UNIT 4
Crime and Punishment

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TOPIC 1.1 Describe processes used for law making

Learning Objectives:

After studying this Topic, you should be able to:
- Describe processes used for law making including:
  ■ government processes
  ■ judicial processes.
- Know the legislative process and the role of judges in making criminal law.

Synoptic links: You should relate this to the review of verdicts in criminal cases in Unit 3 and campaigns and changes in policy learned in Unit 1.

Getting Started (page 87)

Write your answers to the Getting Started activity here.

1. From what you have studied so far on your course or from your own knowledge, note down what you know about how laws are made. For example, who is involved in making the law?

2. Consider the law to make stalking a criminal offence (see Criminology Book One, page 160). Who campaigned for the new law and why did the campaign succeed?

Government processes of law making (pages 87-90)

Parliament (page 87)

1. How does a parliamentary democracy like the UK make most of its laws?

2. What is the role of the monarch in law-making in the UK?
**The Lords (page 87)**

1. How many peers are there in the House of Lords?

2. In the UK today, how many hereditary peers are there? How does this compare to in the past?

3. What is the main job of the Lords in law-making?

**The Commons (page 88)**

1. Why is the House of Commons the most important part of Parliament?

2. How do the 650 Members of Parliament gain their place in the House of Commons?

**Activity: Media Parliamentary democracy (page 88)**

1. What is the presenter trying to show when he pretends to be a dictator?

2. What does democracy mean?

3. Who gets to vote in the UK?
4. What are the three parts of Parliament?

5. What are the House of Commons and the House of Lords responsible for?

6. Briefly describe the House of Commons and how it is elected.

7. How does the House of Lords differ from the House of Commons?

8. What is the Government?

9. What is the Cabinet?

10. What is Parliament’s role in relation to the Government?

11. According to the presenter, why is Parliament so important?
The government (page 88)

1. What is the government's job?

2. Who gets to form the government?

3. Who has to agree a Bill for it to become law?

4. What is a ‘Green Paper’?

5. What is a ‘White Paper’?

The parliamentary stages of a Bill (page 89)

Summarise each of the stages a Bill must go through to become a law:

1. first reading

2. second reading

3. the committee stage

4. the report stage

5. third reading

6. the Lords

7. Royal Assent.
Activity: Media *How laws are made* (page 89)

1. What is the first process in creating a law?

2. What are the two types of Bill?

3. Briefly explain the difference between Government Bills and Private Member’s Bills.

4. Why are Government Bills likely to take priority and to be passed by Parliament?

5. Briefly explain what happens in the consultation stage.

6. Using the example of twenty-four hour drinking, who would be consulted about the proposed Bill?

7. What is a Green Paper?

8. What is the purpose of the First Reading of the Bill?

9. Why is the Second Reading of a Bill more important? What happens at this reading?
10. What happens at the Committee Stage?

11. What is the Report Stage?

12. What happens in the Third Reading and where does the Bill go after that stage?

13. How does the Committee Stage in the House of Lords differ from that in the House of Commons?

14. What has to happen to a Bill if the Lords make changes to it?

15. What happens to a Bill once both the House of Commons and the House of Lords have agreed on it?

16. Why should the Monarch agree a Bill that is passed to them?

17. Briefly outline the example of a Government Bill that was blocked by the House of Commons.
Box Some examples of criminal statutes (page 90)

Summarise the following criminal laws introduced by government:
2. The Crime (Sentences) Act (1997)
3. The Dangerous Dogs Act (1991)

Judicial processes of law making (pages 90-91)

Judicial precedent (page 90)

1. What is ‘judicial precedent’?
2. What is ‘judicial precedent’ based on?
3. What is the advantage of treating similar cases in the same way?
4. Why is the term ‘common law’ used?

The court hierarchy (page 90)

Summarise the court hierarchy in the UK.
### Exceptions to precedent (pages 90-91)

1. Summarise the two main situations where a court does not have to follow precedent:
   a. distinguishing
   
   b. overruling.

2. Use the example of marital rape to explain why a court might overrule a precedent.

### Statutory interpretation (page 91)

Give examples of the three main interpretation rules used by judges:

a. the literal rule

b. the golden rule

C. the mischief rule.

### Activity: Media Statutory interpretation (page 91)

1. What is the literal rule?
2. What are the advantages and disadvantages of this rule?

3. What was Cheeseman caught doing?

4. Why was Cheeseman let off?

5. What happened to Berriman?

6. Why did his family fail to get compensation?

7. In Whitely v Chappel, what had the appellant done?

8. What did the court consider in this case and why did that mean the appellant was not guilty?

9. What is the golden rule? What is the narrow approach and the wide approach?
10. What are the advantages and disadvantages of the golden rule?

11. Explain the case of R v Allen, which shows the narrow approach to the golden rule. Why did the court have to decide on the second definition of marriage?

12. In Adler v George, what was the importance of the phrase ‘in the vicinity of’?

13. Why did the court ‘re-write’ the Act of Parliament in the Sigsworth case?

14. What is the mischief rule?

15. What are the advantages and disadvantages of the mischief rule?
16. How was the mischief rule used in the cases of Corkery v Carpenter and Smith v Hughes?

17. What were the nurses trying to determine in their case against the DHSS in 1981?

18. What is the purposive approach?

19. What are the advantages and disadvantages of the purposive approach?

20. How did the purposive approach help the case of Jones?

21. Why was Smith denied access to his natural mother?

22. How was the purposive approach used in the case of R (Quintavalle) v Secretary of State for Health?
Preparing for the exam (page 92)
Revise Topic 1.1 from your notes and textbook (pages 87-91), then answer the question below.
When you have written your answer, compare it with the answer by Sophie on page 92 of your textbook and add in any extra points you feel are relevant.
Describe the process by which the government makes laws. (9 marks)

Describe processes used for law making.

Continue on a separate sheet if necessary.
TOPIC 1.2 Describe the organisation of the criminal justice system in England and Wales

Learning Objectives:

After studying this Topic, you should be able to:

- Describe the organisation of the criminal justice system in England and Wales including:
  - police
  - law creation
  - courts
  - formal punishment
  - relationships.

- Know the organisation and role of the agencies involved in criminal justice and consider the relationships between different agencies and the extent of co-operation that exists.

Synoptic links: You should draw on your learning in Unit 3 regarding the process taken to obtain verdicts in criminal cases and the roles of different personnel and agencies involved. You can also draw on your learning of campaigns and changes in policy learned in Unit 1.

Getting Started (page 93)

1. Using Unit 3 Topic 1.1, write a brief summary of the role of the police in the criminal justice system.

2. Using Unit 3 Topic 2.2, write a brief summary of the stages of the trial process, including the roles of the personnel involved.

Overview of the criminal justice system (page 93)

Briefly outline the four main parts of the criminal justice system in England and Wales.

a.

b.

c.

d.
### Law Creation (page 93)

1. What is the role of the following in making laws dealing with crime:
   - a. Parliament
   - b. judges

2. Which two government departments oversee most of the justice system?

### The Police (pages 93-94)

1. What is the role of the police in enforcing the law?

2. What punishments are the police able to give to offenders?

### The Crown Prosecution Service (page 94)

Briefly outline the four stages of the work of the CPS in dealing with a case.

1. 
2. 
3. 
4. 

### HM Courts and Tribunals Service (page 94)

1. Once a suspect is charged, where do they appear?

2. What happens when a defendant pleads guilty?

3. What happens when a defendant pleads not guilty?

4. Which offences are dealt with by the Crown Court?

5. What does the prosecution present once a case goes to court?

6. Who decides the verdict in a trial?

7. Who decides the punishment in a trial?
### Describe the organisation of the justice system

1. What is the role of HM Prison Service in carrying out sentences?

2. What is the role of the National Probation Service in carrying out sentences?

3. What other role do both HM Prison Service and The National Probation Service have in dealing with offenders?

### Activity: Media *The probation service* (page 94)

A. Using the link, complete the questions that follow.

1. What does Roz advise Gary that she will be doing for him?

2. What crime had Gary committed?

3. What does Roz try to get Gary to consider?

4. What does Gary have to do before he can leave the probation appointment?

5. What does Gary admit in relation to his offence?

6. Would the probation officer be able to get a sentence changed? Why might she do this?

7. Why does Roz make Gary consider the implications of his crime?
8. What is the purpose of the sentence that Gary has received?

9. What is Gary required to do to fulfil his sentence?

10. What will happen if Gary breaches his sentence?

B. From the information in the video, summarise the role of a probation officer with an offender who has been given a community sentence.

Relationships between the justice agencies (pages 95-96)

The police (page 95)

Summarise the relationship the police have with:

1. the courts

2. the CPS

3. HM Prison and Probation Service

4. voluntary organisations.
Describe the organisation of the justice system

**The Crown Prosecution Service** (page 95)

Summarise the relationship the CPS has with:
1. the police
2. the courts.

**Government departments** (page 95)

1. Which government department is responsible for:
   a. the courts, prison service and probation service
   b. the police
2. Where do the funds for the criminal justice system come from?

**HM Courts and Tribunals Service** (page 95)

Summarise the relationship HM Courts and Tribunals Service has with:
1. courts and judges
2. HM Prison Service.

**The National Probation Service** (page 95)

Summarise the relationship the National Probation Service has with:
1. HM Prison Service and the Parole Board
2. the courts.
Activity: Media Relationships between agencies (page 96)

1. Who does Kate, the probation officer in the clip, work with?

2. What is the first thing Kate has to assess about a new probationer?

3. What is the integrated domestic abuse programme (Idap)?

4. What will Kate do if an offender is not suitable for the Idap programme?

5. On the Idap programme, which other agencies does the Probation Service work with?

6. Who is involved if the victims have suffered serious sexual or violent offences against them? What is their role?

7. How does the Probation Service work with the police in cases of domestic violence?

8. How are social services involved in probation cases?

9. What does the multi-agency risk assessment conference (MARAC) do? When is it used?
10. In what way does the Probation Service work with perpetrators of domestic abuse?

11. What advice does Kate give to victims of abusive relationships?

**HM Prison Service (page 96)**

Summarise the relationship HM Prison Service has with:

1. the courts

2. the police

3. the National Probation Service.

**Voluntary organisations (page 96)**

Using the example of Victim Support, summarise how voluntary organisations work with other justice agencies.

**Campaigns (page 96)**

Summarise the role of campaigns in the justice system. Give examples of campaigns.
Activity: Media *The work of INQUEST* (page 96)

1. What does the charity INQUEST provide?

2. When was INQUEST founded?

3. Who does INQUEST work with?

4. What campaigning does INQUEST carry out?

5. What knowledge is INQUEST able to share?

6. In what ways is INQUEST working for social justice?

7. Briefly describe the four priority areas of work of INQUEST.

8. Click on the link to current campaigns and make brief notes on one of these.
Describe the relationships of the probation service with other agencies in the criminal justice system.

(7 marks)
Learning Objectives:

After studying this Topic, you should be able to:

- Describe models of criminal justice including:
  ■ due process
  ■ crime control.

- Describe the theories of the two models of criminal justice.

Synoptic links: You will draw on your understanding of criminological theories in Unit 2 and your review of criminal verdicts in Unit 3 to gain awareness of the application of these models.

Getting Started (page 97)

Write your answers to the Getting Started activity here.

A. To protect society, criminals should be caught and locked up as quickly as possible. It’s worth risking a few innocent people going to prison if this helps us to catch most of the guilty ones.

B. To protect the individual, it shouldn’t be easy to convict a person of a crime. It’s better to risk some guilty people going free than to send an innocent person to prison.

Discuss which view you agree with more. From your discussion, note down any problems you find with each view.

Two models of criminal justice (pages 97-98)

What did Herbert Packer call the two models of criminal justice that he describes?

The crime control model (page 97)

Summarise the six main aspects of the crime control model:

1. 

2. 

3. 

4. 

5. 

6. 

What did Herbert Packer call the two models of criminal justice that he describes?
The due process model (page 98)

Summarise the six main aspects of the due process model:
1.
2.
3.
4.
5.
6.

Question (page 98)

What kinds of evidence are courts likely to rule out as inadmissible and why?
Links to theories (page 98)

1. Summarise how the crime control model links to:
   a. right realism
   b. functionalism.

2. Summarise how the due process model links to:
   a. labelling theory
   b. left realism.

Activity: Media Crime control and due process (page 98)

A. Using the link, complete the questions that follow.

1. According to the clip, what does *Judicia* represent?

2. What is the difference in the definitions of justice between that of the Bible and Garside?

3. What is the definition of due process?

4. How is due process achieved?
5. What is presumed in due process?

6. Who is protected by the due process model?

7. What is a disadvantage of the due process model? Does this mean justice is not done?

8. What is highlighted in the crime control perspective?

9. According to Packer, what must the crime control process do and what is the implication of this?

10. Briefly describe what happened to Barry George.

11. What is another key concern of the crime control perspective?

12. What might this mean for police practices?
13. Why might both models allow for more crime to continue?

14. Which values influence each of the models?

15. According to the clip, why is the due process model fairer than the crime control model?

8. As a class, discuss which model you would favour. Explain the reasons for your choice.

The two models and the UK justice system (pages 99-101)

Rules governing the working of the justice system (page 99)

1. Give an example of a due process rule that is used to protect the defendant’s rights.

2. How can the due process rule in question 1 be overruled? How would this support the crime control model?
3. Using the table on page 99, summarise five rules that favour the due process model.

a.

b.

c.

d.

e.

4. Using the table on page 99, summarise five rules that favour the crime control model.

a.

b.

c.

d.

e.

Due process and crime control in practice (page 100)

What is there to suggest that in most cases the due process rights of the accused are respected?
1. What do miscarriages of justice highlight about the criminal justice system?

2. Summarise how the following illustrate miscarriages of justice:
   a. Colin Stagg
   b. Sally Clark
   c. the Birmingham Six
   d. the West Midlands Serious Crime Squad
   e. the case of Bingham Justices.

Activity: Media Miscarriage of justice (page 101)

1. Who did Susan meet in prison?

2. Briefly describe the account of the murder.
3. Describe Susan May’s relationship with her aunt.

4. What had happened on the night her aunt was murdered?

5. How had Susan reacted when she found her aunt?

6. What evidence was taken from the scene by the police?

7. How was the red car seen to be suspicious?

8. Briefly describe the evidence that was found at the scene but was never identified.

9. How many days after the murder did the police arrest Susan?
10. What was the reaction to Susan’s arrest among the local community? Did this suggest she was guilty?

11. Briefly describe the evidence given by Susan’s sister and explain why this may not have been accurate and should not have been used.

12. What were the three crucial points the police built the case around?

13. Why had Susan lied about her relationship?

14. Why did Susan use her local solicitor?

15. What evidence was missing from the trial?
16. What additional evidence could Susan have requested?

17. What sentence was Susan given?

18. What did the Friends of Susan May do?

19. What is needed for an appeal?

20. What happened in the first appeal?

21. What made Sandra Gregory realise Susan was innocent?

22. Who joined the campaign against Susan’s conviction in 1997? What effect did this have?

23. What did Susan do in prison to help her get through?
24. Why was much of the evidence that would have helped Susan inadmissible in her appeal?

25. What was the significance of the stains and how had they been wrongly classified?

26. What is the difference between being interviewed as a witness and as a suspect?

27. What did Susan do in response to losing the second appeal?

28. How long did Susan spend in prison?

29. Was she ever found to be innocent by the legal system?

30. What has been the impact of prison on Susan?

31. Who killed Susan's aunt? How do we know this?

32. Why was Susan still working on the case?
Explain the main differences between the crime control model and the due process model of criminal justice systems. (6 marks)

Continue on a separate sheet if necessary.
TOPIC 2.1 Explain forms of social control

Learning Objectives:

After studying this Topic, you should be able to:

- Explain forms of social control including:
  - internal forms
    - rational ideology
    - tradition
    - internalisation of social rules and morality
  - external forms
    - coercion
    - fear of punishment
  - control theory
    - reasons for abiding by the law.
- Understand different forms of social control with reference to theory.

Synoptic links: You will need to relate your understanding to theoretical knowledge acquired through Unit 2. You should also be able to apply your understanding to situations studied in Units 1, 2 and 3.

Getting Started (page 102)

Write your answers to the Getting Started activity here.

1. What are norms, values and moral codes? (If you’re not sure, look back at Criminology Book One, pages 77-78.)

2. What sanctions exist for controlling our behaviour in line with society’s norms? For example, how is our behaviour controlled in school by peers and teachers?

3. Why do you think people follow the norms and values of society?

What is social control? (page 102)

Using an example, explain what would happen if people stopped behaving as they are expected to.
Internal forms of social control (pages 102-103)

What is meant by ‘internal forms of social control’?

Moral conscience or superego (page 102)

1. According to Freud, why do we conform to society’s expectations?

2. When does our superego develop?

3. What is the function of the superego?

Tradition and culture (page 103)

Give two examples of a religious tradition to which members of a community conform. In each case state the name of the religious community.

Internalisation of social rules and morality (page 103)

1. What is meant by ‘internalisation of social rules and morality’?

2. What is meant by ‘rational ideology’?

Activity: Media Socialisation (page 103)

1. What is socialisation and what do we learn through socialisation?
2. What are agents of socialisation?

3. Briefly explain why the family is an important agent of socialisation. What does it teach us?

4. How do visits to the doctor differ as between wealthy parents and ‘less fortunate’ parents? What are the implications of the differences for the future development of the children?

5. What do schools teach us in addition to the curriculum subjects? Give an example.

6. Briefly explain how our peers influence us.

7. Briefly explain the role of the mass media in the process of socialisation.
### Agencies of social control (page 103)

1. What are ‘agencies of social control’?

2. Describe an example of how each of the following can control our behaviour:
   - a. parents
   - b. friends
   - c. teachers.

3. How does the use of sanctions link to Skinner’s operant learning theory?

### The criminal justice system (pages 103-104)

1. What powers to use formal sanctions do the following agencies have:
   - a. the police
   - b. the CPS
   - c. judges and magistrates
   - d. the prison service?

2. Describe an example of a positive sanction used by formal agencies of social control.

### Coercion (page 104)

1. What is meant by ‘coercion’?

2. Give an example of coercion used by the criminal justice system.

### Fear of punishment (page 104)

Using an example, briefly explain why fear of punishment acts as a form of coercion.
1. What is the key question for control theorists?

2. Briefly explain the four elements of an individual’s bond to society:
   a. attachment
   b. commitment
   c. involvement
   d. beliefs.

Activity: Media Social bonds (page 104)

1. According to the social bond theory, why do humans behave conventionally?

2. What happens when an individual’s bonds break?

3. What are the four major elements of social bond theory?
4. Briefly explain attachment, using the examples of good and bad attachment shown in the clip.

5. What are the consequences of good attachment and poor attachment?

6. Briefly explain involvement, using the examples shown in the clip.

7. In what way can involvement be beneficial for an individual?
8. Briefly explain commitment, using the examples shown in the clip.

9. How is commitment linked to deviance?

10. Briefly explain belief, using the examples in the clip.

11. Why would poor belief be likely to lead to deviance or crime?
1. According to Gottfredson and Hirschi, what is a major cause of delinquency?

2. According to Riley and Shaw, what three things should parents do?
   a. 
   b. 
   c. 

3. According to Walter Reckless, what is meant by:
   a. ‘internal containment’
   b. ‘external containment’?

4. According to Frances Heidensohn, how does social control prevent women from offending? Give an example.

5. According to Pat Carlen, why do some women offend? How is this linked to a lack of social control?
Preparing for the exam (page 106)
Revise Topic 2.1 from your notes and textbook (pages 102-105), then answer the question below.
When you have written your answer, compare it with the answer by Anthony on page 106 of your textbook and add in any extra points you feel are relevant.
Discuss the different forms of social control. (8 marks)

Continue on a separate sheet if necessary.
**TOPIC 2.2 Discuss the aims of punishment**

**Learning Objectives:**

**After studying this Topic, you should be able to:**

- Discuss the aims of punishment including:
  - retribution
  - rehabilitation
  - deterrence
    - prevention of reoffending
    - deterrence of others from committing similar crimes
  - public protection
  - reparation.

- Explain each of the aims of punishment.

**Synoptic links:** You should be able to consider these aims in the context of the criminological theories learned in Unit 2.

**Getting Started (page 107)**

Write your answers to the Getting Started activity here.

1. Why does society punish criminals? Suggest as many reasons as you can.

2. From your knowledge of criminological theories in Unit 2, what types of punishment do you think the following would favour?
   
   a. biochemical theories

   b. cognitive theories

   c. right realism.
What are the aims of punishment? (page 107)

What are the five aims or purposes of punishment? Briefly explain what each one means.

1. 

2. 

3. 

4. 

5. 

Retribution (pages 107-108)

What is meant by ‘retribution’?

‘Just deserts’ (pages 107-108)

1. What is meant by ‘just deserts’?

2. What is meant by proportionality? Give an example.

3. What is meant by a ‘tariff’ system and how does this link to proportionality?

4. Using the example of hate crime, explain how punishment can be used to reflect society’s moral outrage.
Topic 2.2

Discuss the aims of punishment

Theory (page 108)

1. Which theory of criminality does retribution link to?

2. Explain how retribution links to this theory.

3. According to Durkheim, what function does moral outrage perform?

Criticisms (page 108)

Summarise three criticisms of retribution as an aim of punishment.

1.

2.

3.

Activity: Media Problems of retributive justice (page 108)

The clip discusses five harmful things about retributive justice. As you watch the video, briefly explain what is meant by each of the five problems listed below. Where possible, include examples that illustrate the points being made.

You can use the points from the clip as headings for your notes.

1. It makes justice into a transaction.

2. It makes it more difficult to consider mitigating factors.
Discuss the aims of punishment

3. It prioritises punishment over treatment.

4. It dehumanises offenders.

5. We already know there’s another way.

Rehabilitation (page 109)

1. What is meant by ‘rehabilitation’? How does it differ from retribution?

2. List three types of rehabilitation policies.
   a.
   b.
   c.

3. Why do rehabilitation policies often require considerable input and support from professionals?
Theory (page 109)

1. What ways of changing offenders' behaviour do the following individualistic theories favour:
   a. cognitive theories
   b. Eysenck’s personality theory
   c. Skinner’s operant learning theory.

2. Which sociological theory would favour rehabilitation?

Criticisms (page 109)

Summarise two criticisms of rehabilitation as an aim of punishment.

1. 

2. 

Deterrence (pages 109-110)

What is meant by ‘deterrence’?

Individual deterrence (pages 109-110)

1. How does individual deterrence aim to prevent individuals from re-offending?

2. Why did Margaret Thatcher’s government introduce a tough new system of juvenile detention centres in the 1980s?
## General deterrence (page 110)

1. How does general deterrence aim to prevent the public in general from breaking the law?

2. What was used as general deterrence in the past? How does this differ from today?

## Severity versus certainty (page 110)

1. Briefly explain the difference between the severity of a punishment and the certainty of a punishment. Which is more likely to act as a deterrent?

2. Use the example of burglary to illustrate why severity of a punishment may not act as deterrent.

## Theory (page 110)

1. Explain why right realism favours deterrence as a means of crime prevention.

2. Explain how situational crime prevention strategies may act as a deterrent.

3. How is social learning theory relevant to understanding general deterrence?

## Criticisms (pages 110-111)

Summarise six criticisms of deterrence as an aim of punishment.

1.

2.

3.

4.

5.

6.
Activity: Research *Boot camps* (page 111)

1. In which cases are non-custodial sentences found to be an effective alternative to prison?

2. According to the article, why have judges lost faith in community sentences?

3. What is a key advantage of non-custodial sentences?

4. Why is it difficult to measure the performance of public services?

5. What is a further problem of trying to determine sentence effectiveness?

6. For the following crimes, briefly outline the difference in crime reduction brought about by non-custodial sentences as compared with custodial sentences:
   a. property crime
   b. violence
   c. sexual offences
   d. robbery.

7. Briefly explain what the results of the research suggest.
Public protection (pages 111-112)

1. How does incapacitation of offenders protect the public?

2. Describe six examples of incapacitation that have been used at different times and places.
   a. 
   b. 
   c. 
   d. 
   e. 
   f. 

Imprisonment (page 111)

1. Why is it claimed that ‘prison works’?

2. Name three offences for which the Crime (Sentences) Act 1997 introduced mandatory jail sentences.
   a. 
   b. 
   c. 

3. What did the Criminal Justice Act 2003 introduce to protect the public? For what crimes?

4. Summarise the ‘three strikes and you’re out’ policy used in the United States. Give an example of when this has been used.
Discuss the aims of punishment

**Theory (page 112)**

1. Why would a biological theory, such as Lombroso’s, favour the use of incapacitation rather than rehabilitation as a way of protecting the public from crime?

2. Why would right realism see incapacitation as a way of protecting the public from crime?

**Criticisms (page 112)**

Summarise four criticisms of incapacitation as an aim of punishment.

1.

2.

3.

4.

**Reparation (pages 112-113)**

1. What is meant by ‘reparation’?

2. Explain two ways in which reparation can be made for material damage.
   a.
   b.
Restorative justice (page 112)

1. What do restorative justice schemes do?

2. How do these schemes benefit both the victim and the offender?

Activity: Media Restorative justice (page 112)

The clip discusses five beneficial things about restorative justice. As you watch the video, briefly explain what is meant by each of the five benefits listed below. Where possible, include examples that illustrate the points being made. You can use the points from the clip as headings for your notes.

1. It makes justice the work of the community.

2. It considers the interests of victims and offenders.

3. It allows for more proportionate punishments.
4. It favours restitution over retribution.

5. It is forward-looking.

**Theory (pages 112-113)**

1. Explain why labelling theory favours restorative justice.

2. What is ‘restitutive justice’?

3. Why would functionalists favour ‘restitutive justice’?

**Criticisms (page 113)**

Summarise two criticisms of reparation as an aim of punishment.

1. 

2.
Discuss retribution and reparation as aims of sentencing of offenders. (10 marks)

Preferably continue on a separate sheet if necessary.
TOPIC 2.3 Assess how forms of punishment meet the aims of punishment

Learning Objectives:

After studying this Topic, you should be able to:

- Assess how the forms of punishment meet the aims of punishment including:
  - imprisonment
  - community
  - financial
  - discharge.

- Assess how different forms of punishment meet the aims of punishment.

Synoptic links: You should be able to draw on your learning developed in Units 1, 2 and 3 in order to make objective evidence-based conclusions.

Getting Started (page 114)

Write your answers to the Getting Started activity here.

Make notes on your discussion of how far you feel punishment meets each of the five aims described in the previous Topic (retribution, rehabilitation, deterrence, public protection and reparation).

The aims of sentencing (page 114)

What are the five aims of sentencing as set out in the Criminal Justice Act 2003?

1.

2.

3.
Assess how forms of punishment meet punishment aims

Activity: Research Type of sentence (page 114)

A. Briefly explain the patterns of sentencing for the following offenders. What is the most common and least common sentence for each category:

1. First time offenders
2. 1-2 previous convictions/cautions
3. 3-6 previous convictions/cautions
4. 7-10 previous convictions/cautions
5. 11-14 previous convictions/cautions
6. 15 or more previous convictions/cautions?

B. As a further activity, compare the patterns of sentencing for the following groups. [To do this, uncheck the boxes of those categories that you want to exclude.]

1. Adult versus juveniles
2. Males versus females
3. The different offence groups.

**Imprisonment** (pages 114-117)

When are prison sentences handed down by the courts? Give an example of the type of offence.

**Life sentences** (page 115)

1. What does a judge do when giving a life sentence?

2. What does the Parole Board do in cases of life sentences?

3. What happens if an offender is released on licence?

4. What is a mandatory life sentence and which type of offence is it used for?

5. What types of offence are discretionary life sentences used for?

6. What is meant by a ‘whole life term’?

**Indeterminate sentences** (page 115)

1. What is meant by an ‘indeterminate sentence’?

2. In 2018, how many prisoners were serving indeterminate sentences?
3. Why might an offender have an ‘imprisonment for public protection’ (IPP) sentence?

4. In 2018, how many IPP prisoners were there?

**Activity: Media Indeterminate sentences (page 115)**

A. Using the link, complete the questions that follow.

1. What was the new type of sentencing introduced in 2005?

2. What types of crime was this given for?

3. What were indeterminate sentences for public protection (IPPs) supposed to do? When were they scrapped?

4. At the time of the clip, how many prisoners were still serving these sentences?

5. Briefly describe Johnny’s case, including how he pleaded and the tariff he was given. How long has he been in prison?

6. What other crimes have people been given IPP sentences for?

7. What is the cost of keeping IPP prisoners in jail?
8. According to Joel Samuels QC, what would be a better way of ensuring the safety of the public?

9. What sentences are the most dangerous criminals serving?

10. What criticisms are made of parole boards in the way in which they deal with IPP cases? According to Samuels, what are the problems with these cases?

11. What do IPP prisoners have to prove to be released?

12. Briefly describe Michael Hood’s case. How long did he serve in prison compared to his original sentence?

13. According to Hood, what can be the effects of IPP sentences on prisoners? Why are they treated differently when they are released?

14. What kinds of conditions have been placed on Hood since he has been released?

15. What is Hood's offending history and at what ages? Why does he feel he didn't deserve an IPP?
16. According to Hood, who else suffers when an IPP is given?

17. How long are IPP prisoners on probation when released and how many get recalled?

18. Why didn’t Johnny get released?

B. Using evidence from the clip, evaluate whether indeterminate sentences meet their aims. Give specific examples to justify your points.

---

**Determinate sentences (page 115)**

1. What are determinate sentences?

2. What length of sentence is served in prison for:
   a. a sentence of under 12 months
   b. a sentence of 12 months or more?

3. What happens to offenders who are sentenced to less than two years when they are released?

---

**Suspended sentences (pages 115-116)**

1. What happens to an offender who is given a suspended sentence?
Topic 2.3
Assess how forms of punishment meet punishment aims

Does imprisonment meet its punishment aims? (pages 116-117)

Retribution (page 116)

1. Summarise how prison meets the aim of retribution.

2. Why might prison not give offenders their ‘just deserts’?

Deterrence (page 116)

1. Summarise how prison meets the aim of deterrence.

2. Why might prison not act as a deterrent?

Public protection (incapacitation) (pages 116-117)

1. Summarise how prison meets the aim of incapacitation.

2. Summarise the four ways in which prison may provide public protection.
   a.
   b.
3. Why might prison be a 'school for crime'?

4. State one further problem of prison.

---

**Reparation (page 117)**

1. Summarise how prison meets the aim of reparation.

2. Why might prison not meet the aim of reparation?

---

**Rehabilitation (page 117)**

1. Summarise the evidence that shows prison does not rehabilitate offenders:
   a.
   b.
   c.

2. Why are short sentences not effective for rehabilitating offenders?

3. Why do many offenders struggle to get a job when they are released from prison?

4. What percentage of prisoners are able to attend day release from prison for work or training?

5. What are the limitations to prison addressing offending behaviour?
What are the six requirements that a Community Order may have?

1.

2.

3.

4.

5.

6.

Do community sentences meet their punishment aims? (pages 118-119)

Retribution (page 118)

Summarise how community sentences meet the aim of retribution.

Reparation (page 119)

Summarise how community sentences meet the aim of reparation.

Public protection (page 119)

1. Why do community sentences fail to meet the aim of incapacitation?

2. In what ways do community sentences offer the public protection?
Rehabilitation (page 119)

1. How do community sentences aim to rehabilitate offenders?

2. Briefly outline the evidence that community sentences are more effective at rehabilitating offenders.
   a. 
   b. 

3. What happened to the use of community sentences between 2007 and 2017?

Activity: Research Alternatives to prison (page 119)

1. In which cases are non-custodial sentences found to be an effective alternative to prison?

2. According to the article, why have judges lost faith in community sentences?

3. What is a key advantage of non-custodial sentences?

4. Why is it difficult to measure the performance of public services?

5. What is a further problem of trying to determine sentence effectiveness?

6. For the following crimes, briefly outline the difference in crime reduction brought about by non-custodial sentences as compared with custodial sentences:
   a. property crime
   b. violence
c. sexual offences

d. robbery.

7. Briefly explain what the results of the research suggest.

Fines (pages 119-120)

1. For which types of offences are fines normally given?

2. Describe the four factors that determine the size of a fine:
   a.
   b.
   c.
   d.

Do fines meet their punishment aims? (page 120)

1. Summarise how fines meet the aim of retribution.

2. Summarise how fines meet the aim of deterrence.

3. What may happen if an offender does not pay their fine?

4. What can courts do to try to ensure they receive payment of a fine?

5. What was the value of the backlog of fines and court charges in 2016?
Discharges (pages 120-121)

1. What is a ‘conditional discharge’?

2. What is an ‘absolute discharge’?

3. When are absolute discharges normally used?

Activity: Research and discussion The Thirsk rail crash (page 121)

The link gives details of the Thirsk rail crash in 1892.

1. Using the ‘Events’ section of the article, briefly explain what happened.

2. What happened to James Holmes in the aftermath?

3. Who else was found to be at fault in relation to the crash?

4. How could the crash have been prevented?

B. Use your group responses to take part in a whole class discussion on whether you would have given Holmes an absolute discharge. In your discussion, consider Holmes’ situation and also the impact of the crash. Write your notes on the discussion here.
Do discharges meet their punishment aims? (page 121)

Summarise how discharges may meet the aim of deterrence.

Preparation for the exam (page 121)

Answer the question here, using the Advice on page 121 to help you.

Assess how well community sentences meet the aims of punishment. (8 marks)

Continue on a separate sheet if necessary.
Learning Objectives:

After studying this Topic, you should be able to:

- Explain the role of agencies in social control.
  
  Role:
  
  - aims and objectives
  - funding
  - philosophy
  - working practices
    - types of criminality
    - types of offenders
    - reach (local, national)

  Agencies:
  
  - government-sponsored agencies
    - police
    - CPS
    - judiciary
    - prisons
    - probation
  - charities
  - pressure groups.

- Identify agencies involved with social control and explain their role in achieving social control.

Synoptic links: You can apply your understanding from Unit 3 to this criterion.

Getting Started (page 122)

Write your answers to the Getting Started activity here.

Make a list of the different criminal justice agencies that you know about. For each one, list the ways in which they are involved in controlling people’s behaviour. Add to your list following your class discussion.
Agencies involved in social control (page 122)

1. Name five social control agencies controlled by the government.

2. What other types of social control agencies are there?

The police (pages 122-124)

Philosophy (page 122)

What were the five aspects of Sir Robert Peel’s philosophy of policing?

1.

2.

3.

4.

5.

Activity: Media The Police Code of Ethics (page 123)

1. Why should the public expect high standards of behaviour from the police?

2. How does the Police Code stay true to Sir Robert Peel’s founding principles of British policing?
3. Who does the Police Code of Ethics apply to?

4. Briefly explain what is meant by the following policing principles:
   a. accountability
   b. fairness
   c. honesty
   d. integrity
   e. leadership
   f. objectivity
   g. openness
   h. respect
   i. selflessness.

5. According to the clip, how do the police maintain their legitimacy?
### Aims and objectives (page 123)

1. According to the Association of Chief Police Officers, what are the aims of the police?
   
a. 
   
b. 
   
c. 
   
d. 

2. What powers do the police have to achieve their aims?

### Funding (page 123)

1. What are the three sources of police funding?
   
a. 
   
b. 
   
c. 

2. What has happened to police funding in recent years?

### Working practices (page 124)

How many police forces are there in:

1. England and Wales

2. Scotland and Northern Ireland?

### Types of criminality and offender (page 124)

Give an example of a specialist law enforcement agency and the type of crime it deals with.
**Police duties (page 124)**

What are the general duties of most police?

---

**Specialist policing (page 124)**

1. Give five examples of specialist police departments.
   a. 
   b. 
   c. 
   d. 
   e. 

2. Why are most police unarmed?

3. What are special constables and what do they do?

4. What are Police Community Support Officers and what do they do?

5. What are Police and Crime Commissioners and what do they do?
Aims and objectives (page 125)

1. Why was the CPS set up?

2. Outline five aspects of the CPS’s role:
   a. 
   b. 
   c. 
   d. 
   e. 

Philosophy and values (page 125)

What are the five values that underpin the work of the CPS?

1. 

2. 

3. 

4. 

5.
### Funding (page 125)

1. What is the main source of the CPS’s funding? How much does it receive?

2. What has happened to the CPS’s funding in recent years?

### Working practices (page 125)

1. What types of crimes and offenders does the CPS deal with?

2. How many regional teams are there in the CPS?

3. What is ‘CPS Direct’?

4. Who is the head of the CPS?

### Decisions to prosecute (pages 125-126)

1. What three criteria must evidence meet to pass the evidential test?

2. What are the seven questions that determine whether a prosecution passes the public interest test?
   a. 
   b. 
   c.
The judiciary (pages 126-127)

Philosophy (page 126)

1. What are the six principles in the Guide to Judicial Conduct (2016)?
   a. 
   b. 
   c. 
   d. 
   e. 
   f. 

2. What are the two oaths that judges swear?
   a. 
   b. 

3. Outline the two aspects of the Threshold Test.
   a. 
   b. 

d. 

e. 

f. 
g.
### Aims and objectives (page 127)

1. What is the role of the judiciary in the following courts:
   a. Crown Court
   
   b. appeal courts?

### Funding (page 127)

1. What body determines the pay of the judiciary?

2. In 2018, how much were (a) the most senior judge and (b) district judges paid?

3. How much can some experienced barristers earn and how might this affect the recruitment of judges?

### Working practices (page 127)

1. What two features of their position ensure that judges maintain their independence?
   a.
   
   b.

2. Briefly describe the hierarchy of judges.

3. What types of crimes and offenders do judges deal with?
4. Which court has nationwide jurisdiction?

5. Approximately how many Crown Court venues are there around the country?

Prisons (pages 128-129)

Philosophy (page 128)

What is the purpose of HM Prison and Probation Service?

Aims and objectives (page 128)

1. What are the three main aims of the prison service?
   a. 
   b. 
   c. 

Funding (page 128)

1. Who pays for prisons?

2. In 2018, what was the budget for prisons and how did this compare to 2010?

3. What has happened due to the change in funding?
1. In 2019, how many prisons were there and who ran them?

2. What types of crimes and offenders do prisons deal with?

3. Summarise the level of risk posed by the following categories of prisoner:
   a. category A
   b. category B
   c. category C
   d. category D

4. What happens to prisoners who have attempted to escape from prison?

5. Why are prisons criticised for not meeting the aim of rehabilitation of offenders?

6. Why are there too few activities for prisoners?

7. What are incentives and earned privileges (IEPs)?
8. How are IEPs used to help control prisoners’ behaviour?

**The National Probation Service (pages 129-131)**

<table>
<thead>
<tr>
<th>Philosophy (page 129)</th>
</tr>
</thead>
<tbody>
<tr>
<td>What are the three core values and ethical principles of the National Probation Service (NPS)?</td>
</tr>
<tr>
<td>1.</td>
</tr>
<tr>
<td>2.</td>
</tr>
<tr>
<td>3.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Aims and objectives (pages 129-130)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. How does the NPS describe itself?</td>
</tr>
<tr>
<td>2. What is the priority of the NPS?</td>
</tr>
<tr>
<td>3. Who does the NPS work in partnership with?</td>
</tr>
<tr>
<td>4. Summarise how the probation service supervises the following types of offender:</td>
</tr>
<tr>
<td>a. offenders serving a sentence in the community</td>
</tr>
<tr>
<td>b. offenders who have been released on licence from prison.</td>
</tr>
</tbody>
</table>
Topic 3.1
Explain the role of agencies in social control

Activity: Media The Probation Service (page 130)

A. Using the link, complete the questions that follow.

1. According to Simon Simpson, the area manager, what do the approved premises do?

2. What does Simon Edwards say would happen to him without approved premises?

3. According to Gerry Marshall, why do offenders say prison is easier than probation?

4. What are offending behaviour programmes and who are they aimed at?

5. Why do probation officers perform drug tests on offenders?

6. According to Paul Bonner, what did the community sentence do for him?

7. According to Ian Troup, what does the Probation Service need to do for drug users?

8. What are the duties of the Probation Service in relation to high risk offenders such as sex offenders or those who have committed domestic violence?
9. What does MAPPA stand for and who does it involve?

10. What is the Oasis system and how does the Probation Service use it?

11. How does the Probation Service help with restorative justice?

12. What does the victim liaison officer focus on?

13. What happens if you send someone to prison for three months as compared with probation supervision?

14. Why is unpaid work on probation beneficial to the offender and to the local community?

8. From the examples of the different types of work carried out by the Probation Service shown in the clip, evaluate the effectiveness of the Probation Service as an agency of social control.
Funding (page 130)

1. Who pays for the Probation Service?

2. What are community rehabilitation companies (CRCs)?

3. In 2018, what was found about the money that was spent on CRCs?

4. What is planned for funding of the Probation Service in 2020?

Working practices (pages 130-131)

1. What types of crimes and offenders do (a) the NPS and (b) the CRCs deal with?

2. What is the NPS responsible for?
   a. 
   b. 
   c. 
   d. 
   e.
Charities and pressure groups (pages 131-132)

1. How do charities and pressure groups differ from the police, prisons and the probation service?

2. What are charities?

3. What are pressure groups?

Nacro (pages 131-132)

Philosophy, aims and objectives (page 131)

1. How does Nacro describe itself?

2. Summarise Nacro’s services.
   a.
   b.
   c.
   d.

Activity: Research Nacro (page 131)

The link includes a number of case studies of offenders who have benefited from the work of Nacro.

Write your summary paragraph about the work of Nacro and how it helps offenders here.
Explain the role of agencies in social control

**Campaigns (page 131)**

Summarise two examples of campaigns that Nacro has been involved with.
1. 
2. 

**Funding (page 132)**

Where does Nacro receive funding from and about how much does it get?

**Working practices (page 132)**

1. What types of crimes and offenders does Nacro deal with?

2. What is the coverage across the country of Nacro’s activities?
Describe the role played by the police in social control. (8 marks)
TOPIC 3.2 Describe the contribution of agencies to achieving social control

Learning Objectives:

After studying this Topic, you should be able to:
- Describe the contribution of agencies to achieving social control including:
  - tactics and measures used by agencies
    - environmental
      - design
      - gated lanes
    - behavioural
      - ASBO
      - token economy
    - institutional
    - disciplinary procedures
      - rule making
      - staged/phased
  - gaps in state provision.
- Understand the range of techniques used by the agencies and be able to examine their contribution.

Synoptic links: You should apply your understanding of the following to the role of the different agencies:
- policy and campaigns from Unit 1
- criminological theories from Unit 2
- the processes used to bring an accused to justice in Unit 3.

Getting Started (page 133)

Write your answers to the Getting Started activity here.
1. List the features you would include in your design for a new town here.

2. Which features are the most important for preventing crime?

In what two ways can the built environment affect the level of crime?
1.
2.

**Defensible space (pages 133-134)**

1. According to Oscar Newman, what is meant by ‘indefensible spaces’?
2. Give an example of an indefensible space found by Newman in his study.
3. According to Newman, what is meant by ‘defensible spaces’? Why do they have a low crime rate?
4. What is meant by ‘territoriality’?
5. What is meant by ‘natural surveillance’ and how does this help to prevent crime?
6. Why is a safe image important for a neighbourhood?
7. What is the impact of a safe location?

**Crime Prevention through Environmental Design (CPTED) (page 134)**

1. According to C.F. Jeffery, what is the importance of the built environment in relation to crime?
2. Summarise the findings of Alice Coleman in her study of London.
3. What were Coleman’s three recommendations in relation to the built environment?
   a. 
   b. 
   c. 

4. Give three examples of how planners have attempted to ‘design crime out’.
   a. 
   b. 
   c. 

Gated lanes: an example of CPTED (page 135)

1. What are ‘gated lanes’ and why are they used?

2. According to Sidebottom et al, what are the seven reasons why gated lanes reduce burglary rates?
   a. 
   b. 
   c. 
   d. 
   e. 
Activity: Media *Crime Prevention through Environmental Design* (page 135)

1. Briefly explain the two forms of analysis that make up Crime Prevention through Environmental Design (CPTED).

2. What does a CPTED assessor do?

3. What is the first thing an assessor looks for?

4. What types of door are best for CPTED?

5. What is the second thing a CPTED assessor looks for?

6. How do you deal with a blind corner in a property?

7. How might bushes, shrubs and trees have a negative impact on CPTED?
8. How might bushes, shrubs and trees help with CPTED?

9. How might you secure your property to assist in preventing crime?

10. What is a line of determination?

11. Summarise the key features of CPTED.

Limitations (page 136)

Summarise four limitations of gated lanes as a crime prevention strategy.

1.

2.

3.

4.
CPTED and theory (page 136)

Explain three ways in which CPTED links to right realist theories and ideas.

1. 

2. 

3. 

Criticisms of CPTED (page 136)

Describe five criticisms of CPTED in reducing crime rates.

1. 

2. 

3. 

4. 

5.
Prison design: the Panopticon (pages 136-137)

Briefly explain how the Panopticon prison design can produce self-surveillance.

Surveillance theory (page 137)

How might Foucault’s surveillance theory apply in today’s society?

Activity: Research The Panopticon today (page 137)

1. What was Bentham a founder of?

2. What is UCL’s PanoptiCam project?

3. Why is it appropriate that the camera is in the glass case containing Bentham’s body?

4. Briefly describe the structure of the Panopticon.

5. Why is it still relevant today?
6. Where did the original idea for the Panopticon come from?

7. Which was the first prison built in the Panopticon style?

8. According to Foucault, what did the Panopticon illustrate?

9. What is meant by ‘asymmetrical surveillance’? What is its impact?

10. In what way is the Panopticon similar to today’s CCTV?

11. What might be the impact of citizens not knowing they are being watched?

12. How does state surveillance on the internet differ from the Panopticon?
13. Why might self-surveillance not take place when browsing the internet?

14. In what ways is data on the internet surveilled and by whom?

15. Note down all the 'Data on data' facts. (You should keep clicking on 'Next fact >'.)

16. What is the problem of the increased interconnectedness of our electronic devices?

17. What was Bentham’s anti-Panopticon and why did he develop it?

**Behavioural tactics** (pages 137-139)

**ASBOs and Criminal Behaviour Orders** (page 137)

1. What were ASBOs introduced do deal with?

2. What were ASBOs?

3. What could happen to someone who breached the conditions of an ASBO?
Labelling theory and ASBOs (page 138)

1. What evidence was there that ASBOs were not working?

2. Why would labelling theorists criticise ASBOs?

Criminal Behaviour Orders (page 138)

1. What are injunctions?

2. What are Criminal Behaviour Orders (CBOs)?

3. What are the possible negative requirements of a CBO?

4. What are the possible positive requirements of a CBO?

Token economies (pages 138-139)

1. What is the aim of a token economy?

2. How are token economies linked to B.F. Skinner’s operant learning theory?
3. What desirable behaviours might an institution aim for in a token economy?
   a. 
   b. 
   c. 
   d. 

4. Describe how the token economy works for prisoners.

5. According to Hobbs and Holt’s study, how effective are token economies?

6. What happens once an offender has left prison?

7. Overall, are token economies effective in changing prisoners’ behaviour? Explain your answer.

Institutional tactics (pages 139-141)

Sanctions (page 140)

Summarise the sanctions that may be used by the following institutions:
   a. the family
   b. school
c. the workplace

d. the army.

Questions (page 140)

1. Which of the sanctions in the table (page 140) are (a) negative and (b) positive?
   a.

   b.

2. For each institution, think of one other rule and a positive or negative sanction that backs up the rule:
   a. the family

   b. school

   c. the workplace

   d. the army.

Criminal justice institutions (page 140)

1. How do the following enforce obedience to their rules:
   a. the courts

   b. the probation service?
**Prison rules** (pages 140-141)

1. What offences do the Prison Rules cover?
   a. 
   b. 
   c. 
   d. 
   e. 
   f. 
   g. 
   h.

2. What can happen to prisoners who break the rules?

**Phased discipline** (page 141)

Briefly explain what is meant by ‘phased discipline’.

**Gaps in state provision** (pages 141-142)

**Resources** (page 141)

1. Who pays for the funding of state agencies of social control? How does this limit their income?

2. What cuts were made to the following budgets between 2010 and 2018:
   a. the police budget
   b. the CPS budget
   c. the prisons budget?
### New technology (pages 141-142)

1. According to Alison Saunders, what has been the impact of new technology on the work of the CPS?

2. According to Max Hill, what is the impact of having to check mobile phones for evidence?

3. What is the impact of the cost of DNA profiling on the work of the police?

### Activity: Research New technology (page 142)

1. Why does the advent of new technology present a challenge for law enforcement and investigation?

2. Briefly describe how the release of Apple iOS 11 software has affected law enforcement.

3. What is the problem with manually reviewing phones?

4. How did investigators examine devices before iOS 11?

5. What did the Virginia Circuit Courts rule in 2014?

6. How can investigators overcome the problems of obtaining passcodes for phones?

7. Briefly outline the five recommendations made to case investigators.
8. What are the advantages and disadvantages of analysis products available to analyse data from mobile devices?

9. What happens to the digital forensic report in most cases?

10. What would be the advantage of using a central location for digital evidence?

11. What is meant by the ‘internet of things’?

12. How are smart watches a problem for investigators?

13. What other devices might assist offenders and disadvantage investigators?

14. What digital evidence might be available from vehicles?

15. Despite all the problems of digital forensics for investigators, how might technology assist investigators?
Unreported crime (page 142)

Describe the patterns of reporting for the following crimes:

a. rape

b. domestic abuse

c. white collar and corporate crime.

Questions (page 142)

1. Suggest reasons why domestic abuse and rape are unlikely to be reported to the police.

2. What kinds of crime are likely to be reported and why?

Existing laws (page 142)

1. Why might the public not be protected from some forms of harmful behaviour?

2. What has been the impact of social media on crime?

3. Why are social media companies not prosecuted for their role in hate crimes and terrorism in the UK?

4. How do the laws in Germany and Australia relating to social media differ from those in the UK?
Preparing for the exam (page 143)
Revise Topic 3.2 from your notes and textbook (pages 133-142), then answer the question below.
When you have written your answer, compare it with the answer by Chloe on page 143 of your textbook and add in any extra points you feel are relevant.
Describe the measures that prisons can take to achieve social control of inmates. (10 marks)

Continue on a separate sheet if necessary.
TOPIC 3.3 Examine the limitations of agencies in achieving social control

Learning Objectives:

After studying this Topic, you should be able to:
- Examine the limitations of agencies in achieving social control including:
  - repeat offenders/recidivism
  - civil liberties and legal barriers
  - access to resources and support
  - finance
  - local and national policies
  - environment
  - crime committed by those with moral imperatives.
- Understand the limitations of social control agencies and examine the implications of these limitations.

Synoptic links: You should apply your understanding of criminological theories from Unit 2 in your examination of the limitations. You will also draw on your understanding of policy and campaigns for change in examination of the limitations of agencies.

Getting Started (page 144)

Write your answers to the Getting Started activity here.

1. What are the key aims of prison as a form of punishment?

2. Suggest as many reasons as you can why prison might not be effective in achieving its aims.

Repeat offending (pages 144-145)

Recidivism rate (pages 144-145)

1. What is meant by ‘recidivism’?

2. What was the overall recidivism rate in 2017?

3. How many further offences do those who re-offend commit?
4. What was the re-offending rate for offenders released from prison in 2017 for:
   a. all prisoners
   b. those who received a sentence of less than 12 months?

5. What is the re-offending rate for juvenile offenders within a year:
   a. for all offenders
   b. for those who are released from custody
   c. for those who received sentences of six months or less?

6. State one reason for the increase in prison population.

7. Give two examples of increases in prison sentences.
   a. 
   b. 

Who re-offends? (page 145)

1. Give four examples of groups who are more likely to re-offend.
   a. 
   b. 
   c. 
   d. 

2. What is meant by the ‘dark figure of re-offending’?

Theory (page 145)

1. According to right realists, why does prison work?
2. According to Marxists, why are unemployed offenders likely to re-offend?

**Civil liberties and legal barriers** *(pages 145-146)*

<table>
<thead>
<tr>
<th>Human rights abuses <em>(page 145)</em></th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Why are there likely to be human rights abuses in authoritarian states?</td>
</tr>
</tbody>
</table>

**What are civil liberties?** *(pages 145-146)*

Give seven examples of civil liberties.

1. 
2. 
3. 
4. 
5. 
6. 
7. 
Activity: Research Civil liberties (page 146)

1. According to the article, what are the problems with facial recognition technology?

2. How does facial recognition work?

3. How are watch lists put together by the police?

4. Why can police forces ‘make up’ the rules for using facial recognition?

5. Give three places where facial recognition has been used.

6. Briefly explain what the use of facial recognition means for our rights.

7. In what way is facial recognition biased?
8. Why is the use of facial recognition disproportionate?


10. Why is the use of facial recognition being challenged in court?

**Due process (page 146)**

Give an example of a civil liberty that is an aspect of the due process model.

**Question (page 146)**

What other features of the due process model can you recall? How do they limit the power of state agencies to achieve social control over individuals?
Access to resources and support (pages 147-148)

Resources and support inside prison (page 147)

Explain four reasons why prisons can fail to rehabilitate offenders.

1. 

2. 

3. 

4. 

Activity: Media Prison riot (page 147)

1. What happened in December 2016?

2. What happened to the officers at the prison?

3. How many wings did the inmates control?

4. How did inspectors describe the jail? Why was that?
5. According to Peter Clarke, what was happening in the prison?

6. Who is now running the prison and who did they take over from?

7. Who was moved from the prison to other jails?

8. According to Tanayeh Sam, what was happening in the prison?

9. What have G4S previously faced criticism for?

10. Overall, is Birmingham Prison helping rehabilitate offenders? Give reasons for your answer.

Resources and support in the community (page 147)

Give three examples of difficulties faced by newly released prisoners.
1.
2.
3.
The ‘End Friday releases’ campaign (page 147)

Explain the problems for offenders of being released on a Friday.

Community sentences (page 148)

Give three reasons why a significant minority of offenders who are given community sentences re-offend.

1. 

2. 

3. 

Finance (pages 148-149)

The police (pages 148-149)

1. What has been the effect of cuts in funding on police numbers?

2. What has been the other impact of decreases in police funding?

3. Why might police forces be tempted to drop serious cases?
**Prisons (page 149)**

1. How are prisons described by critics?

2. What are the impacts of overcrowding and staff cuts in prisons?

3. What evidence is there of privatisation contributing to the crisis in prisons?

**The probation service (page 149)**

State three problems faced by the probation service.

a.

b.

c.

**Local and national policies (pages 149-150)**

**National government policies (pages 149-150)**

1. Give an example of a national government policy that has affected the work of the police.

2. What is the aim of the national serious violence strategy?

**Local policies (page 150)**

1. Give an example of a local policy that a police force might adopt.

2. Give an example of how a moral panic led to the introduction of a new law.
1. What is meant by a ‘moral imperative’?

2. How and why did the following people break the law:
   a. Clive Ponting
   b. Kay Gilderdale
   c. Rosie James and Rachel Wenham
   d. Alan Blythe?

3. What do all these cases have in common?

---

**The Suffragettes (page 151)**

1. What did the Suffragettes campaign for in the early 20th century?

2. In what ways did the Suffragettes break the law?

3. What did the Suffragettes do when convicted?

4. What moral imperative motivated the Suffragettes to commit crimes?

5. Explain the Cat and Mouse Act.

6. What was the partial victory achieved by the Suffragettes?
**Activity: Media The Suffragettes (page 151)**

1. Why were the Suffragettes force-fed?

2. Briefly describe how the Suffragettes were force-fed.

3. What is the long-term effect of being force-fed?

4. What happened to Lilian Lenton when she was force-fed?

5. What did Mary Richardson remember about her time in prison?

6. How many times was Charlotte Marsh force-fed?

7. Briefly explain the ‘Cat and Mouse Act’. What was the purpose of this law?

8. What was the impact of the Act on the Suffragettes?

**The Stansted 15 (pages 151-152)**

1. What is the potential sentence for the crime with which the Stansted 15 were charged?

2. What sentences did the Stansted 15 receive?

3. What happened to the individuals that the Stansted 15 were campaigning for?
Activity: Media The Stansted 15 (page 152)

1. Who were the Stansted 15 and what did they do?

2. What were their demands?

3. What were they found guilty of?

4. According to their statement, what would be the impact of conviction for the Stansted 15?

5. According to the Stansted 15, what do those seeking asylum face in this country?

6. Describe what can happen to asylum seekers.

7. According to Raj Chada, why was the verdict on the Stansted 15 a sad day for justice?

8. What was promised by Shami Chakrabati in response to this case?

Theory (page 152)

According to Durkheim why is deviance, such as that of the Suffragettes, important?
Topic 3.3

Examine agencies’ limitations in achieving control

Preparing for the exam (page 152)
Answer the question here, using the Advice on page 152 to help you.
Describe some of the limitations on the Crown Prosecution Service in achieving social control.

(6 marks)

Continue on a separate sheet if necessary.
TOPIC 3.4 Evaluate the effectiveness of agencies in achieving social control

Learning Objectives:

After studying this Topic, you should be able to:
- Evaluate the effectiveness of agencies in achieving social control including:
  ■ government sponsored agencies
    ● police
    ● CPS
    ● judiciary
    ● prisons
    ● probation
  ■ charities
  ■ pressure groups.
- Draw together your learning to evaluate the success or failure of agencies in achieving social control.

Synoptic links: You should apply the skill you developed in Unit 3 to evaluate information in terms of: bias, opinion, circumstances, currency, accuracy.

The types of evidence, as set out in Unit 3, include: evidence, trial transcripts, media reports, judgements, Law Reports.

Getting Started (page 153)

Write your answers to the Getting Started activity here.

1. What are the main aims of the police?

2. What problems do the police face in seeking to meet their aims?

The police (pages 153-156)

Social control responsibilities (page 153)

What are the social control responsibilities of the police?
### Specialist policing (page 153)

1. Give three examples of agencies apart from the police that are responsible for investigating crime. What types of crime are they responsible for?
   a. 
   b. 
   c. 

2. Name two specialist police forces.

### Offences of public concern (page 153)

1. According to the 2017 report of HM Inspector of Police, what have been the four shortcomings of the police in dealing with domestic abuse?
   a. 
   b. 
   c. 
   d. 

2. What do these findings illustrate?

### Inefficiency (page 154)

Outline one example of police inefficiency in investigating an offence.
Current trends: more crimes but fewer solved (page 154)

1. By how much did the number of offences recorded by the police increase between March 2016 and September 2018?

2. What were the figures for knife crime in:
   a. 2014
   b. 2018?

3. What were the figures for firearms offences in:
   a. 2014
   b. 2018?

4. What percentage of cases resulted in someone being charged in:
   a. 2015
   b. 2018?

5. Summarise the trend in cases being dropped by the Metropolitan Police.

6. What has happened to police funding since 2010?

Activity: Research Funding problems (page 154)

A. Using the link, complete the questions that follow.
   1. Briefly describe Operation Marine and Philip Etienne’s role in it.

   2. Why did Etienne and his colleague Martin Maynard take the West Midlands Police to court?

   3. What did the police know about the Wilson brothers before the operation?
4. How did the Wilson brothers protect themselves?

5. How many black undercover officers did West Midlands Police have? Why was this a problem?

6. Why was Martin Maynard sent to Birmingham?

7. What happened when Maynard was working undercover on 13 October?

8. How did Maynard overcome this problem?

9. What happened when Maynard requested three more officers for the undercover operation?

10. Why did Maynard want a hotel room and why did it get cancelled? What problem did this cause for the officers?

11. What was the problem with the car allocated to Etienne and Maynard?

12. Why were the back-up team not going to be armed for the operation?

13. What was the problem with the third member of the team?
14. What was the problem with the money the team had been given?

15. Although the two officers continued with the raid, what did they do to protect themselves?

16. How did the back-up team fail the officers while they were waiting at the rendezvous?

17. Briefly describe the events from when the two men tapped on the driver’s window.

18. When was the gunman caught?

19. What did the commanding officer do that endangered the two injured officers?

20. What has been the impact of the raid on the lives and careers of Etienne and Maynard?

B. From your answers to the questions on the article, what is the effect of cuts in funding to the police?
Accuracy of the statistical evidence (pages 154-155)

1. What does the statistical evidence suggest about the police?

2. Why might there have been an increase in the total number of crimes? Why has this happened?

3. How does the evidence from the CSEW contradict the police statistics?

4. Outline three ways in which the two sets of statistics differ in how they deal with different crimes.
   a. 
   b. 
   c. 

Other criticisms of police performance (pages 155-156)

1. Outline three concerns about the relationship between the police and minority ethnic groups.
   a. 
   b. 
   c. 

2. How do these concerns contradict the basic principle of policing?
3. Give an example of the police using the media to portray a ‘crimebusters’ image of themselves.

4. Why has the police’s response to moral panics led to criticism?

The Crown Prosecution Service (pages 156-157)

**Evidence of success** (page 156)

Give two examples of the success of the CPS in 2018.

1.

2.

**Lack of effectiveness** (page 156)

**Media reports** (page 156)

1. Give an example of unfavourable media reporting of the CPS’s performance.

2. According to one prosecutor, how could the CPS improve its performance?

3. Why was this move criticised?
Activity: Media The CPS in the media (page 156)

1. What have prosecutors in England and Wales been urged to do?

2. According to experts and campaigners, what is the impact of this change?

3. What proportion of rape prosecutions against young males result in a conviction?

4. According to the course, what would be the impact of removing 350 cases from the system?

5. According to insiders within the CPS, what is the impact of this change?

6. According to the CPS, what was the purpose of the seminars?

7. What was axed by the CPS?

8. According to Nina Burrowes, what is the effect of axing the course?

9. Why did the CPS claim it had axed the course?

10. Why is it unusual that the CPS would want to be more selective about rape prosecutions?

11. How does the action of the CPS differ from previous guidance and from the advice given by Alison Levitt QC?
12. According to Levitt, what message is the CPS sending to attackers by only prosecuting ‘safe’ cases?

13. What is meant by the ‘bookmakers’ approach’ that the CPS is accused of using with rape cases?

14. Briefly explain why an acquittal by a jury does not necessarily mean a case is weak.

15. What has been the response of the CPS to the criticisms of their workshops?

16. Why have the CPS and police been under greater pressure in relation to rape cases?

17. According to the concerned CPS staff member, what should the CPS do in relation to publicity about trials?

18. According to campaigners, what has been the impact on rape trials of the media furore?

19. According to Sarah Green, what has happened to justice for rape victims?

Realistic prospect of conviction (page 156)

1. What is meant by a ‘realistic prospect of conviction’?

2. What do critics argue the CPS should be focused on?
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<td>What has been the impact of budget cuts on the CPS?</td>
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<td><strong>Evidence disclosure (page 157)</strong></td>
<td>Why have a number of rape trials and other prosecutions collapsed?</td>
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<tr>
<td><strong>Failure to build the case (page 157)</strong></td>
<td>Give an example of the failure of the CPS to build a case.</td>
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<tr>
<td><strong>Other criticisms of the CPS (page 157)</strong></td>
<td>Give three other criticisms of the CPS.</td>
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The judiciary (pages 157-159)

Media images of the judiciary (page 157)

How are judges often portrayed by the media?

Are judges biased in their judgements? (pages 157-158)

1. Give four ways in which judges' backgrounds might make them biased in their judgements.
   a. 
   b. 
   c. 
   d. 

2. Describe how the decisions of Judge James Pickles in 1989 could be seen to show gender bias.

Case study class bias in sentencing (page 158)

1. What was Lavinia Woodward convicted of in 2017?

2. Why did Judge Ian Pringle QC give her a suspended sentence?
3. In what two ways does Woodward differ from other women in the criminal justice system?

4. How is black crime treated differently to white crime by the media?

---

**Are judges out of touch? (pages 158-159)**

1. In what ways are judges atypical members of society?

2. According to Karen Warner et al, do jurors think judges are out of touch with public opinion on sentencing? If so, was this a problem?

3. Why might it be a problem if judges are ‘in touch’?

---

**Are judges too lenient? (page 159)**

1. What does the Unduly Lenient Sentences scheme allow? For which crimes?

2. Who reviews the sentence?

3. In 2017, how many cases were referred and how many of these had changes made to their sentences?

4. What does the answer to question 3 suggest about judges’ sentencing?

5. Give an example of when judges and magistrates have imposed what might be considered unduly severe sentences.
How do prisons aim to achieve social control over prisoners, both when they are inside and when they are released?

Social control within prisons: the evidence (pages 159-160)

1. What has been the impact of budget cuts on prisons? How has this affected the ability to control inmates in prison?

2. What has been the impact of the increased prison population?

3. Why are prisons unable to deal with the rehabilitation needs of prisoners?

4. What is the problem of short prison sentences in relation to rehabilitation?

5. What is ‘Spice’ and what effect does it have on an individual’s behaviour?

6. Why has the mandatory drug testing programme not been effective in some prisons?

7. Apart from the physical effects of drugs, what other problems do they cause in prison?
8. What types of security breaches have there been in prisons?

   a.
   b.
   c.
   d.
   e.
   f.


After release: the evidence on re-offending (page 161)

Give the 2017 statistics for re-offending within one year of release:

1.
2.
3.
4.

Conclusion: the evidence on prisons (page 161)

What are the overall conclusions on the effectiveness of prisons?
Activity: Research *Does prison work?* (page 161)

The link takes you to a study module called ‘Does prison work?’ This is an Open University short course. It requires you to listen to audio files. If you do not have access to audio, you can download the transcript of the file and work from that instead. Using the link, complete the questions that follow.

1. How has the programme (i.e. the study module) added to your knowledge of the prison system?

2. What do you now think the purpose of imprisonment should be?

3. Why do you think Grendon ‘works’?

Probation (pages 162-163)

Privatisation (page 162)

1. What was a key part of the ‘rehabilitation revolution’?

2. What were the community rehabilitation companies (CRCs) set up to deal with?

Evidence (pages 162-163)

1. What evidence did the 2018 probation service inspection report present about CRCs?
   a. 
   b. 
2. What did the government do in response to this report?

<table>
<thead>
<tr>
<th>Bias (page 163)</th>
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<tbody>
<tr>
<td>1. Why was the Conservative government in favour of privatisation? What do Conservatives see as the benefits?</td>
</tr>
<tr>
<td>2. What was Dame Glenys Stacey’s criticism of the privatised probation service?</td>
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<th>Evaluation (page 163)</th>
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<tbody>
<tr>
<td>What does the evidence from the most current official reports indicate about the CRCs?</td>
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<tr>
<th>The National Probation Service (page 163)</th>
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<tbody>
<tr>
<td>What are the limitations of the NPS?</td>
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<tr>
<td>1.</td>
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</table>
Charities and pressure groups (pages 163-165)

Strong commitment (pages 163-164)
Why are charities sometimes better placed to reduce offending and re-offending?

Nacro (page 164)
1. Give an example of a campaign by Nacro.
2. Give an example of charity work carried out by Nacro.

Women in Prison (page 164)
1. What is Women in Prison (WIP)?
2. Give two examples campaigns by WIP.
   a. 
   b. 
3. What support does WIP provide for women in prison?
   a. 
   b. 
   c. 

Activity: Media Supporting women who offend (page 164)
WomenMATTA is a women’s centre in Manchester that provides intense holistic support to women affected by the criminal justice system and to those at risk.
1. What had happened to the women who attend the centre?
2. What had happened to Chantelle?

3. What had happened to Rebecca? What has been the impact on her life?

4. What is the imbalance in justice for women?

5. Note down the statistics about women in prison shown on the screen.

6. According to Rebecca, what is the most important thing about WomenMATTA?

7. When did WomenMATTA begin?

8. According to Chantelle, what are the positives of WomenMATTA?

9. Briefly explain other ways in which the women say the centre has helped them.

10. What was the purpose of getting the women involved in the Pride Festival?

11. What did the women do at the Pride Festival?
12. What was the impact on the women of participating in the Festival?

13. According to Councillor Suzanne Richards, what does WomenMATTA provide?

14. According to the women, what do they get from the centre?

---

**Gaps in provision (pages 164-165)**

1. What is a limitation of charities and pressure groups in achieving social control?

2. What impact does media reporting have on the work of charities?

3. How does media reporting affect the funding for groups?

4. What types of groups will local or national government fund?
Preparing for the exam (page 165)
Revise Topic 3.4 from your notes and textbook (pages 153-165), then answer the question below.
When you have written your answer, compare it with the answer by Joshua on page 165 of your textbook and add in any extra points you feel are relevant.
Evaluate the effectiveness of the prison service in achieving social control of offending.  (9 marks)

Continue on a separate sheet if necessary.