisted in Othering women

both as victims and criminals (O'Neill, 2010). This has nevertheless, been interspersed with changes to legislation, policy and policing and the growing political visibility of sex workers via groups such as the United Kingdom Network of Sex Work Projects (UKNSWP) (Matthews, 2005). For instance, policing of prostitution, whilst still retaining an enforcement approach, has become more diverse since the 1990s with the dissolution of vice squads and the adoption of multi-agency approaches (Matthews, 2005). This is reflected in the emergence of sex worker outreach projects from the 1990s onwards with a remit to deliver mainstream services to hard to reach groups, providing support and addressing a range of potential harms encountered by sex workers relating to sexual health, violence, addiction and so forth (Penfold et al., 2004; Kinnell, 2008). Growing recognition of the risks of violence faced by sex-workers led to the emergence of the Ugly Mugs schemes in the late 1980s, which were facilitated by local outreach projects. The schemes involve the circulation of descriptions of violent clients amongst sex workers (Kinnell, 2008; UKNSWP, 2011) and have recently expanded with the launch of National Ugly Mugs, which oversees and supports local schemes, as well as noting risk and sharing intelligence of client violence at the national level. Ugly Mugs and Outreach projects are identified as a crucial link between victims and the police, given women's frequent reluctance to report violence directly to the police (Penfold et al., 2004; Kinnell, 2008). Evidence highlights how such multi-agency working has proved effective in successfully investigating and prosecuting violence against sex workers (Penfold et al., 2004), although Ugly Mugs has been criticized as patchy and inconsistent, as well as being complicit in responsabilising women in the maintenance of their own safety (Sanders and Campbell, 2007).

Using criminal justice to regulate sex work has also been criticized for compromising the safety of sex workers (Sanders and Campbell, 2007; Kinnell, 2008; Sanders, 2009), who

remain disproportionately vulnerable to violence from male clients (Sanders and Campbell, 2007; Hester and Westmarland, 2004; Phipps, 2013). Moreover, as Penfold et al., (2004) observe: 'The criminalization of soliciting and loitering also leads to a perception among street sex workers that they have no recourse to justice' (p.367). Sanders and Campbell (2007) argue that the absence of any proactive preventative state strategy to protect sex workers from violence means that women are ultimately left responsible for managing their own safety in the midst of a legal system, which renders this impossible and a culture of indifference which fails to view street sex workers as 'valid citizens' (p. 58).

Evidence on homicide suggests that sex workers are less at risk than other groups such as working-class men and women murdered in the context of domestic violence (Kinnell, 2008). However, due to socio-economic and situational factors, prostitutes are identified as especially vulnerable to serial murder (Quinet, 2011). The murder of sex workers is also less likely to be noticed, investigated and solved (Egger, 2002; Salfati et al., 2008). As Quinet (2011) notes, they are, 'the missing missing... less missed, less guarded... less counted' (p.337). They constitute Egger's (2002) notion of the victims of serial killers as 'the less dead' due to their marginality and low status. Attitudes towards sex workers as victims of crime resonate with ideas from early positivist victimology which identified lifestyle as central to victimization and insinuated victim culpability (Von Hentig, 1948; Amir, 1971) without appreciating how victimhood is often shaped by unequal power relations (Goodey, 2002). Thinking about serial murder in terms of collective rather than individual responsibility, Wilson (2012) reveals a broader picture of culpability where the state is implicated by its failure to protect those rendered marginal by late modernity's 'social, economic and cultural processes' (p.217), which create vulnerability and assign value (or lack of) to social groups. However, in the case of sex workers, structural marginality intersects

with ideologies relating to feminine sexuality and respectability to produce an especially potent misogyny. This is what is missing from Wilson's analysis, but it can in part account for contempt and indifference expressed in relation to the murder and victimization of sex workers:

He has made it clear that he hates prostitutes. Many people do. We, as a police force, will continue to arrest prostitutes. But the Ripper is now killing innocent girls. That indicates your mental state and that you are in need of medical attention. You have made your point. Give yourself up before another innocent woman dies (Statement from Superintendent Jim Hobson, West Yorkshire police, 1979, in Smith, 1992).

Framed in this way, murder and violence committed against sex workers and responses to it can be located within wider structural and cultural frameworks of misogyny and violence against women in which representations of victims and victimization and inadequate state responses frequently sanction such violence. This issue however, is further confounded by the fact that abolitionism which underpins criminalization is the stance adopted by radical feminism. Radical feminist analyses of systemic male violence include prostitution as a reflection of male heterosexual, patriarchal power and as violence against women in and of itself which it thus seeks to eradicate via abolition (Pateman, 1983; Jeffries, 1997; Barry, 1995). Opponents of abolitionism, many of whom are academics and researchers directly involved in researching the lived experience of sex workers implicate this perspective in perpetuating the criminalization and stigmatisation of sex workers as well as increasing vulnerability and detracting from 'actual' violence (Kinnell, 2008; Sanders and Campbell, 2007; O'Neill et al., 2008). However, Scoular (2004) argues that prostitution is not

‘straightforwardly paradigmatic’ given the contingencies and diversities of structures under which it materialises’ (p. 343). The mapping of a radical feminist analysis onto prostitution is therefore not clear-cut. O’Neill (2010) recognizes the damage in these binary positions and attempts to go beyond them via the use of inclusive research methodologies which ‘engage in processes of *recognition* through the inclusion of sex workers in research, debates and dialogue’ (p.219). Drawing upon the work of Nancy Fraser, O’Neill argues for both the recognition of sex workers as ‘full not partial subjects’ (p.220), but stresses that this needs to be alongside ‘redistribution claims’ which refer to the ‘materiality of women’s and men’s lives’ (p.220). For O’Neill both cultural and material subordination need to be addressed and clearly this should include *recognition* of violence committed *against* sex workers which can be done outside of a radical feminist analysis.

## **Conclusion**

The serial murder of 13 women by Peter Sutcliffe reflects extremes of patriarchy, masculinity and misogyny evident in the nature of the violence, its motivations and responses to it (Hollway, 1981; Hanmer and Saunders, 1984; Cameron and Frazer, 1987; Bland, 1992, Smith, 1992). As D’Cruze et al., (2005) observe, a historical perspective on gender, crime and punishment illuminates ‘continuities, rediscoveries ... departures ... enduring narratives’ (p.140) evident in women’s experiences of crime, victimisation and justice. With this in mind, revisiting this case allows for reflection on violence against women and how it is represented and responded to. The article adopts the Ripper case as a starting point from which to consider the serial murder of women by men as a structural phenomenon. Whilst this may be a given for radical feminism, it does not figure within the more recent analyses of serial killing which offer more nuanced analyses of serial killing but do not fully acknowledge gender. Conversely, feminist analyses may benefit from these approaches in

order to provide a more compelling argument on how the serial murder of women links to violence against women more widely.

Indeed, it is conceded that given the relatively rare nature of this type of extreme violence, sometimes its gendered structural nature can appear unconvincing. But even if one is left unconvinced that the serial murder of women is socio-structural; the representation and treatment of the victims in this case and others is less ambiguous. Lesser acts of misogyny, sexism and indifference which define the Ripper case and its wider cultural context reveal the connected and systemic nature of violence against women. In practical terms, police procedural issues identified in the wake of the Ripper investigation have improved considerably (Maguire, 2008; Matassa and Newburn, 2007) and the police service is now recognized as a gendered organization (BAWP, 2014). The police and the criminal justice system more widely now recognizes domestic and sexual violence as a problem which needs to be addressed. However, despite symbolic gains in the way in which the law and criminal justice system deal with violence against women (Smart, 1989), misogyny and victim-blaming remain endemic to media and criminal justice representations and continue to shape justice outcomes. Moreover, as the Ripper case so powerfully demonstrates, sex workers represent a particularly extreme example of the state's failure to address gender violence. Historically visible as Other, victim and criminal alongside their invisibility and lack of recognition as citizens (O'Neill, 2010), few viable solutions have ever been offered to address the 'everyday violence' they face. As such, the continued Othering of sex workers and the failure to protect them from violence serves as a powerful example of the connections between gender, power inequalities and violence.

## End Notes

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<sup>i</sup> The author is aware that the term ‘prostitute’ is contentious and viewed as derogatory by those adopting a sex-worker perspective (Kinnell, 2008) in light of debates around the nature of prostitution as either violence or work. In a similar manner to Kinnell (2008), the discussion contains both terms, but uses ‘prostitute’ in historical discussions of the Ripper case and when referring to ‘prostitution policy’ and the historical Othering and repression of prostitutes. The remainder of the discussion refers to sex workers. Similarly, the ‘Yorkshire Ripper’ is acknowledged as problematic as it may contribute to the myth and folk-hero status of the murderer.

<sup>ii</sup> For detailed commentaries on the murder victims see Kinnell (2008) and Bland, (1992). Overviews of the investigation and its failings can be found in Yallop (1983), Byford (1987) and Bilton (2003).

<sup>iii</sup> When Peter Sutcliffe was caught the tape was revealed as a hoax. In 2005, John Humble was identified as the hoaxer based on DNA evidence and sentenced to eight years imprisonment for perverting the course of justice. Yallop (1983) believes the hoaxer murdered several women in the North of England during the ‘Sutcliffe era’ – in particular the murder of Joan Harrison in Preston in 1975 which police initially connected to the Ripper because of her lifestyle.

<sup>iv</sup> Individual officers’ compassion towards victims and commitment to the Ripper investigation highlight this. Indeed, Yallop’s commentary on the case is interspersed with both criticism and praise for individual officers (see also Bilton, 2006).

<sup>v</sup> Contemporaneously, a series of recent events continue to call into question the legitimacy and integrity of the police service in England and Wales. For instance, the death of Ian Tomlinson during the G20 protests in 2009, The Leveson Inquiry (2011) into police-media relations which identified possible corruption in the Metropolitan Police Service (MPS) and the ACPO (2011) report into the abuse of police powers to perpetrate sexual violence as contributing to a decline in public confidence and a ‘crisis of legitimacy’ within the service (p.134). A catalogue of additional events could be added to this list such as the Stephen Lawrence case and the subsequent MacPherson Inquiry, as well as the shooting of Mark Duggan, which led to the 2011 English riots.

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