In the past, English law used to make a distinction between misdemeanours (minor crimes) and felonies (serious crimes). This distinction is still used in the USA.

Subject matter of the offence

We can also classify a crime in terms of the nature of the act itself. For example, is it a crime of violence or one of dishonesty? Here are some of the main categories of indictable offences.

- **Violence against the person,** e.g. murder, manslaughter and assault.
- **Sexual offences,** e.g. rape, sex trafficking and grooming.
- **Offences against property,** e.g. burglary, theft and robbery.
- **Fraud and forgery,** e.g. frauds by company directors.
- **Criminal damage,** e.g. arson.
- **Drug offences,** e.g. supplying or possessing heroin.
- **Public order offences,** e.g. riot and violent disorder.

Formal sanctions against criminals

Formal sanctions are the penalties laid down by law that can be imposed on those convicted of a crime. These sanctions vary according to the severity of the crime. Sanctions can be imposed by courts or the police, depending on the offence.

Court sanctions

Custodial sentences

Serious offences can be punished with custodial sentences: imprisonment, or detention in a young offenders' institution. The length of the sentence can vary from a matter of days, up to life imprisonment for murder.

Prisoners serving a life sentence are usually eligible to apply for parole after about 15 years, though courts can impose a longer minimum sentence in more serious cases.

Courts can impose indeterminate sentences (ones with no specific release date) if the offender is a danger to the public. In these cases, the parole board decides if and when the prisoner is fit to be released.

Community sentences

These are served in the community rather than in jail. They include probation orders, restrictions such as curfews, attendance on anger management courses, mandatory drug testing and treatment orders and Community Payback (doing unpaid work in the community, e.g. cleaning off graffiti).

Fines are financial penalties. The size of the fine depends on the seriousness of the offence, whether it is a repeat offence and the offender's ability to pay. Offenders may be allowed to pay in instalments.

Statue representing justice. She wears a blindfold and holds a sword and scales. What do these stand for?
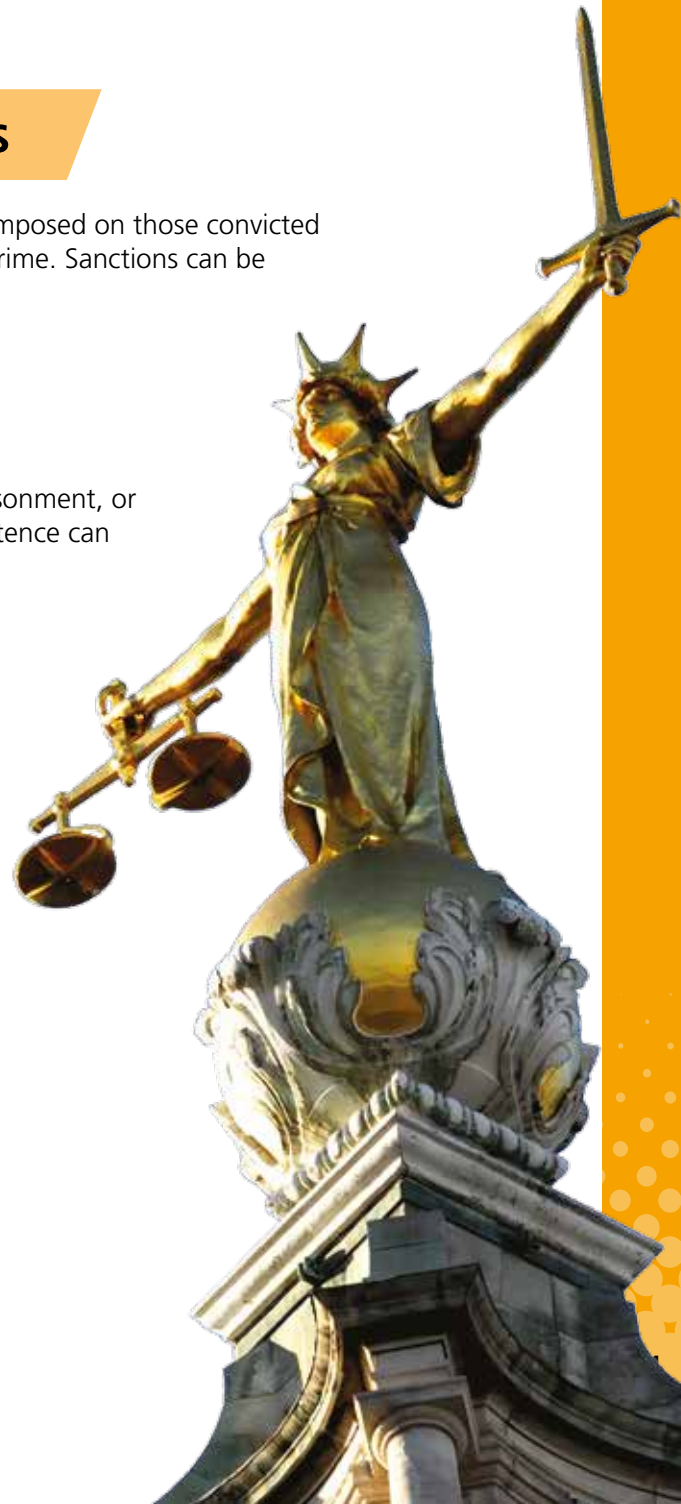
Genetic theories

If crime is inborn, as Lombroso claimed, then presumably it is passed down from parent to child. If so, this might explain why crime often runs in families. For example, the Cambridge Study in Delinquent Development, a longitudinal study that has been running since 1961, found that out of 397 families, half of all criminal convictions came in just 23 families. Similarly, Osborn and West found that sons of criminal fathers were much more likely to have a criminal record too.

Twin studies

Why does crime often run in families? Genetic theories explain it as follows. Family members who are blood relatives (e.g. parents and their children; siblings) share many of the same genes. Therefore if one member has 'criminal genes', it is likely that his or her blood relatives will have them too, and this is why criminals have relatives who are also criminals.

Genetic theories have used studies of identical twins as a way to test their theory of criminality. This is because identical or monozygotic (MZ) twins share exactly the same genes – they both developed from the same fertilised egg. Therefore if one twin is criminal, the other twin ought to be criminal too.

Identical twins, identical genes. Does this mean identical risk of criminality?

Evidence for this comes from Christiansen's study of 3,586 twin pairs in Denmark.

- He found that there was a 52% concordance rate between MZ twins; that is, where one identical twin had a conviction, there was a 52% chance of the other twin also having a conviction.
- But among non-identical (dyzgotic or DZ) twins, there was only a 22% chance.

A similar study by Ishikawa and Raine found a 44% concordance rate for identical twins but only 21.6% for non-identical twins.

Adoption studies

Researchers have also used adoption studies to test for a genetic cause of crime. These studies compare adopted children both to their biological birth parents and to their adopted parents.

The thinking behind adoption studies is that an adopted child (especially if adopted soon after birth) shares the same *environment* as their adoptive parents, but the same *genes* as their biological parents. If we find that the adoptee's behaviour in regard to criminality is more similar to their *birth* parents' behaviour, this would support a genetic explanation.

within the company that its business practices were legitimate. Many of the worst offenders within the company were greedy, egocentric risk takers with no sense of morality.

Lay was convicted on ten counts of fraud but died before being sentenced. Skilling was sentenced to 14 years in prison for fraud and conspiracy. Meanwhile, shareholders received compensation worth about a tenth of what they had lost; employees only received about $3,000 compensation for their lost pensions - a fraction of what they had paid into the pension fund.

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Corporate crime 2   Go to www.criminology.uk.net

Applying theories to the Enron case

Sociological and individualistic theories of criminality such as the following have been applied to the case of the Enron executives.

Marxism

Marxists would argue that the naked greed, competitiveness and amorality shown by Lay, Skilling and other executives are a product of the selfish, dog-eat-dog mentality that capitalism encourages. Similarly, their exploitative attitude towards the company's employees (who lost their jobs and pensions) illustrates the conflict of interest between capitalists and workers.

Differential association theory

Sutherland would explain the criminality of the senior executives in terms of the company's internal culture. He argues that individuals may learn criminal behaviour at work, where peer groups socialise them into criminal attitudes and values. Enron's prevailing culture was one of dishonesty which normalised criminality, enabling senior executives to justify their behaviour.

Labelling theory

Labelling theory can be applied to explain the fact that Enron's ultra-respectable public image enabled its bosses to get away with their corrupt practices for so long without being negatively labelled, simply because the company appeared to be above suspicion.

Eysenck

Eysenck's personality theory suggests that Lay, Skilling and the other executives were likely to be extraverts.

Their tendency to indulge in 'casino capitalism' antics, gambling with shareholders' and employees' investments and savings to line their own pockets, and their assumption that the share price would continue to rise indefinitely, match some key characteristics of extraverts: aggression, risk-taking, excitement-seeking and optimism.

Former Enron chief finance officer Andrew Fastow in shackles and handcuffs.

Biological and psychological factors Sociological theories neglect the factors that may explain why one individual commits crime while another person in exactly the same social position does not.

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Evaluating theories of crime   Go to www.criminology.uk.net

PREPARING FOR THE EXAM

Question

Evaluate the effectiveness of a range of biological theories to explain the causes of criminality.   (9 marks)

Answer by Yasmin

The basic idea behind all biological theories is that criminals are biologically different and this causes their criminality. Lombroso's physiological theory measured criminals' physical characteristics (noses, arms etc.), claiming to find they had distinctive features. While this is a scientific approach, he didn't measure a control group of non-criminals to see if these features were unique to criminals.

> Makes the basic idea of these theories clear and identifies Lombroso's strengths and weaknesses.

Sheldon's theory of somatotypes argues that criminals have an innately muscular, mesomorphic body type. However, this may be the result of environmental factors such as manual labour, or even labelling (police targeting tough, muscular types).

> Brief but accurate evaluation of Sheldon.

Genetic theories claim criminals have different genes. They use twin studies and adoption studies to test their effect. Identical twins have the same genes, so if genes cause criminality, then if one twin is criminal, the other will be too – a 100% concordance rate. While studies show higher concordance for identical twins, this is nearer to 50%. Also, identical twins often share identical environments as well as identical genes.

> Good account: just enough explaining what twin studies involve, then focuses on evaluating them.

Adoption studies compare adoptees' criminality with their biological and their adoptive parents. A biological parent shares genes with the child, so if they both have criminal records but the adoptive parent does not, genes may be the cause. Studies give some support to this, but adoptees are often placed in families similar to their birth families and this similar environment may cause their criminality.

> Like previous paragraph, clear explanation followed by evaluation.

Biochemical factors may also cause crime. There is good evidence linking alcohol to violent crime, while male offending rates peak around the same age as their testosterone level. However, while these may predispose someone to crime, they may need an environmental 'trigger' to cause actual offending. Overall, biological theories offer useful insights but are not enough on their own to explain criminality.

> Explains and evaluates clearly. Good final sentence to sum up.

9/9

Overall comments

Yasmin doesn't waste time with detailed descriptions of theories but instead focuses on their strengths and limitations. Although she doesn't deal with one or two approaches (e.g. XYY syndrome), she still covers enough theories. She also starts and ends well, by making relevant general points about biological theories.

Assess the use of criminological theories in informing policy development

Getting started

Working in a small group

1. Choose a theory or group of theories that you have studied.

2. Based on the ideas of your chosen theory, suggest some ways of preventing crime.

Crime control: the influence of theories

Many of the theories that we have studied so far have had an influence on policies to control crime. In this Topic, we look at some of the ways in which biological, individualistic and sociological theories about criminality have influenced or shaped different crime control policies.

Biological theories influencing policies

Biological theories argue that criminality is caused by some physical abnormality within the individual. These theories have led to crime control and punishment policies that aim to change the working of the criminal's brain or body and cure the condition that causes their criminality.

Biochemical processes

Several biochemical processes and factors have been linked with criminality, such as the effects of the male sex hormone testosterone, substance abuse and deficiencies in diet. This has led to policies, mostly in the form of individualised treatment programmes for offenders.

Crime control policies

Treatment programmes to reduce offending include the use of drugs, diet and surgery.

Drug treatments are used in some situations to treat or control criminal or anti-social behaviour. They do this by affecting the body's biochemical processes.

- **Alcohol abuse** can trigger violent behaviour. The drug Antabuse is used in aversion therapy to treat alcoholism. It works by preventing the body from breaking down alcohol, immediately causing very unpleasant 'hangover' symptoms if the user consumes even a small quantity.

- **Heroin addiction** often leads addicts to commit crime to pay for the drug. Methadone is used to treat addicts, as a long-term alternative to heroin or to prevent withdrawal symptoms. By providing a legal, medically controlled substitute, Methadone helps to reduce crime.

- **Sex offenders** Stilbestrol is a form of 'chemical castration' that has been used in prison to treat male sex offenders. Stilbestrol is a female hormone that suppresses testosterone as a way of reducing men's sex drive. However, it can have serious side effects, including breast development, feminisation and serious psychiatric disorders.

Explain how social changes affect policy development

Working with a partner

1. Turn back to Topic 1.2 and look through the section headed 'How laws change over time'. This covers five areas in which laws have changed: homosexuality; drugs; gun control; children; and physical punishment.

2. Make a list of the reasons why these laws changed. Are there any common factors? Could any of these reasons be described as changes in values?

This Topic is about how social changes affect policies and laws. It examines how cultural changes in norms, values and attitudes, the public's perception of crime and demographic (population) changes have affected policies. We use three main examples to illustrate these changes: drink driving, race relations and LGBT rights.

Social values, norms and mores

Social values, norms and mores are all aspects of culture that regulate people's behaviour.

Values

As we saw in Topic 1.1, values are general principles, beliefs or guidelines about how we should live our lives. They tell us what is right and wrong, good and bad. Different societies may have different values.

*   For example, modern societies such as the UK place a high value on pursuing individual wealth.
*   By contrast, tribal societies place more value on the group than on the individual. Individuals may have a duty to share their wealth with others.

Norms

Norms are specific rules or socially accepted standards about how we are expected to behave in specific situations. These norms can be informal, unwritten rules, such as that you should not queue-jump, or formal, written rules, such as the law that says you must not drive with more than a certain level of alcohol in your blood.

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Norms	Go to www.criminology.uk.net

Specific norms are often based on general values. For example, modern society values the principle that all individuals are of equal worth. From this value come specific norms making it illegal to discriminate against someone based on their race, sex or sexual orientation.

Mores

Mores (pronounced *mor-rays*) are very basic, essential norms that society sees as vital for maintaining standards of decency and civilised behaviour. In other words, mores are society's most important moral rules.

One example is the taboo against incest (sexual relationships between close relatives) which is found in all societies. Another is the prohibition against taking human life other than in very exceptional circumstances. Going against a society's mores is likely to be severely punished.

Public perception of crime: drink driving

As we saw in Topic 1.2, laws can change over time. Laws often change because of changes in a society's culture – its norms and values. These changes in values can affect the public's perception of crime: an act that used to be acceptable may now be seen as wrong by today's values.

Drink driving is an example of this. Over time, views about drink driving have changed and this has led to changes in laws and policies. The public have come to see it as much more serious and the laws governing it have become tighter.

In 1925, the first law was passed making driving while drunk an offence. However, there was no clear definition of 'drunk' and no legal limit on how much alcohol drivers could have in their blood, so it was left to the police and courts to decide whether someone was fit to drive.

For many years, public attitudes to drink driving were quite tolerant and it was not generally thought of as a serious offence. Governments showed little interest and did not bother even to collect figures on the number of deaths caused by drink driving.

An early poster from the *THINK!* drink driving campaign.

Meanwhile car ownership was increasing. In 1951, only 15% of households owned a car, but by 1971 this had risen to 55%. This resulted in more deaths: from about 5,000 in 1950 to 8,000 by the 1960s.
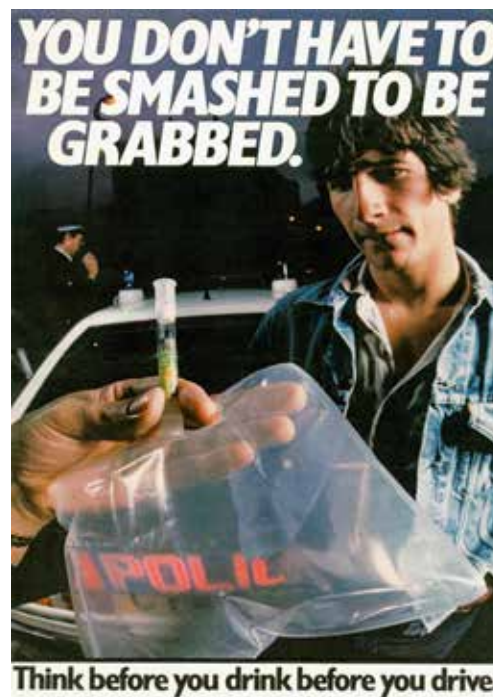
Changing perceptions

As a result, the public's perception of drink driving began to change. Road safety was becoming more of a public concern and moving up the political agenda. For example, from 1966 all new cars had to be fitted with seat belts.

Due to public concern about accidents caused by drink driving, the 1967 Road Safety Act introduced a blood alcohol limit of 80mg of alcohol per 100ml of blood. It became an offence to be in charge of a motor vehicle with an alcohol level above this limit.

Breathalysers

In 1968, the first breathalysers were introduced for roadside use. Together with a major advertising campaign by the government, this helped to reduce road deaths by over 1,100 and serious injuries by over 11,000. Importantly, the proportion of accidents where alcohol was involved also fell, from 25% to 15%.

Tougher laws

In 1983 the High Risk Offender scheme was introduced for convicted drivers with an alcohol problem. This group includes drivers who have been disqualified more than once for drink driving. They now have to undergo a medical before they can get their licence back.

In 1991 a new offence of causing death by driving while under the influence of alcohol or drugs was introduced, with a compulsory prison sentence of up to five years. (In 2014, this was increased to 14 years.) The penalty for a first drink driving offence is now up to six months' imprisonment, an unlimited fine and a driving ban for at least one year, with heavier penalties for repeat offenders.

The new laws and tougher sentences reflect growing public intolerance of drink driving. As Table 2 shows, deaths from accidents involving alcohol have been falling over the long term, largely due to tighter restrictions on drink driving. Now only about 5% of road casualties involve alcohol.

1979	1,640
1989	840
1999	460
2009	380
2016	230

Table 2 Deaths from drink driving

Campaigns

The first TV advertising campaign against drink driving mounted by the government was aired over 50 years ago and the fall in deaths is partly due to these campaigns. They have sometimes targeted specific groups who are most at risk of drink driving, such as young men.

The campaigns have been an important factor in changing public perceptions of drink driving as a crime. For example, in 1979, half of all male drivers admitted drink driving at least once a week. However, by 2014, a survey by the government's THINK! campaign against drink driving showed there has been a massive change in people's attitudes.

The survey found that 91% of people agreed that drink driving was unacceptable and 92% said they would feel ashamed if they were caught drinking and driving.

However, road safety campaigns such as Brake argue that that government needs to go further. One in eight road deaths still involves a driver over the alcohol limit and England and Wales have the highest legal alcohol limit in Europe. Brake call for it to be lowered to 20mg. Their survey in 2016 found that over half of drivers agreed.

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Campaigns and changing views   Go to www.criminology.uk.net

Demographic changes: immigration and racism

In 1945, there were fewer than 20,000 non-white residents in the UK. The main immigrant groups were both white: the Irish, who had come for economic reasons, and Jews, who had fled from persecution in Europe.

Demographic changes During the 1950s and 1960s, non-white immigrants came from former British colonies in the Caribbean, the Indian subcontinent and Africa. More recently, people have come from Eastern Europe. Mostly these groups came in search of economic opportunities, often filling jobs that the British refused to take.

As a result, the UK's demographic (population) structure has changed to a multi-ethnic one, as Table 3 shows.

Reasons for the change

This is partly due to changes in the law. According to some psychologists, if we are made to change our behaviour, we tend to change our attitudes to fit. Thus, if the law is changed to forbid discrimination, people may abandon their prejudiced attitudes to bring them into line with how they are now required to behave.

However, other factors may also be responsible for the decline in prejudice. For example, the British Future survey found that people thought children of different backgrounds mixing at school, and workplace contact with people from other ethnicities, were both more important than race relations laws in improving race relations in Britain.

Continuing discrimination

There have clearly been changes in attitudes and behaviour since the demographic changes brought by immigration. However, this does not mean discrimination has disappeared. As well as racism towards non-whites, there is Islamophobia, racism towards white East Europeans and Gypsies/Roma, and antisemitism towards Jews. In 2018 The Conservative government was accused of creating a 'hostile environment' that led to the wrongful deportation of members of the 'Windrush generation' who had lived in the UK for decades.

1948. The *Empire Windrush* brings 802 migrants from British colonies in the Caribbean.

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Demographic changes and policy   Go to www.criminology.uk.net

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Cultural changes and LGBT rights

Lesbian, gay, bisexual and transgender (LGBT) rights in the UK have changed dramatically in recent times in line with changes in society's culture and values.

Before the 1960s

For centuries, same-sex sexual activity was condemned as immoral or sinful and severely punished by the law. For example, the 1533 Buggery Act made sodomy between men punishable by death and men were executed until as late as 1835.

Although the death penalty for sodomy was abolished in 1861, an Act of 1885 extended the laws to include any kind of sexual activity between men. (Sexual activity between women has never been a crime in the UK.)

In the 20th century, the law continued to be enforced against gay men. By 1954 there were over 1,000 men in prison as a result, and trials of individuals such as the wartime code-breaker Alan Turing, who played a central role in cracking the codes of the Nazis' Enigma cipher machine. (One estimate suggests that Turing's work shortened the Second World War by over two years and saved 14 million lives.) Turing committed suicide in 1954.

The 2004 Gender Recognition Act enables people to change their legal gender, acquire a new birth certificate and recognise their acquired sex in law for all purposes. The Act requires them to present evidence to a gender recognition panel and to have transitioned for two years in order to obtain a gender recognition certificate.

More recently, in 2018, changes were proposed to enable individuals to self-declare their gender without going before a panel to obtain a gender recognition certificate.

Continuing discrimination

Despite legal changes, LGBT people still face discrimination and according to the LGBT campaigning organisation Stonewall, one in five gay people and two in five trans people experience a hate crime or incident because of their sexuality or identity every year.

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The impact of cultural change on policy   Go to www.criminology.uk.net

PREPARING FOR THE EXAM

From the late 1940s there was large scale immigration from former British colonies and widespread discrimination against the migrants. Starting in 1965, a series of Race Relations Acts were was passed, outlawing discrimination on grounds of race, colour, ethnicity or nationality. The 1976 Act outlawed both direct and indirect discrimination.

Question

Using one or more examples, explain how social changes can affect policy development.   (8 marks)

Advice

You could take the example of race relations above, or homosexuality, drink driving or other areas where social changes have affected policies. Define values, norms and mores, and use the terms in your answer. Describe any policies or laws that have been introduced and explain the social changes that brought about these changes.

For race relations, describe the 1965, 1968, 1976 and 2010 legislation. Discuss demographic changes caused by immigration, cultural changes such as declining prejudice, acceptance of 'mixed' relationships, the experience of attending school or working with members of other groups, and willingness to see discrimination and racial hatred as crimes.

For homosexuality, include decriminalisation (1967), age of consent (1994 and 2000), civil partnerships (2004) and same-sex marriage (2014). Use changes such as individualism, equal rights, and secularisation. You could also refer to changes relating to transgender rights.

If you do this as a timed question, you should spend no more than 10 minutes on it. Aim to write about 150 words.

Preparing for the Unit 2 exam

Now that you have completed Unit 2, you need to revise and prepare for the exam. This section will help you to get ready to tackle it. It contains some advice on preparing yourself, plus a full practice exam paper for you to try.

There is also advice on how to answer the questions, though you might want to try doing them without looking at the advice first.

Get organised!

The first thing to do is to get your file sorted out. Here are some tips:

1. Make a list of all ten Unit 2 Topics to give you a framework for your revision.
2. Organise your notes, activities and homework for each Topic. Use the subheadings in each Topic as a guide to how to organise them. You could work with others and share your work or fill in any gaps you have together.
3. Make a list of the main issues covered in each Topic. Using these issues, go to your notes and textbook to find the material you need in order to understand them. Make any additional notes you need.
4. From your notes and textbook, list the key ideas that are needed for each Topic. Link these to the issues.

Practise, practise, practise!

Once you have your file in order, the best way to prepare for the exam is by practising the skill you're going to be tested on – the skill of answering exam questions. You wouldn't think of taking a driving test without doing any driving beforehand, and it's the same with exams.

Here are some ways you can practise:

Familiarise yourself with possible questions by looking at those in the *Preparing for the exam* sections at the end of each Topic and the practice paper on the next page.

Improve the answers you've already done. If you didn't get full marks on an assignment, re-write it, taking your teacher's comments on board, plus the advice in the *Preparing for the exam* section in the relevant Topic.

Answer any that you skipped earlier. You may not have done every assignment you were set. Do the ones you missed now. Your teacher might even mark them for you! If not, get a friend to give their opinion (and return the favour).

Study the student answers that appear at the end of some Topics (they all scored full marks) and read the comments that go with them.

Answer past papers that you will find on the WJEC website (and while you're there, look at the mark schemes too).