1 CRIME AND DEVIANCE

**1.1 FUNCTIONALIST, STRAIN AND SUBCULTURAL THEORIES**

P.4 GETTING YOU THINKING

**Suggested answers**

**1.** No set answers.

**2.** No set answers.

**3.** No set answers.

**4.** No set answers.

P.6 Focus on skills: WHAT IS CRIME?

**Suggested answers**

**1.** The article means that there is no generally agreed and unchanging definition of what is criminal and what is not criminal or even about the types of action that should be regarded as an offence. For example, the article shows that even in the recent past in Britain many new crimes have been created through changes in the law. Furthermore, activities which used to be regarded as criminal, such as moneylending and charging interest, are now perfectly legal and accepted activities.

**2.** Durkheim meant that the shared moral values of members of society can be undermined by extreme acts of crime and deviance and such acts can create a sense of outrage. However, if the offenders are punished, and seen to be punished, people may feel that justice has been done and the shared values of society upheld, those values are thereby reinforced. Any high profile sentencing of an offender in Britain would be an example of this, for example the imprisonment of Rolf Harris for sexual offences.

**3.** You could give many different examples of this. You might mention that smoking in enclosed public places has been made illegal when it was previously legal, or that homosexual acts between consenting adults are now legal when they were formerly illegal.

**4.** You may have a range of views on this question. On the one hand, you might believe that the existence of so many different crimes simply reflects the application of more general shared values in specific circumstances. For example, the value which suggests that we should respect the life of others could be reflected in a whole range of laws governing such things as health and safety and the use of violence against another person. However, you might argue that many of these laws are of a technical nature and have little connection with the ‘collective conscience’. Furthermore you might claim that some laws represent the beliefs of powerful groups in society rather than the moral values of society as a whole. For example, laws restricting the rights of trade unions to go on strike could reflect the interests of a powerful ruling class rather than a collective conscience. Some laws are controversial and different groups have very different views on them suggesting there is no collective conscience in some areas. An example here is drug law which bans the consumption of some substances which many people think should be legal, for example marijuana.

p.11 Check your understanding

**Suggested answers**

**1.** A functional rebel is someone who goes against the values of society but in doing so helps to change society for the better. The beliefs of a functional rebel may become accepted orthodoxy. For example, suffragettes who believe that women should get the vote were out of step with majority opinion at one time, but the right of women to vote is now seen as an essential part of people’s rights.

**2.** The collective conscience consists of the shared moral values of members of society. It is assumed to exist over and above any particular individuals according to Emile Durkheim who used this concept.

**3.** ‘Illegitimate opportunity structures are the frameworks within which people have the chance to succeed by using illegal or immoral means. For example, the chance to join professional criminal organisations represents an illegitimate opportunity and the organisations represent the structure through which people can further their criminal career.

**4.** To answer this question you could use the distinction use by Cloward and Ohlin between the criminal subculture (in which there is organised crime aimed at making money) and the conflict subculture (in which there is no organised crime and status is achieved through the use of violence). You could also mention teenage gangs as a third example which links this to the ideas of Albert Cohen on how status frustration leads to the formation of subcultures.

**5.** The retreatist adaptation involves dropping out of society.

**6.** Matza’s idea of drift challenges subculture theories, such as that of Albert Cohen by questioning whether subcultures are stable groupings to which their members are committed. According to the idea of drift, members of subcultures are not committed to those subcultures and are usually only involved in them on a part-time basis. They can take or leave the values of the subculture and they are not fully committed to them.

**7.** The idea of neo-tribes suggest that what other people see subcultures which dominate members lives are no more than occasional and temporary gatherings of people. In contrast to subcultures, neo-tribes are about the expression of identity during leisure activities rather than representing a substantial lifestyle to which individuals are committed. While subcultures are seen as relatively enduring, neo-tribes can be much more temporary. The concept of neo-tribes is less closely associated with criminal activity than the idea of subcultures.

**8.** Merton can be criticised for assuming that everyone has the same goals in society and defines success in the same way. Some people may value family life above power or financial success for example. He has also been criticised for producing a theory which seems to suggest that crime will be concentrated amongst lower classes because they have limited opportunities when, according to some sociologists, crime is just as widespread amongst middle and upper classes (who do not lack opportunities).

1. Merton tends to see crime as an individualistic response to structural strain whereas Cloward and Ohlin as a collective, subcultural response. Merton only discusses legitimate opportunity structures whereas Cloward and Ohlin also discuss illegitimate opportunity structures.
2. The idea of gangs is used commonly in everyday discussion of crime and deviance and some sociologists see it as useful for explaining crime and deviance in Britain today. However, others are more critical of the idea and see it as a rather un-sociological and unspecific term which can be misleading.

Juvenile gangs are often seen as a major problem but research by You Gov suggests that less than 10% of young people claim to have ever belonged to a gang and only one in 50 say that they have ever carried a knife. Marshall argues that the term gang fails to distinguish between different types of youth subcultures and is therefore too imprecise to be particularly useful. He believes that you should distinguish between:

1. ‘peer groups or ‘crews’ who tend to hang out together but are rarely involved in serious offending;
2. ‘gangs’ which are similar to peer groups but they consist of young people who are more likely to be involved in delinquent and minor criminal activity; and thirdly
3. ‘organised criminal groups’ which consist of adult professional criminals.

If the term gangs is confined to the second of these three groups it has some similarities with the type of subcultures discussed by Albert Cohen which develop amongst school pupils who experience status frustration. In this context, the term can be useful for explaining why some young people become persistent, delinquent offenders during adolescence and early adulthood, but critics argue that even in this context the idea of gangs is of limited usefulness. For example, Matza questioned whether teenage subcultures, (or gangs if they are seen as such) involve much real commitment similarly.

Maffesoli uses the concept of neo-tribes instead of that of gangs and subculture and he downplays the significance of criminal activity in these groups.

Depending on the precise definition of ‘gang’ that is used it could be useful for explaining some adult crime that involves organised criminal activities; for example it fits well with Cloward and Ohlins’ idea of the criminal subculture. However, some writers such as Dick Hobbs see adult crime as being organised in loose knit criminal networks rather than in close-knit gangs .

Therefore the usefulness of the concept of gangs for understanding crime Britain today depends upon the definition you use, the age groups that you are discussing and the type of crime under consideration. Many crimes are committed by individuals not by groups of people, and many groups of people who commit crimes together may not belong to long-lasting or close-knit groupings as is suggested by the concept of gangs. Arguably therefore, the term ‘gang’ is not particularly useful for understanding crime outside some quite specific contexts.

**1.2 labelling theory**

P.18 Focus on research: police intelligence on gangs in glasgow

**1.** They may have decided to conduct group interviews with young people because they felt that they would be more likely to be forthcoming in the context of a peer group. Other group members might prompt them to give fuller and more honest answers. In addition, the process of discussing issues in the group might help the young people to clarify their thoughts and give more considered responses. In semi-structured individual interviews young people might feel unable or unwilling to open up and give full and considered answers to researchers. On the other hand, intelligence workers might be less willing to give full and honest answers in the presence of other workers. They might be more guarded in case they appeared unprofessional or gave answers which other professionals might disapprove of. Furthermore, intelligence workers are likely to have limited free time given the demands of their job and group interviews tend to be more time-consuming. Ethical issues concerning confidentiality might also make it easier for the researchers to carry out individual semi-structured interviews with intelligence workers.

**2.** An advantage of group interviews is that it is possible for the researcher to observe the interaction between group members which is particularly useful when studying social groups such as gangs rather than individuals. A disadvantage is that interviewees might give socially desirable answers rather than honest answers wishing to impress their peers rather than give truthful information to the researcher. Semi-structured individual interviews have the advantage of being less time-consuming than group interviews and more unstructured interviews. They have the disadvantage that interviewees are not entirely free to give the responses that they want and to cover the issues which they would want to do and which they think are important. Therefore, their responses might be shaped by the preconceptions of the researcher who wrote the interview schedule.

**3.** Social media provide a useful source of information for intelligence workers since gang members are unlikely to be willing to answer questions voluntarily about their criminal gang activities but they may put some information on social media. This could potentially provide useful insights into the dynamics and membership of gangs. However, although some people may make unguarded comments and posts on social media, it is also likely that most gang members will be careful not to incriminate themselves in a semi-public forum. It is also possible that some people who are not active members of gangs might post messages as if they were members in order to impress their peers or gain status. For these reasons some of the information available was ‘flawed or wrong ‘. Therefore, this source of information is likely to be of some value, but it should always be regarded with caution.

**4.** Many of the same problems that arise in using social media data for intelligence purposes also affect the use of social media for studying subcultures. When using social media it is impossible to say whether members of subcultures are being open, honest and whether their posts reflect the way they behave outside of virtual contexts. The data available is also likely to be limited. Much of the content of social media will not be relevant to the study of subcultures and will not include exactly the data that would be useful to researchers. For example, while it might be possible to determine virtual friendship patterns this won’t necessarily tell the researcher about which people who are linked by virtual connections also meet face-to-face.

**5.** The research conducted by Fraser and Atkinson suggest that it is never clear cut whether someone is a member of a gang or not. As the article states, ‘some associations between people’ are ‘quite loose’ and people may have ‘multiple affiliations’ to different social groups. Furthermore, these affiliations can change quite quickly. In any case, the definition of gang is not clear-cut and many supposed gangs may not, in reality, be anything like the stereotypical well integrated grouping that gangs are portrayed as. However, it seems likely that at least a small minority of people positively identify with a particular ‘gang’ and are actively involved in the activities of that group. The number of gangs may be limited, many people may have labels imposed on them who are not committed and active gang members, but gang membership may be more than a label for at least a small minority.

**6.** The ‘corrosive consequences to the life-chances of young people’ that stem from being labelled as a member gang member by intelligence workers could include a lack of opportunity in terms of employment, education or other life chances. For example, individuals identified as gang members may have little chance of securing employment, particularly well-paid employment with opportunities for promotion if employers are aware of their status. Similarly, educational institutions may label people who are believed to be gang members as disruptive and be more likely to exclude them from starting or continuing education courses. These kinds of problems could seriously affect the long-term prospects for some young people.

P.19 Check your understanding

**1.** A ‘moral entrepreneur’ is a person who campaigns to change the morality of society by encouraging the introduction of new laws or rules.

**2.** A ‘deviant career’ is the way in which the criminal or deviant develops their illegal or deviant behaviour over their lifetime. Just as in a legitimate career, criminals or deviants may take on more or less ambitious roles, change direction or build on their previous experience.

**3.** According to Lemert, ‘primary deviance’ is deviance which takes place before an individual has been labelled as deviant. He sees it as unimportant to the person’s self-concept and as having little or no effect upon their future behaviour. ’Secondary deviance’ occurs after, and as a result of the fact that the deviant has been labelled.

**4.** A ‘deterministic theory’ is one which seems to give the individual little or no choice in their behaviour; their actions are shaped by outside events over which they have no control

**5.** There are many examples of moral entrepreneurs and new ones arise all the time. Campaigners in favour of tighter gun controls in the USA are moral entrepreneurs as are those who campaign against the use of animals in medical experiments.

**6.** A person who is labelled could change their view of themselves, see themselves as the sort of person described in the label, and change their behaviour to conform to that label. For example, someone who occasionally takes drugs but is then labelled as a drug addict might become a regular user. Alternatively, someone who is labelled might resent and reject the label and change their behaviour so that they give up the activity which has led to them being labelled. For example, an occasional drug user accused of being an addict, might give up taking drugs altogether.

**7.** Reintegrative shaming focuses on the deviant nature of the act whereas disintegrative shaming on the lack of moral worth of the person who has committed the act. Reintegrating shaming often gives the victim and the offender the chance to meet so the victim could explain the effects of the offending on them and the offender can apologise, whereas disintegrative shaming does not encourage offender and victim to meet.

**8.** Comparing Cohen’s subcultural theory with labelling theory one difference is that Cohen focuses much more on the causes of delinquent behaviour whereas labelling theory focuses more on the social reaction to delinquent behaviour and other types of deviance. Cohen sees the causes of sustained delinquency to be a response to status frustration whereas labelling theory tends to see continuing deviance to be a result of the negative effects of labelling.

**9.** Labelling theory does tend to concentrate more on the social reaction to deviance than on the initial causes of it, although it claims that the social reaction is very often the cause of deviant behaviour. For example, Lemert argues that deviant behaviour tends to be trivial or insignificant until it is labelled after which it tends to become more persistent and serious.

Logically, the labelling theorists as are correct in suggesting that acts are not criminal or deviant until they have been labelled as such because you can never be sure whether any particular act will be seen as criminal or deviant if it comes to light. Labelling theorists are also on very strong grounding arguing that the social reaction to deviance should not be ignored in any attempt to understand it. Nevertheless, labelling theorists such as Becker may be going too far when they argue that deviancy is not ‘a quality of the act’. Acts themselves are important because some acts are far more likely to be labelled as criminal and deviant than others. For example, the act of killing of a stranger in the street for no clear reason during peace time is almost certainly likely to be labelled as a serious deviant, indeed criminal act, of manslaughter or murder. So whilst the meaning of some acts is open to interpretation, there is less room for the interpretation of other acts which clearly violate social norms and formal rules.

Labelling theory can also be criticised for failing to explain the causes of primary deviance. While many people may occasionally break minor rules (for example by speeding or being impolite to other people) relatively few people commit serious criminal acts such as robbery, murder, and rape. Research by Willkstrom et al. shows that only a small minority of young people commit most of the serious offences and some offenders commit very serious offences before they have been labelled (for example Dr Harold Shipman who may have murdered 250 of his patients without anyone being aware of his murderous medical practice).

Nevertheless, labelling theorists are aware of some of the processes involved in causing continuing criminal activity. For example, Becker, discusses the factors that are necessary for a marijuana smoker to become a regular user and the labelling of whole groups (for example as folk devils) can sometimes be a reason for initiating deviance. So while labelling theory may concentrate too much on the social reaction to offending, it does have some important things to say about the causes of offending as well.

**10.** A number of critics have suggested that labelling theory does neglect power differences in society. Marxists argue that labelling theory neglects the structural features of society, particularly those relating to power differences, which in their view shape the law and patterns of crime and deviance. According to Marxists, higher social classes have more power than others because they have greater wealth in the form of ownership of the means of production. The ruling class are able to impose their definition of the situation, including a definition of who is and is not criminal and deviant. Labelling theorists accept that crimes committed by higher classes are less likely to be punished than those by lower classes, and they accept that individual offenders from higher classes are less likely to be labelled than those from lower classes. Becker, saw this, in very general terms, as the labelling of the powerful by the relatively powerless, but he did not elaborate further. He argued that the law was created by moral entrepreneurs, who tended to be from higher class backgrounds. However, critics argue that he never explained why or how high classes have more power than lower classes and simply took it for granted that they did. Thus his discussion of the outlawing of cannabis after the campaign by the Federal Bureau of Narcotics did not specify why this agency was able to get its own way when some citizens were opposed to the criminalisation of marijuana smoking.

Some labelling theorists such as Cicourel, believe that the imposition of labels by the more powerful on the less powerful is a result of the mental categories held by the more powerful for example in discussing deviance, he shows how stereotypes of the typical juvenile offender tend to fit minority ethnic groups and lower classes rather than the ethnic majority and higher classes. But as Taylor, Walton and Young argue, this fails to explain where these mental categories come from in the first place because no attempt is made by labelling theorists to ink them to the overall distribution of power.

In many ways it is harsh to criticise labelling theory for neglecting power, because their focus upon the way in which rules are created and applied was the first sociological approach in criminology which really emphasised the importance of power differences. However, the interactionist perspective on which their theories are based does not examine the nature of power in detail and it is therefore lacking in an overall analysis of power when compared to other prospective such as Marxism and feminism.

**1.3 MARXIST AND CRITICAL CRIMINOLOGIES**

P.24 Focus on skills: CORPORATE CRIME AND PUNISHMENT

**1.** The writer says that the new Act will not be working if there are many prosecutions because social prosecutions only take place when a worker has been killed, therefore if there were many prosecutions it would suggest that a large number of workers are dying in circumstances which could be considered corporate manslaughter or corporate homicide.

**2.** The global figures suggest that annually work-related deaths are about five times greater in number than the number of deaths in war. Figures for the UK quoted in the article suggests that nearly 1,000 people a year, on average, are killed at work or in commercial disasters. This suggests that health and safety at work is a very serious issue, more serious than war and perhaps as serious as homicide.

**3.** Cotswold Geotechnical Holdings were convicted of corporate homicide with respect to the death of Alexander Wright, a geologist who died while working in an unsafe pit for which the company was responsible. The company was fined a substantial amount, £385,000, but nobody was imprisoned. In contrast, anyone convicted of an individual homicide is given a mandatory (compulsory) life sentence. This supports a Marxist view because it suggests that members of the bourgeoisie (for example the owners and managers of companies such as the company involved in this case) are treated more leniently than individuals who kill other people. Most individual murderers are from lower social classes.

**4.** From a Marxist perspective the lack of successful convictions for corporate manslaughter could be because the laws reflect the ruling class interest and they are therefore formulated in such a way as to make it far more difficult to secure convictions than it is for other types of homicide. This could be because corporate manslaughter is hard to prove or because the resources of companies are greater than those of individuals so they can afford to employ expensive lawyers to defend themselves against accusations. These differences may reflect differences in power which stem from differences in wealth according to Marxists.

**5.** Generally, the evidence here supports the Marxist view because it does show that it is far more difficult to conflict corporations and individuals for acts of homicide. However, the fact that the law has been changed to make it slightly easier to secure convictions for corporate manslaughter and corporate homicide suggest that the ruling class do not completely monopolise power, assuming that there are genuine attempts to enforce the new law.

P.29 Check your understanding

**1.** Corporate crimes are crimes committed by large capitalist companies in order to increase profits or to reduce losses.

**2.** White-collar crime is lawbreaking behaviour carried out by individuals who are in relatively high status occupations. The crimes are designed to benefit the individuals involved rather than the companies or organisations for which they work.

**3.** Zemiology is the study of socially harmful acts. These acts may or may not be against the law but from the viewpoint of zemiology this is unimportant a determining whether they should be regarded as offences.

**4.** The term ‘ruling-class ideology’ refers to the ideas and beliefs of the ruling class, which to Marxists consist of the owners of the means of production (for example large business owners and shareholders). These ideas and beliefs generally support the interests of the ruling class and are detrimental to the interests of other classes. They tend to support the view that capitalist society is fair and just and to contradict views that it is unreasonably unequal and exploitative.

**5.** There are many examples which could be used here. One example is the infrequent prosecution of employers who pay less than the minimum wage, another example is the imposition of stricter laws over recent years to make it more difficult for workers to go on strike.

**6.** Unlike traditional Marxist theories, The *New Criminology* incorporates aspects of interaction is into its approach and it also saw some criminals as fighting against injustice in capitalist society rather than simply being the victims of capitalist inequality who were forced into crime because of that unjust treatment.

**7.** Marxist criminology tends to emphasise inequality between social classes, whereas critical criminology takes into consideration inequality between a wide range of social groups. Marxist criminology is tied to a particular theory of society (that is Marxism) whereas critical criminology can be based upon a variety of different theories or a combination of several.

**8.** Marxist theories of crime suggest that the law reflects a consensus in society whereas Marxists argue that it reflects ruling class domination. Marxist believe that criminality generally benefits the ruling class whereas Durkheim argues that certain levels of crime can benefit all social groups.

**9.** The idea that traditional Marxism gives a one-dimension of view of crime could be supported by arguing that Marxists see class as the only factor shaping patterns of crime, law and law enforcement. Marxist tend to blame all problems associated with crime on the capitalist system. For example, they see the domination of the capitalist system by the bourgeoisie as being responsible for unfair laws, unequal treatment of different social classes under the legal system when accused of similar crimes and they see capitalism as explaining many of the reasons behind crime in all social classes. Certainly the exclusive emphasis on class and capitalism in terms of explaining and understanding crime could be seen as one-dimensional. However, Marxist seem to be on strong ground in arguing that crime has to be related to capitalism since most Western societies are dominated by the capitalist system.

Neo-Marxists and critical criminologists add extra dimensions to the understanding of crime. For example, neo-Marxist subcultural theories such as that of Phil Cohen in his study of ’Skinheads’ added an understanding of the creative and cultural aspects of criminal and deviant behaviour although they also tend to emphasise class as the basis for explaining crime. Taylor, Walton and Young in the *New Criminology* stress the importance of understanding labelling processes as well as wider structural forces in society. Like neo-Marxist subcultural theorists they stress the choices made by criminals and deviants, emphasising that some criminals may be politically motivated and may help to encourage progressive social changes. Stuart Hall et al. in *Policing the Crisis* add an extra dimension to their understanding when compared with more traditional Marxist approaches by discussing the idea of a hegemony showing how ongoing class struggle is more typical than complete domination by one class. Other critical criminologists suggest that Marxists ignore or at least neglect other important dimensions of crime such as gender, ethnicity and age. Functionalist approaches suggest that Marxist may ignore the positive integrative effects of crime (although Marxist would dispute the claim that the effects are positive).

Therefore, it is fair to say that if not one-dimensional, traditional Marxism is somewhat limited in the range of dimensions of crime that it takes into account and the understanding of crime can be developed further by moving beyond an exclusive emphasis on class and ruling class domination, important though these aspects of crime may be.

**10.** The New Criminology was developed by the sociologists Taylor, Walton and Young and based upon elements of traditional Marxism but also other theoretical approaches, particularly interactionism/labelling. The authors of The New Criminology believe that it was necessary to look at all aspects of crime and to integrate them and providing a ‘fully social theory of deviance’. They believe that Marxism, in its traditional forms, did not provide this. In particular Taylor, Walton and Young believe that it is important to examine the societal reaction to crime both at a micro and macro level in order to understand it completely. Thus they tried to take account of the unequal social structure and its role in producing laws, unfair law enforcement and differences in the behaviour of classes in terms of the ways in which they broke the law. Unlike traditional Marxism these writers believe that some criminals were fighting for greater justice and were politically motivated instead of being simply the passive victims of capitalist exploitation or greedy and self-interested capitalists.

This approach certainly appears to have some advantages over traditional Marxism because it takes account of factors that Marxism either ignores underplays (such as the effects of labelling). The New Criminology is also flexible enough to incorporate (at least in theory) discussion of other social divisions apart from class, particularly ethnicity and gender. Policing the Crisis was an example of a book which broadly adopted the approach suggested in The New Criminology and looked up ethnicity as well as class. Potentially this could be seen as a superior approach the traditional Marxism which tends to assume that class issues will be predominant and perhaps over-emphasises the significance of capitalism in the exploration of crime. However, actually carrying out studies using the approach advocated by The New Criminology is very difficult because of the wide range of factors that are seen to be important and there are very few examples of the successful application of this approach to empirical studies of crime. Furthermore, as Paul Rock suggests, The New Criminology might have exaggerated the importance of politically motivated crime and feminists such as Pat Carlen claim, neglected gender issues and the importance of patriarchy.

The New Criminology can be applauded for broadening critical criminological approaches beyond traditional Marxism and encouraging a wide range of research in a critical criminological tradition, and for these reasons it can be seen as superior to traditional Marxism. However, this more complex approach has come at a cost making it more difficult to conduct is clear analysis of crime, from critical Marxist perspectives.

In the tabloid media in particular, ‘sex sells’, so when world-rejecting sects or cults are discovered which It follows that the claim that ‘most sects are destructive total institutions’ is therefore invalid.

**1.4 REALIST THEORIES OF CRIME**

p.37 Focus on SKILLS: ZERO TOLERANCE POLICING

**1.** This sentence means that when the police have been able to make decisions at a local level and to respond to the preferences and concerns of local people, it has often been more effective than when rigid centralised policies are imposed on police whatever the local circumstances and public opinion.

**2.** Ian Duncan Smith seems to mean people who are involved in crime, drug use, gang members and those who live in communities where these sorts of problems are an issue. He slips easily between identify individuals who have problems and regarding whole communities as being a problem. He thus tends to run together all people in deprived communities where crime, drug use, and gang membership are most common seeing them all as ‘problem people’.

**3.** The idea of zero tolerance reflects the views of American right realist criminologists such as Wilson and Kelling who argue that if minor acts of anti-social behaviour are allowed to go unpunished then deviant and criminal behaviour can escalate as the physical and social environment deteriorates making it more conducive to crime. The idea of increasing the number of police officers and of a crackdown on gangs reflects the views of James Q Wilson who argue that crime is rational and the greater the chance of getting caught and the harsher punishment, the more criminals will be deterred from committing crime in the first place.

**4.** The Chief Constable of West Midlands Police, Chris Sims, attacks government policy by arguing that policing should be more flexible and should be responsive to the wishes of the local population rather than following centralised directions. He does not believe that a single policy approach, adapted from the United States of America, will necessarily fit the situation in the UK.

**5.** A zero-tolerance approach to crime in Britain could have the advantage of focusing attention on meeting the needs of victims of crime in deteriorating urban areas and of reducing the likelihood of crime getting worse in such areas. On the other hand, it could be argued, that it has the disadvantage of criminalising individual and groups who might otherwise desist from deviant and criminal behaviour without intervention and this might make their future behaviour more criminal rather than less. It also risks the unfair labelling of groups who live in the areas which are targeted for zero tolerance policing.

P.38 Check your understanding

**1.** The idea of the ‘square of crime’ is put forward by left realists who argue that crime can only be understood, defined and explained with reference to four interacting factors, the state, informal control, the offender and the victim.

**2.** ‘Rational choice’ theories of crime claim that potential criminals calculate the likely risks and benefits of criminal acts and weigh them against one another, only committing offences if the benefits are likely to outweigh the risks.

**3.** ‘Relative deprivation’ means that an individual or social groups feel deprived when comparing themselves with other groups or with their expectations. Deprivation refers to a lack of socially desired resources (such as money, material possessions status or housing).

**4.** According to Murray the underclass prefers to rely on benefits rather than working for a living, they are likely to have children outside of marriage and they are more likely than other social groups to engage in criminal behaviour.

**5.** Marginalisation is the cause of crime which involves individuals or social groups lacking a central role in society.

**6.** A ‘broken window’ can lead to a breakdown in law and order because it provides a signal to individuals and groups that a particular area is not closely monitored and subject to informal and formal social control. This provides the cue for them committing more deviant and antisocial acts which leads to a further breakdown in informal social control and a worsening problem which ultimately leads to a complete breakdown in law and order.

**7.** Cohen and Felson believe that the incidence of crime involves the coming together of people with the motives to offend, and opportunities for them to carry out offending due to targets being available in the absence of people to prevent offending (capable guardians). Crime can therefore be prevented by target hardening (for example by making it harder to steal something), and by monitoring public spaces better. It can also be reduced by reducing the availability of targets but they are more sceptical about changing the motivations of potential offenders since it is much more difficult to achieve this than by, for example, putting simple obstacles in the way of offending.

**8.** Left realist criminology can be criticised for failing to provide evidence about the motivation for street crime since most of its research has focused on victim and not on offenders. It can also be criticised for concentrating too much on street crime to the neglect of corporate and organised crime which many radical and critical criminologists believe is much more serious than street crime.

**9.** Left realists tend to see inequality as one of the underlying causes of crime whereas right realists do not see this is important and instead emphasise factors such as poor law enforcement and supposedly inadequate socialisation of children of the underclass. Right realists support harsher punishment and stronger policing whereas left realists support a focus on reducing inequality and relative deprivation and upon more democratic policing.

**10.** Right realist criminology has a number of strengths. It provides some simple and straightforward explanations for criminal behaviour and suggests a number of practical solutions. It seems likely that criminal behaviour is to some extent rational and that most offenders take some account of the balance between risk and reward in deciding whether to commit offences or not. Situational crime prevention provides some relatively cost-effective and quite uncontroversial ways to reduce the overall crime rate. For example, better locks, alarms and unique-fit car stereo systems have reduced number of property offences against motor vehicles. These types of solution can achieve these improvements without costly policing or the infringement of civil liberties. The ‘broken windows’ theory has a helpful emphasis upon the importance of the interaction between informal and formal social control and it focuses on how crime can be particular problematic in some neighbourhoods. Charles Murray’s theory of the underclass focuses usefully on groups who are quite likely to be involved in high levels of street crime and make some interesting claims about the interrelationship between family life, the benefits system and criminality.

However, right realism has a number of weaknesses. It has a rather one-dimensional view of human motivation as being based upon self-interest and the rational calculation of benefits to the individual. It doesn’t take account of emotional aspects of crime and apart from underclass theory pays little attention to group dynamics (for example in subcultures). It has an almost exclusive focus upon street crime and ignores state, corporate and white-collar crime entirely. Routine activities theory is useful for tackling opportunist crime, but has little to say about more serious crime and professional criminality. The underclass theory perhaps deserves the strongest criticism for labelling whole sections of the population on the basis of totally inadequate evidence. To many sociologists, it involves blaming the victims of an unfair and unequal society. Left realists would extend this criticism further claiming that right realists have no appreciation or understanding of how wider structural factors relating to inequality provide the underlying context which encourages criminality. In addition, they criticise right realism for seeing the forces of law and order, particularly the police, as being the solution to problems of crime and ignoring ways in which labelling in the context of discriminatory policing has helped to produce higher levels of criminal behaviour.

Overall, aspects of right realism could be seen as being useful for understanding and explaining opportunist street crime and for raising issues about the relationship between formal and informal social control, but they could be accused as having an inadequate model of how wider social processes influence patterns of crime and the operation of the criminal justice system.

**1.5 STATISTICS AND PATTERNS OF CRIME**

P.42 FOCUS ON RESEARCH: CRIME SURVEY FOR ENGLAND AND WALES (CSEAW)

**Suggested answers**

**1.** The CSEW tries to maximise the representativeness of the survey by having a very large sample (almost 40,000 people) and by selecting at random from the Postcode Address File which lists all private households in the UK and therefore includes the vast majority of the population.

**2.** The Postcode Address File does miss out a few groups including those who are homeless, living in temporary accommodation, those in university halls of residence, nursing homes and anyone else who does not live in a conventional household with its own postcode.

**3.** The survey cannot include crimes where victims are not aware of or are not able to report on their victimisation. For example, homicide cannot be reported by victims since by definition the victims are dead. Individuals may not be able to report on crimes committed against their businesses since the may not be one single person who is affected or who is responsible for recording any crimes. So-called ‘victimless crimes’ such as drug use, where the offender is also deemed to be the one harmed by the activity, cannot be studied in victim studies because the users may not regard themselves as victims. Sexual offences are not recorded because of the ethical problems in carrying out interviews without causing harm to the victims who would have to relive the experience to some extent.

**4.** The respondents in the smaller subsample may input their answers directly into a laptop computer because it is the most practical, cost-effective and quickest way of recording answers. It may also be because some respondents feel more at ease recording their answers to a laptop computer rather than discussing them with an individual, especially if the offences are personal and sensitive.

**5.** These types of statistics have the advantage of providing data on crimes which are not known to the police. This facilitates more accurate estimates of the total amount of crime and trends in crime than are possible using police statistics. It avoids the problem that crime rates may be affected by changes in reporting or recording rates without any changes in the underlying rate of actual offending. This may be important for making and evaluating policies surround crime prevention and for allocating resources to deal with offending. It is also possible to produce statistics using this type of survey on issues which are not addressed in the police statistics, such as the extent of fear of crime as well as the extent of victimisation.

However, statistics produced by these types of survey do have their limitations and disadvantages. There are many crimes that cannot be measured accurately in victim surveys (see the answer to Question 3 above) and some types of victim (such as young children and those with poor memories) are not suitable to take part in the research. Furthermore, it is impossible to be sure how truthful respondents are or how valid their interpretations are of whether a crime has taken place or not. The statistics ultimately rely upon the interpretation of the victim and of the researcher who decides whether to record an offence. Furthermore, corporate, state, most green and many white-collar crimes cannot be studied using this type of research because generally victims are not in a position to assess whether they have been victimised.

P.44 FOCUS ON Skills: RICHARD FORD ‘CRIME FALL HIDES HUGE RISE IN BANK FRAUD’

**Suggested answers**

**1.** Police statistics and victim surveys have both underestimated crimes involving bank and credit card fraud by excluding many offences from the statistics that they produce. Not only are many frauds not reported to the police, but even when they are they are not included because it is difficult to categorise who the victim is. Some of these offences are not included in statistics produced by The Crime Survey for England and Wales because the actual offence takes place outside England and Wales even though the victims might live there.

**2.** The apparent scale of these types of crime and the likelihood that they have increased significantly over recent years could well have undermined the picture given in other statistics that overall crime has been falling. With over 3 ½ million estimated offences of this type out of a total of 11 million them may have simply been a shift from more traditional types of property crime such as theft, burglary and robbery towards fraud rather than there having been an overall fall in offending.

**3.** Other types of crime that may involve internet technology could include stalking, threatening behaviour, identity theft and more recently offences such as so-called ‘revenge porn’ (where people post sexual images or film clips of their former partners). These types of offence have only been made possible in their current form because of the development of the internet yet because they are relatively recent types of crime they may well be very much underreported and under recorded. Victims may not see them as true crimes, they may feel too embarrassed to report them or they may be unaware that they are illegal.

**4.** There is significant evidence in this article that crime could be seen as a social construction. Official statistics whether produced by the police or by crime surveys depend very much upon the definitions used and the procedures adopted for counting crime. Millions of apparent crimes can be left out of official figures to the extent that it can distort the data, even the data on long-term trends. However, the article also implies that if better procedures are adopted then more accurate figures could be produced suggesting that this is a question of reliability rather than validity. Ultimately though, crime could be seen as a social construction because there is always likely to be ambiguity over what should count as a crime since the law always requires some interpretation.

p.46 CHECK YOUR UNDERSTANDING

**Suggested answers**

**1.** A self-report study is a survey in which people are asked whether or not they have committed specified crimes.

**2.** A victim-survey is a survey using a questionnaire or structured interview in which people are asked whether or not they have been the victim of specified crimes.

**3.** The victim might not report a crime because they believe the crime is too trivial to bother the police with, or because they would be too embarrassed to report it perhaps because of the personal nature of the offence (for example some sexual offences) or because they feel foolish for allowing themselves to become victims.

**4.** One problem with getting a representative sample of victims of crime is that very young victims may be unable to give coherent accounts of offences or be unaware that they have been victims of crime. Therefore, all samples of victims are likely to exclude young children.

**5.** Such surveys as the CSEW tend not to ask questions about every type of crime, there may be distortions in the figures as a result of some people being unwilling to take part in the survey (the problem of non-response) and they cannot measure offences where the victim is unaware that they have been victimised (for example some types of fraud).

**6.** By comparing self-report studies with data on arrests, prosecutions and convictions it is possible to study whether all social groups are equally likely to be investigated and punished by the criminal justice system when they have committed the same or similar crimes. There may be some reasons for any disparity which are beyond the control of the criminal justice system, but the statistics may also imply that discrimination is taking place for example because some social groups are treated with more suspicion than others, even if they are no more likely to be offenders.

**7.** Police may exercise discretion by deciding whether to arrest a suspects or not, deciding whether to charge them with a more or less serious offence and by deciding whether to release them without charge, or to charge them.

**8.** Crime statistics can be seen as socially constructed because, in the first instance, laws have to be passed to determine what types of action may be regarded as criminal (and laws vary between societies), those laws have to be interpreted when applied to individual offences, and the actions of individuals have to be interpreted to determine whether they are believed to be the offender. In each case a range of factors may influence the decisions and it can be argued that there is no objective way of determining what should be regarded as a crime and who should be regarded as a criminal. The definition of something or somebody as criminal is therefore a result of social processes from a social constructionist point of view, rather than something which can be objectively determine.

**9.** The Crime Survey for England and Wales (CSEW) is a victim survey produced using a sample of the population whereas the police-recorded statistics are a record of all crimes recorded by the police. The former is therefore an estimate of the proportion of the population who have been victims of certain types of crime whereas the latter is a (supposedly) accurate record of offences which the public have reported and which the police have deemed to be crimes or which the police have themselves uncovered. Police statistics cover a wider range of crimes than the CSEW since, for a variety of reasons, some crimes are excluded from the victim survey. CSEW statistics do not cover young victims (those under 10) and do not cover homicide, offences against businesses or sexual offences. However, unlike police-recorded statistics, the survey does cover a large number of crimes which are not recorded by the police, either because they are not reported or because the police have determined that there is insufficient evidence that an offence has taken place. Neither source of statistical data on crime provides a comprehensive picture and both sets of statistics are based on interpretations, in one case those of police officers and in the other of researchers.

**10.** Police statistics have been widely regarded as one of the most important sources of information on the extent of crime. They are collected by forces across the country on a systematic basis using centrally determined counting rules. They potentially include every crime reported to the police where there is clear evidence that a crime has taken place. Furthermore, the police are able to use their powers of investigation to determine whether there has indeed been a criminal offence. However, many crimes are not reported to the police either because victims are unaware that a crime has taken place, because there is no victim or because victims or observers choose not to report the offence. There is therefore a large ‘dark figure’ of unrecorded crime and the size of this figure can only be estimated. In addition, there may be systematic differences in the likelihood of different types of crime entering police statistics. Some crimes are particularly likely to be underreported (for example rapes and financial crime) while in other cases rates of reporting and recording are very high (for example car theft). Some crimes are not recorded by the police but by other authorities (for example the Inland Revenue) so the range of crimes for which police statistics are useful is limited.

All the above issues raise questions about the reliability and scope of police-recorded crimes and these may be further distorted by the lack of police recording of some crimes which have grown in recent years, particularly fraud involving the internet. Furthermore, some sociologists argue that police-recorded crime statistics are essentially a social construction based very much on the interpretations of the police, which could be seen as being biased in terms of recording of crime in relation to different classes, ethnic groups and males and females. To some radical and critical criminologists there is systematic class bias, for example in the lack of police recording of white-collar, corporate and state crime and crimes against the environment. In contrast, street-crimes, which are largely committed by the working class, are much more likely to be recorded. These alleged biases in criminal statistics may lead to the police producing very misleading figures on the total amount of crime as well as the social distribution criminal activity.

However, positivists generally see police-recorded crime rates as being a reasonable representation of the extent of crime and certainly as being useful for estimating trends over time. The statistics are certainly more comprehensive and more detailed than any that can be produced by sociological investigation or even governments surveys, but sociological research shows that they are, at best, seriously flawed and at worst simply social constructions.

**1.6 ETHNICITY AND CRIME**

P.50 FOCUS ON Skills: ‘ISIS EFFECT’ HELPS SPARK 15% RISE IN HATE CRIMES

**Suggested answers**

**1.** A ‘hate crime’ is a crime motivated by prejudice against the particular group. Someone is victimised because they are a member of that group, or are believed to be a member. For example, hate crimes could be directed at people with particular religious affiliations, ethnic origins, sexualities or gender.

**2.** An increase in the number of hate crimes could be linked to Isis and the murder of Lee Rigby because the perpetrators might believe that all Muslims should be seen as responsible for the violence associated with some Islamists and similarly Jewish people might be the target of hate crimes because all Jews are seen as bearing some responsibility for the actions of the Israeli government.

**3.** The recording and reporting of hate crimes might have improved because people are more aware that crimes might be motivated by prejudice and this could make them more likely to report them and to identify that they are hate crimes. Similarly, the police might be more sensitive to the existence of hate crimes, more likely to ask victims if they think that an offence was motivated by hatred and more willing to record offences as hate crimes. Media coverage of different types of hate crime and better police training in dealing with this type of crime could be factors which have helped to produce the improvement.

**4.** Like all government statistics on crime, statistics on hate crime are not likely to be completely reliable and valid. Changes in public attitude and police policies may affect the likelihood of hate crimes being recorded and of them being identified as hate crimes in the first place. In many cases the victims may be unaware or unsure of what motivated the offender so many hate crimes could be unrecorded as such even where the offences are known to the police and recorded by them. The validity of defining acts as hate crime can also be questioned. Offenders may not even be fully aware themselves of the real motivation behind their actions and they may have a variety of motives for offending of which prejudice towards a particular social group is only one. Nevertheless, statistics on hate crimes do provide some indication of overall trends in offences which are perceived to be based on hatred and this is useful for government agencies trying to decide where to concentrate resources. Although they provide imperfect evidence, they are useful for gauging the effects of important events, such as the referendum vote to leave the European Union which some statistics suggest was followed by an increase in hate crimes directed against people of Eastern European origin in the UK.

**5.** The evidence here does suggest that minority ethnic groups are justified in having a greater fear of crime than the White population in Britain. There is little evidence that the White population is likely to be the victim of hate crimes because of their ethnicity (although this might not apply to some White minority ethnic groups of non-British nationality). Although there are a large number of recorded hate crimes it is likely to affect a minority of those from ethnic minorities and make-up a small proportion of all crimes. Other factors such as class, area of residence, gender and age are also important in determining the risks of being a victim of crime so the additional risks linked to ethnicity should not be exaggerated. However, the small risk of being the victim of serious violent crime is significant and it is perfectly understandable that group subject to lower level hate crimes such as harassment are concerned that there might become the victim of something more serious.

p.55 CHECK YOUR UNDERSTANDING

**Suggested answers**

**1.** ‘Criminalisation’ refers to the process by which certain types of action and certain individuals are identified and named as being criminal. This is closely associated with the process of labelling of things and people and it refers to the social reaction to acts rather than the nature of the acts themselves.

**2.** ‘Institutional racism’ is the failure of institutions, such as the police force, educational institutions or employers to operate in a way which ensures that all racial and ethnic groups receive fair and equal treatment. It does not have to involve intentional discrimination (although this might be involved) but can also result from a lack of consideration of the needs of particular groups.

**3.** The ‘anticolonial struggle’ means the resistance through protest movements against the domination of colonies or former colonies and their populations by colonial powers (such as Britain and France). It originally referred to independence movements in colonies such as Jamaica and India, but some sociologists see it as leading on to continued opposition to social and political dominance by former colonial powers after the achievement of independence by former colonies (for example opposition by Black Caribbean populations to a White dominated state in the UK).

**4.** Firstly, it has been argued that members of minority ethnic groups are more likely than members of the white majority to be stopped and searched by the police without good reason. Secondly, it has been suggested that Black and Asian defendants are more likely to be sent to prison than White defendants even when they have committed similar types of offence. Thirdly, it has been claimed that minority ethnic groups are more likely than Whites to be arrested for offences they have not committed.

**5.** Left realism suggests that there is a real difference in offending rates between ethnic groups.

**6.** Differences in family life could partly account for differences in offending rates between ethnic groups. For example, high rates of single parenthood in Black ethnic groups could lead to a lack of positive adult male role models for boys growing up in these families, and Asian ethnic groups might have more stable family structures than other groups which could help to reduce crime. John Pitts suggest that global culture might affect Black ethnic groups through the influence of American rap groups and Jamaican Yardies gangs.

**7.** Hall et al. Explain the moral panic over ‘mugging’ by arguing that young African Caribbean males were used as a scapegoats to distract attention from the crisis of hegemony for the British state, blaming them for political instability rather than the economic and political crisis.

**8.** Gilroy has been criticised by Lea and Young who argue against Gilroy’s claimed that most crime reflects a political struggle against the white majority by pointing out many crimes committed by Black people in Britain are intraracial. They also criticise him for ignoring the genuine harm that is caused by some street crime.

**9.** Lea and Young emphasise the causes of Street crime whereas Hall et al. place more emphasis on the criminalisation of Black British people. Lea and Young believe that there are real differences in the involvement of different ethnic groups in criminal acts whereas Hall et al see the apparent differences as being a manufactured moral panic.

**10.** Racism could be present in various parts of the criminal justice system including the treatment of suspects and offenders and victims. Perhaps the main area in which there have been accusations of racism has been in the treatment of suspected offenders. Policing has been particularly controversial with many sociologists, including Reiner, claiming that there is continuing evidence of racism in the police. Statistical evidence that this might be the case comes from data on stop and search which shows that Black people are almost 5 times more likely than White people to be stopped and searched and those of Asian origin also have above average rates stop and search. Phillips and Bowling claims that stereotypes still play a role in police decisions about stop and search despite decades of anti-racist training for the police. Factors other than racism may account for some of the overrepresentation of minority ethnic groups amongst those who are stopped and searched, for example these groups are more likely to live in inner-city areas and have higher proportions of young people than the White population. However, even when these factors are taken into account it does appear to be a case that there is bias in criminal justice in this respect.

The Ministry of Justice statistics show that Black people make up 8.3% of those arrested but just 3.3% of the total population and Black suspects are much more likely to deny the offence that they are accused of than White suspects. This could indicate that they are more likely to be arrested for offences that they have not committed and furthermore self-report studies do not suggest that either Black or Asian minority ethnic groups are more likely to offend than the White population.

Another area possible bias stemming from racism is in sentencing and imprisonment where Black and Asian defendants are considerably more likely to be given an immediate prison sentence than White defendants who have been convicted. Once the seriousness of the offence was taken into account, Ministry of Justice figures suggest that Black people who are convicted of certain offences, for example possession of class A drugs, are somewhat more likely to be sent to prison than White people.

Some sociologists believe that the statistical anomalies discussed above are the result of systematic institutional racism in the police and other institutions of the criminal justice system such as the courts. The concept of institutional racism was developed by McPherson in his report on the murder of the Black teenager Stephen Lawrence. Institutional racism does not have to involve individual racist beliefs and actions by police officers or others working in criminal justice, but can be the result of the failure of organisations to address the needs of different minority ethnic groups. The case of Stephen Lawrence showed how Black victims of crime might be let down by a justice system which failed to take hate crime sufficiently seriously and which sometimes failed in its responsibility to investigate crimes against minority ethnic groups effectively. This failure could be reflected in higher recorded rates of fear of crime amongst minority ethnic groups than the White majority, since the ethnic minorities may feel that they do not receive sufficient protection from the police.

However, some sociologists suggest that factors other than racism may largely account for many of the differences in outcomes for different ethnic groups in the criminal justice system. Lea and Young accept there is some racism in criminal justice but argue that there may be real differences in the extent, nature and seriousness of offending between ethnic groups which partly accounts for the differences in the way that they are treated. Others point to significant improvements in policing since the McPherson report both with respect to suspects and offenders and victims. Certainly the statistical data needs careful interpretation. For example, the seriousness of the offence need to be taken into account in considering whether sentencing is influenced by racism, but even when such factors are considered, there does appear to be evidence that some racism remains in the criminal justice system, whether that is a product of institutional racism or individual racist acts. The nature of racism may change over time (for example with greater suspicion falling on Asian groups because of the concern over terrorism in recent years) but it seems unlikely that racism has been eradicated entirely in the British criminal justice system.

**1.7 GENDER AND CRIME**

P.63 FOCUS ON Skills: GENDER AND WHITE-COLLAR CRIME

**Suggested answers**

**1.** According to the article women offenders of this type are less likely to be well-qualified, more likely to offend on their own, their offences are likely to involve smaller sums of money, and they are more likely than men to attribute their offending to protecting their family from financial difficulties. Men are more likely to offend to fund addictions such as drug use or gambling.

**2.** Goldstraw-White may have had in mind the greater domestic responsibilities that women tend to have, particularly for the care of children and the elderly, in comparison with men. Women often have to combine these responsibilities with work roles whereas more men are able to concentrate on work responsibilities and have less involvement the women in caring roles.

**3.** **A.** This example could be linked to sex roles theory because some women were likely to explain their behaviour in terms of protecting their family, a traditionally female role, and men were more likely to offend to defend a lifestyle, which could reflect the competitiveness of male sex roles. Similarly, men were particularly concerned about their loss of status after release. However, both males and females were equally likely to attribute their offending to family pressures.

**B.** The offenders in this case could be seen as liberated women because they are all white-collar offenders and this could be a growth area for female criminality as a result of women being more likely to hold white-collar jobs. The conclusion of the research suggests that women’s offending can change as a result of their changing position in society, although the reasons for the offending were not the same as those for male white-collar offenders.

**C.** On the surface there seems to be little evidence for Carlen’s theory because none of these female offenders could be described as poor or to have had a lack of success. However, there was some evidence that offenders were concerned to avoid financial difficulties which fits with Carlen’s emphasis on crime as a response to financial difficulties.

**D.** There is evidence to support the idea that men offend to defend their hegemonic position because male offenders’ frauds involve particularly large amounts of money and because they seem to offend to defend their status in society.

**4.** This study is particularly useful because of the lack of other research into female white-collar offenders and for this reason it provided quite novel data on the differences between male and female white-collar criminals. However, the sample size is very small and the sample was limited to those offenders who have been convicted and sent to prison. Therefore, it is difficult to generalise from the findings. Nevertheless, the study did provide useful findings on gender differences in the nature of and motivation for white-collar crime which would be useful as a starting-point for further research.

p.65 CHECK YOUR UNDERSTANDING

**Suggested answers**

**1.** The ‘chivalry thesis’ suggest that men employed in the criminal justice system, for example as police officers, prosecutors or judges will tend to treat women less harshly than men.

**2.** The ‘gender deal’ involves women sacrificing some independence by getting married in return for protection and support from men.

**3.** ‘Normative masculinity’ is the dominant view of what a ‘real man’ should be like and how they should behave. It emphasises the difference between men and women and heterosexual masculine desire.

**4.** The criminal justice system may have gender bias in the following ways:

1. women are more likely than men to be given cautions rather than being prosecuted for alleged offences;
2. women are less likely than men to be sent to prison;
3. women may be poorly treated as victims in rape trials because the conviction rate is very low and allegations of rape may not always be treated seriously.

**5.** Otto Pollack’s biologically-based theory suggests this.

**6.** Sex-role theory could explain differences in male and female offending in terms of the differences in opportunity and desire to offend produced by gender-specific sex roles. Female sex-roles emphasise caring and domesticity and the time and commitment required to care for others limits the opportunity to commit many crimes, particularly street crimes. In addition, the effects of female role-models on socialisation process might discourage girls from growing up to be offenders. On the other hand, if boys are socialised into more competitive and aggressive roles with fewer domestic responsibilities, then they may have more incentive to commit offences for financial gain, and to use violence to gain masculine status. Males may also look to all-male teenage gangs for male role models if they lack them within the home.

**7.** Heidensohn suggest that women are subject to more social control at home than men because their responsibility for housework and childcare confines them to home for many hours which restricts their opportunity to engage in activities outside the home, including crime. Men may control women in a domestic context through violence or through financial dominance and girls are given less freedom than boys, for example in terms of being allowed to stay out at night. In public places, women are subject to greater control because of the fear of ridicule, rape or violent attack. Sexist comments are used to control women in public places and to discourage them from going out alone at night. At work most managers are male since they exercise social control over female employees. Furthermore, trade unions are generally dominated by men and sexual harassment is also used to control women in the workplace.

**8.** The liberationist theory can be criticised for ignoring the high proportion of women who are poor and psychological research which suggests that female offenders tend to score highly on measures of femininity.

**9.** The liberationist perspective tends to emphasise crime by middle-class and successful women whereas Carlen’s theory emphasises the criminality of working class and poor women. Carlen does not suggest there has been a significant rise in female criminality, whereas the liberationist approach does.

**10.** The idea that there are ‘double standards’ in the criminal justice system is based on the belief that men and women are treated differently in a way which is gendered. On some occasions this benefits men but on other occasions it benefits women.

A variety of evidence could be used to support this viewpoint. For example, Sandra Walklate argues that in rape trials female victims are often judged in terms of their sexual history with promiscuous women who do not conform to gender ideals of femininity being less likely to see the man who raped them convicted. Furthermore, Louise Westmarland claims that even women who have been trafficked as sex workers are treated harshly because the criminal justice system is unsympathetic to women who break gender stereotypes through working in the sex industry (even if this is not their choice). Similarly, the chivalry thesis argues that women are treated differently than men, but in this case they are favoured by the criminal justice system being treated more leniently than men who have committed or are suspected of similar offences. Some evidence for the chivalry thesis is found in women being less likely than men to be sent to prison and being given shorter sentences than men. This could be linked to traditional female gender roles with courts reluctant to incarcerate women who have responsibility for children. It could also be because gender stereotypes suggest that women are less dangerous than men. Women are also a little more likely than men to be given a pre-court sanction rather instead of being taken to court. Kate Steward has conducted research which suggests that decisions about whether to remand women in custody are influenced by moral judgements about women linked to how far they demonstrate feminine characteristics.

However, there is some evidence against the idea of double standards. Raw data on decisions in the criminal justice system does not take account of the seriousness of the offence. Carol Hedderman claims differences in sentencing are not necessarily the result of gender bias but simply reflect differences in the circumstances in which men and women live. Courts can take account of the effects of sentences on others and therefore those sentences that consider childcare responsibilities are based upon the reality of gender roles rather than chivalry towards women. Hedderman also quotes Home Office figures which suggest that courts may actually give more severe sentences to women than men once the seriousness of the offences taken into account and Kate Steward found that decisions on whether to remand suspects in custody seemed to be largely determined by the seriousness of the offence rather than the sex of the offender.

The somewhat contradictory evidence on this issue suggest that there it is hard to be sure that the criminal justice system is consistently biased and has double standards, but the conduct and outcome of rape trials does suggest that it is very difficult for courts and other institutions of criminal justice to ignore gender differences and the stereotypes that are still deeply ingrained in society’s culture.

**1.8 SOCIAL CLASS AND CRIME**

P.71 FOCUS ON Skills: TAX EVASION AS BAD AS BENEFIT FRAUD

**Suggested answers**

**1.** Andrew Ellson means that different groups who commit different types of crime are not dealt with in the same way in the British criminal justice system. In particular, those who commit benefit fraud are usually treated much more harshly than those who commit tax fraud and in general this means that middle and higher classes suffer less severe punishments than lower classes.

**2.** The difference between offending and criminalisation throws light on the evidence and arguments presented in this extract because it shows how it is not so much what you do as how your offending is treated that is important. Offenders who committed relatively minor acts of benefit fraud tend to be treated much more like ‘real criminals’ than those who are found to have evaded tax and the consequences for the reputation and future life chances of tax evaders tend to be much less significant than those for benefit fraudsters. The latter are criminalised to a much greater degree than the former regardless of the severity of the offence.

**3.** Wealthier and high status offenders are less likely to fit the stereotype of the type of criminal who is seen as posing a significant threat to society. Courts are less likely to treat them as a dangerous offender and many cases involving wealthier offenders do not, in any event, lead to prosecution. They tend to be dealt with by authorities such as the Inland Revenue rather than the police. These other organisations operate in different ways to the police often trying to reach agreement rather than resorting immediately prosecution. In addition, wealthier and high status offenders are more likely to be able to afford highly skilled legal representation to defend themselves against accusations in order to seek the minimum possible sentence.

**4.** Relatively few crimes committed by higher classes lead to prosecution and media publicity but this does not necessarily mean that these classes commit few offences. Tax evasion in particular is likely to be very widespread and may be more common amongst higher classes who, if they run businesses or are self-employed, may have more opportunity to avoid tax than employees whose tax is deducted directly from their salary. Most police effort goes into detecting and prosecuting ‘street crime’ which is more likely to be committed by lower social classes producing a distorted picture of the social distribution of criminality. The relative ease with which white-collar crime can be committed makes it possible that there is a large quantity of unrecorded crime of this sort and this could well have a significant impact on the relationship between class and crime. Thus the real relationship between class and crime may be very different to that which is apparent in court statistics which suggest that a big majority of people convicted are from working class backgrounds.

p.72 CHECK YOUR UNDERSTANDING

**Suggested answers**

**1.** ‘Focal concerns’ are the most important cultural issues for a particular social group and they influence the decisions they make in their attempts to live rewarding lives.

**2.** ‘Consumerism’ refers to the culture and practices surrounding the purchase and use of products and services which are bought and sold. Consumerism can involve people giving central importance in their lives to their activities as consumers and lack of access to consumer goods may be a motivation behind some criminality in societies where consumer culture is important.

**3.** ‘Inequality refers to a situation in which some people own or have access to more socially desirable goods and opportunities than other people. Inequality can involve differences in wealth, income, power, status, the ownership of consumer goods, access to education or to leisure and so on.

**4.** Crimes committed by corporations may harm consumers through fraudulent selling, they can lead to the death or injury of people as a result of accidents caused by unsafe working practices and they can cause death or injury to the general population, for example as a result of our pollution.

**5.** Merton’s theory suggests that at least some working class criminality is caused by material deprivation resulting from lack of access to legitimate opportunities.

**6.** Charles Murray’s theory of the underclass suggests that the cultural deficiencies of some of the poorest members of the working class lead them to committing crime. These deficiencies include a tendency to become single parents in the case of women, and an overreliance upon benefits.

**7.** Police discretion can result in higher arrest rates for the working class because in day-to-day encounters with suspects they are more likely to regard the actions of working class individuals as suspicious and criminal than those of suspects from higher social classes. They may regard the appearance, demeanour and attitudes of lower class suspects as more threatening and more indicative of criminal behaviour than the characteristics of middle and higher classes. Robert Reiner argues that the police tend to concentrate resources on the working class areas and on street crime in public places. This inevitably means that working-class crime is more likely to result in arrests than middle-class crime which is more likely to take place in private and in areas in which the police do not regard as problematic.

**8.** Hazel Croall reviews research which suggests that suspects for unsolved crimes tend to be drawn from working-class backgrounds and offenders from other backgrounds are much less likely to be the subject of such suspicion. In addition, those from lower classes are more likely than those from higher classes to be sent to prison because judges and magistrates tend to see them as being at higher risk of reoffending. A range of background factors tend to be used to justify harsher sentences for lower classes. These include the status of their parents, the areas in which they live and their employment history. Consequently, lower classes are punished more harshly than higher classes.

**9.** Charles Murray’s view of the underclass is not based upon detailed research and other research suggests that many of the attitudes which he attributed to the underclass are not common in that group. Higher rates of offending in the underclass may be caused by material deprivation rather than moral inadequacy.

**10.** There is strong evidence that there is a tendency for different classes to commit different types of crime. Partly this is because there are differences in opportunity to commit crime and in particular working classes have little opportunity to commit white-collar or corporate crime. White-collar and corporate crimes are committed in the course of employment in middle class and upper class occupations making it impossible for the working class to commit these types of crime. Given that they may have opportunities to commit offences such as fraud and tax evasion, higher classes have little incentive to engage in much more risky criminality such as robbery, burglary or mugging. These types of offence are much more intensely police and tend to lead to harsher sentences than typical white-collar or corporate crime and they are also likely to have smaller rewards. On the other hand, there is probably more opportunity for the working class to commit benefit fraud because they are more likely to have the opportunity to claim benefits.

Self-report studies are one way to test whether there really are different rates of criminality in different social classes. However, such studies tend to be confined to young people and to be limited in the range of offences which they cover. The Offending, Crime and Justice Survey nevertheless found that there was little difference in the incidence of crime amongst young people by social class. Official police statistics are notoriously unreliable and not likely to accurately record crimes committed by any social classes. However, there are reasons suppose that white-collar and corporate crime are particularly under recorded. Not only is less time and money devoted to pursuing these types of crime by the criminal justice agencies, they may also be much more difficult to detect and prosecute. Thus, although it is impossible to say definitively how many crimes are committed by different social classes, it is quite likely that the rates of offending are not hugely dissimilar between higher and lower social classes. Statistical differences might just reflect rates of criminalisation rather than rates of offending and as Slapper and Tombs argue powerful offenders, such as corporations, are in a stronger position to avoid being labelled as offenders than working class individuals. For these reasons it may well be the case that ‘the working class and higher-classes commit different types of crime but a similar number of crimes’.

**1.9 GLOBALISATION, HUMAN RIGHTS, STATE AND GREEN CRIME**

P.79 FOCUS ON Skills: A SCANDAL OF ARROGANCE, GREED AND SKULDUGGERY

**Suggested answers**

**1.** Volkswagen cheated tests on car emissions by putting software onto cars computers that allowed the computer to identify when the car was being tested and enabled it to adjust performance so that the car met emission standards. They did this so that diesel cars could pass tighter emission standards tests while having very good fuel efficiency figures and performance figures. The made the cars attractive to buyers who wish to save on their fuel costs without sacrificing the performance of the car.

**2.** This criminal behaviour would damage the environment by allowing cars to produce more nitrogen dioxide (which is poisonous) and particulate matter. This in turn can lead to increased death rates, for example through lung disease, especially in urban areas. Cheating on the tests meant that consumers who purchase VW cars were misled and once the scandal was revealed the value of their second-hand cars dropped.

**3.** VW may have been allowed to get away with this for so long despite evidence which raised questions about the tests because of the importance of the car industry to the German economy and the political influence of Germany as the largest and richest member of the EU. Another factor was the desire of governments to meet targets for reducing the greenhouse gas carbon dioxide which can contribute to climate change. Encouraging the use of more diesel cars helped governments to meet these demanding targets without having to make so many costly or difficult decisions in other policy areas (for example by building more expensive, non-polluting power stations).

**4.** It can be argued that this is certainly a very serious crime because of the long-term effects damaging people’s health and causing premature death. Estimates suggest that thousands of people die early each year because of air pollution and pollution from cars is a major contributor to this. While it may be impossible to establish a clear and direct link between pollution from VW cars and the deaths of particular individuals, the illegal and fraudulent fixing of tests through computer software may adversely affect, and even kill, many more people than the actions of an individual murderer are likely to do.

p.84 CHECK YOUR UNDERSTANDING

**Suggested answers**

**1.** Globalisation involves the increasing interconnectedness of different parts of the world so that events in any particular place can be affected by events in other parts of the world, including distant ones.

**2.** A ‘glocal system’ is a system which is organised both simultaneously locally and globally. It may rely upon the local contacts of people who meet face-to-face but also networks in which people in distant parts of the world are linked together with those in a locally-based network.

**3.** ‘Gross violations of human rights’ involve clear and serious contravention of international agreements or national laws which lay down minimum acceptable levels of conduct in relation to other human beings. Examples might include torture, imprisonment of people without due legal process and genocide.

**4.** Firstly, money laundering has increased because it has become easier to move money around the world in order to obscure the illegal basis on which the money was acquired. Secondly, defrauding international organisation such as the European Union has increased because of the growing global development of transnational political organisations. Thirdly, the globalisation of the production of goods has led to more illegal exploitation of workers in low-income countries.

**5.** The theory that suggests this is the obedience approach.

**6.** Primary environmental crimes are actions which damage the environment and which sociologists such as Nigel South believe should be crimes, but which are not yet illegal. Environmental Law-breaking involves breaking existing environmental laws.

**7.** Capitalism can be seen as a cause of green crime because of the emphasis upon economic growth at the expense of concern about the environment. Corporate crime committed by profit-seeking corporations can lead to the exploitation of the environment for profit. Biopiracy, involving the exploitation of natural resources for profit, and the engineering of nature (for example using genetically modified crops to increase yields or using environmentally harmful fracking techniques to extract gas) are ways in which the corporate pursuit of profit can lead to green crime.

**8.** Cohen argues that human rights abuses are often denied by those responsible who will argue that they are not the ones who are really responsible, that no one was harmed, that there was no victim, that the abuse was necessary or that those that suffer harm are hypocrites because they are worse offenders themselves.

**9.** The idea that state crime should only be defined in terms of breaking national laws can be criticised by arguing that states should also be subject to international laws, especially if they are laws which they have signed up to. This idea can also be criticised through arguing that there are certain universal standards related to human rights which can be used to judge the actions of states over and above national laws (since national laws can be drafted in ways which allows states to commit harmful acts).

**10.** Beck’s idea of risk society ignores the class differences in vulnerability to risk in contemporary society and he may exaggerate the decline in risks resulting from lack of resources, for example there is still plenty of poverty even in relatively rich countries.

**11.** Traditional criminology, such as the structural approaches of writers like Robert Merton and subcultural theory, such as the ideas of Albert Cohen pays little or no attention to globalisation, state crime and green crime. The structural approach of Merton sees crimes in terms of opportunities and culture within a particular society. However, the theory of globalisation suggests that societies no longer have such distinct and individual cultures and opportunity structures. For example, both legitimate and illegitimate opportunities can be available to people through migration and crime no longer operates at a purely national level. There are many crimes which involve global networks and, as Hobbs suggests, these can be linked into local criminal groupings. The idea of networks may be a more valuable one than the idea of subculture in understanding and explaining crime today. There may be links between criminals without individuals belonging to close-knit subcultures. Because of globalisation these links may extend well beyond the local area as suggested in the idea of global crime.

Structural and subcultural theories tend to focus very much upon street crime (although Robert Merton does provide some explanation for white-collar crime). It is hard to see how these theories can be adapted to explain state crime. As institutions, states may not act in the same way as individuals. Furthermore, even the definition of state crime is more problematic than the definition of street crime since it might involve acts which are not illegal but are contrary to human rights. Structural and subcultural theories tend to define crime in terms of national laws and have nothing to say about international law. Similarly, environmental crime is not necessarily defined strictly in terms of national laws. There is some overlap between explanations of corporate crime and explanations of green crime green crimes are often committed by corporations) but neither structural nor subcultural theories explain corporate crime either.

Nevertheless, there are in some ways in which structural and subcultural theories could be applied to global crime, state crime and environmental crime. For example, Stan Cohen’s work on states of denial discussing the abuse of human rights by states, draws heavily on David Matza’s idea of techniques of neutralisation, which was first developed as part of his critique of subculture theory. To the extent that some of the participants in these types of crime may form close-knit groups, some aspects of subculture theory could be applicable. Much green and state crime could be seen as a form of innovation (in terms of Merton’s theory) as corporations or states seek to pursue their objectives through illegitimate means. Some forms of green crime, particularly those which are committed by individuals or groups of individuals, rather than corporations, could be explained in terms of structural and subcultural theories. However, the most serious green crime is unlikely to be committed by individuals.

Overall, there are limited ways in which structural and subcultural theories are useful for understanding global, state and green crime because they were not devised with these types of crime in mind and they are based on the assumption that crime takes place within the confines of a single society.

**1.10 CRIME AND THE MEDIA**

P.91 FOCUS ON Skills: CRIME AND VIOLENCE IN FILMS

**Suggested answers**

**1.** According to Jewkes crime movies have become more violent and less sympathetic generally to criminals. In the 1960s films were generally light-hearted and crime was ‘cool’, but more violence was introduced in the 1970s. The ‘maverick cop’ of the 1970s continued into the 1980s but the emphasis shifted to law enforcers as ‘action heroes’. The violent ‘serial killer’ then became common in movies but more recently the emphasis has shifted again to ‘apocalyptic threats’ and terrorism.

**2.** Jewkes means that films to some extent reflect changes in media reporting of crime (which in turn to some extent reflects actual changes in crime) but films may also influence the type of news stories that are popular. An example of ‘art imitating life’ is the increased portrayal of terrorism in crime movies since the 9/11 and more recent terrorist attacks.

**3.** An example of a film which ties in with a moral panic is the 2007 film *No Country for Old Men* which is about a drug deal which goes wrong and ties in with the moral panic about drugs in the USA and elsewhere.

**4.** Increased fear about crime might be reflected in the increasing violence in films and in the increased seriousness of the offences portrayed in films. For example, films about bank robbers used to be common but more recently serial killers and terrorists have featured in more films.

**5.** News values are similar to film content in that both strongly feature sex and violence and both tend to focus on the vulnerability of victims, particularly children at risk of predatory paedophiles.

**6.** The evidence here suggests that crime in movies does largely reinforce news coverage of crime, but if anything may sensationalise it even more. Films often pick up on existing anxieties and stereotypes of criminals reinforcing moral panics. However, this is not always the case. Some films depict crimes which are no longer particularly common (for example bank robberies in the *Oceans* film series) and moral panics can develop and fade away more quickly sometimes than films can be produced. Some films may give relatively sympathetic portrayals of criminals whereas news coverage and news values are unlikely to emphasise sympathy for criminals.

p.92 CHECK YOUR UNDERSTANDING

**Suggested answers**

**1.** ‘News values’ are the beliefs held by journalists about what does and does not make a ‘good’ story which is likely to attract interest from those who consume the media.

**2.** ‘Social learning theory’ is based on the idea that people may copy the behaviour they witness, whether in person or through the media.

**3.** ‘Deviancy amplification’ occurs when social reactions to deviant or criminal behaviour (such as media coverage or the labelling of individuals) result in that behaviour becoming progressively more deviant or leads on to more serious criminal acts.

**4.** Media coverage may increase fear of crime, it could help to solve crimes through publicity and therefore information from the public, and it could help to define moral boundaries between acceptable and unacceptable behaviour (for example in terms of what is acceptable online behaviour).

**5.** Primary environmental crimes are actions which damage the environment and which sociologists such as Nigel South believe should be crimes, but which are not yet illegal. Environmental Law-breaking involves breaking existing environmental laws.

**6.** Official statistics suggest that fewer crimes are cleared up than media coverage implies. Another difference is that statistics suggest that most crimes are acquisitive whereas the media portray most crime is being violent or of a sexual nature.

**7.** New media create the opportunity for new types of crime such as the posting of so-called ‘revenge porn’ on social media sites. New media may also be used to promote certain types of criminal behaviour, for example by encouraging participation in riots.

**8.** The idea of moral panics may be outdated because the variety of viewpoints available in a more diverse media now makes it unlikely that the same fears will develop in large segments of the population. It may also be outdated because in an increasingly fragmented population there may be much more ambiguity about what is considered ‘bad’, making it difficult to mobilise widespread concern about a particular phenomenon.

**9.** The hypodermic-syringe model ignores other factors which may cause crime apart from the media and it fails to take into account the fact that audiences interpret media messages in different ways and these interpretations affect their response as much as the message itself.

**10.** A number of sociologists would dispute the claim that the media have more influence on ideas about crime than on crime itself. The hypodermic-syringe model suggests that media is directly criminogenic because those who witness crime in the media are likely to go out and copy what they see and commit crimes themselves. This view is illustrated in the famous Bobo doll experiments conducted by Bandura and colleagues. Such research suggests that the media can directly cause crime through a copycat effect, or disinhibition particularly among those who are prone to criminality for social or psychological reasons.

However, according to many critics, unnatural laboratory experiments are not a valid way of producing evidence to determine the effects of the media. There may be statistical association between watching violent media and committing violent acts to various research, but as Newburn points out this may reflect people who are prone to violence being attracted to this type of content rather than the content causing their behaviour. Furthermore, a wide range of variables can affect propensity towards criminal behaviour and people can react in a wide variety of ways to seeing criminality in the media. Greer and Reiner argue that the context in which criminality is portrayed within the media also affects whether the media encourage criminal behaviour. Jewkes notes that audiences will interpret the contents of the media differently so the same content may encourage crime for some but deter crime in others. All these factors complicate the relationship between the media and criminality.

As well as media content affecting whether people commit crime, there are other ways in which the media could have a direct impact on criminality. For example, new media could facilitate new types of crime such as identify theft, child pornography, or even terrorism. As Greer and Reiner point out it may even provide the means for people to commit crime through giving them access to information which enables then to learn techniques which enable them to carry out successful criminal acts.

However, many sociologists now believe that the media have more effect on ideas about crime than on actual crime itself. In particular, it is likely to have a significant impact upon fear of crime. Marxists and critical criminologists claim that media coverage encourages an irrational and exaggerated fear of crime. Jewkes acknowledges that it is difficult to measure fear of crime but she does claim that the widespread coverage of crime encourages support for punitive law and order policies. This may even divert attention from other issues such as inequality.

The media may, of course, have an impact both upon crime itself and upon ideas about crime. This is illustrated by the idea of moral panics first developed by Stanley Cohen. Moral panics involve irrational and exaggerated fear of particular ‘folk devils ‘resulting from media coverage. However, these attitudes may also have an impact on the criminalisation of certain groups and the actual incidence of crime. Groups who are portrayed as folk devils may live up to their stereotype and commit more deviant and criminal acts as deviance amplification takes place. Groups who fit the image of a particular type of folk devil are more like to be criminalised and therefore to be convicted of offences. Thus in the original ‘mods’ and ‘rockers’ moral panic the media coverage helped to create and amplify the hostility between the two groups and to produce self-fulfilling prophecies in which clashes occurred because the media expected them to take place in particular locations on bank holidays. Although some have claimed that the idea of moral panics is outdated, it is arguable that similar processes take place in relation to some more recent ‘folk devils’ such as drug dealers or ‘chavs’.

Because attitudes to crime are closely wrapped up with the way different groups are treated in the criminal justice system, and this in turn can affect behaviour it is hard to separate out the effects of media coverage on criminality and ideas about crime. The indirect effects of media coverage on criminality through the way that it affects ideas about crime may be just as great as the direct impact through copy-cat crime and other processes such as disinhibition.

**1.11 CONTROL, PREVENTION AND PUNISHMENT; VICTIMS;   
THE CRIMINAL JUSTICE SYSTEM**

P.103 FOCUS ON Skills: CRIME AND JUSTICE – THE DOG THAT DIDN’T BARK

**Suggested answers**

**1.** By the phrase ‘convergence around a populist agenda represented a narrowing of the debate’ the writer means that the main political parties all tended to emphasise the same limited range of issues which have attracted the most public interest and concern.

**2.** The Green Party advocated a reduction in the number of people being sent to prison while UKIP suggested tackling crime by restricting immigration after leaving the EU.

**3.** You could give many possible answers to this question. For example, you could suggest that policies should have been used to address racism, sexism and class inequality within the criminal justice system or that there should be more emphasis on reducing inequality in order to attack the causes of crime. You might have suggested that if fewer people were labelled as criminals, perhaps because antisocial behaviour was tolerated or simply if there were fewer laws, then fewer people might progress to being persistent criminals. You might also have argued that there should be more emphasis on white-collar, corporate or green crime or even, from a Marxist perspective, that capitalism would have to be abandoned if crime is going to be eliminated or significantly reduced.

**4.** According to Garland penal welfarism involves an emphasis on rehabilitating criminals as well as catching them so that they can be reintegrated into society. On the other hand, the more recent ‘culture of control’ places much more emphasis upon punishing crime and deterring criminals. Mass imprisonment is one example of this sort of approach. There is little evidence that there has been much of a return to penal welfarism in the UK or that it is likely in the near future. Judging by the emphasis in the 2015 election, only the Liberal Democrats and the Greens were willing to consider any reduction in the use of imprisonment (and those two parties only won nine seats at the 2015 election). The popular media, for example tabloid newspapers and crime drama, place little emphasis upon the rehabilitation of offenders and emphasise catching them and locking them up a great deal more. Furthermore, penal welfarism may be expensive in the long term because of the costs of rehabilitation programs although it can save money in terms of reducing the number of people who are held in prison. For these reasons a return to penal welfarism does seem unlikely unless there are dramatic political changes or the costs of imprisonment force a radical re-evaluation of the best way to limit expenditure on criminal justice.

p.106 CHECK YOUR UNDERSTANDING

**Suggested answers**

**1.** A community penalty is any punishment which does not involve imprisonment or a fine. This involves some sort of punishment which takes place in a community setting, for example doing community service or being put on probation and having to report to a probation officer periodically.

**2.** A ‘discourse’ is a way of talking and thinking about an issue which helps to frame the way in which people approach the issue in question. Getting a particular discourse accepted can be seen as a way of exercising power through excluding alternative ways of thinking about the issue. For example, if a ‘law and order’ discourse dominates in thinking about crime than the emphasis will be upon improving the actions of the criminal justice system to fine and punish more crime rather than on tackling the underlying causes of criminality.

**3.** ‘Restitutive justice’ involves achieving dealing with crime by trying to return the situation to what it was before a crime took place. So, for example, it could involve offenders paying for damage that they have done to property or apologising to victims so they feel like the offence committed against them has been acknowledged and the situation has been resolved.

**4.** Four possible effects of punishment are:

1. women are more likely than men to be given cautions rather than being prosecuted for alleged offences;
2. to provide retribution, that is to provide what someone regard as a just and fair way of inflicting harm on somebody who has harmed others;
3. to incapacitate the offender, that is to make it impossible for them to commit the same crimes again, for example by imprisoning them;
4. to help to rehabilitate the offender, that is to provide support which might allow them to change their behaviour so they do not offend again.

**5.** Radical victimology is the perspective which takes account of structural factors.

**6.** Situational crime prevention involves a focus upon the specific possible targets of crime whereas environmental crime prevention is more focused on neighbourhoods in which crime may take place. Situational crime prevention is mainly focused on opportunistic crime whereas environmental crime prevention is targeted at a wide range of crime, including more serious crime.

**7.** According to Garland the ‘culture of control’ involves intervening in the lives of groups which are at a high risk of becoming criminals to try to prevent them committing crime and it is more focused on changing perceptions about crime than reducing actual crime itself.

**8.** Durkheim’s view of the law can be criticised for assuming that it is based upon a general agreement, or consensus, in society about what is right and wrong (and there is no such consensus) and also for ignoring the role of power and inequality in shaping what becomes law and what does not.

**9.** One weakness of positivist victimology is that none of the data on which it relies is entirely reliable, for example people may not tell the truth in questionnaires in victimisation surveys. The second weakness is that it does not produce statistics on crime such as white-collar and corporate crimes, and therefore cannot provide an overall picture of who becomes victims.

**10.** Situational crime prevention is based upon the principle that much crime can be prevented simply by making it harder to commit crime and thereby deterring potential criminals from breaking the law. According to Clarke, decisions to commit crime, or not, are essentially rational in which people weigh up the costs of offending against the benefits, taking into account the risk of being caught. According to Felson and Clarke crime tends to take place when there are high-value easily saleable targets available and relatively will little risk of offenders being discovered and punished. Theorists of situational crime prevention assume that much crime takes place in the course of routine activities and it occurs when opportunities to benefit from criminal acts present themselves to likely offenders in the course of their daily lives. The implication is that a combination of target hardening, and stronger formal and informal social control to monitor behaviour can lead to a reduction in crime. One of the attractions of situational crime prevention is that it offers a number of practical and relatively practical ways of reducing offending, which could be much more effective than, for example, employing more police officers. Measures such as CCTV and antitheft devices on cars provide apparent technological answers to the problem of crime. CCTV in particular makes people unsure of whether they are being monitored and thus increases the perceived and in many cases actual risks of being caught and punished.

Situational crime prevention has been criticised for being too narrow. For example, Garland argues that it just focuses on the extent and impact of crime and ignores its underlying causes. If the underlying causes are still there, then measures such as better security may simply displace crime to another time or place rather than eradicating it altogether. The idea that criminals are rational is challenged by writers such as Jack Katz who emphasises the emotional aspects of crime. The focus of situational crime prevention is very much on opportunistic street crime and has little or nothing to say about how to reduce or prevent corporate crime, white-collar crime, organised crime or serious violent crime. Some evidence supports the idea that crime is not reduced but merely displaced by situational crime control measures, for example a study of Malaga by Cenzo found that the impact of CCTV cameras was very limited and localised, with crime rising outside the areas where the cameras were located.

Other approaches to crime prevention, including environmental crime prevention, are broader and potentially more successful in the long term. Wilson and Kelling argue that the mobilisation of informal social control is much more effective than target hardening and that formal social control (particularly the activities of the police) can help to prevent the deterioration in neighbourhoods which are at risk of becoming criminogenic. Environmental crime prevention itself has its critics but some of these critics are even more sceptical about the long-term benefits of situational crime prevention. Societal and community crime prevention attempts to go deeper looking at the underlying background factors which might cause crime. For example West and Farrington in their research argue that factors such as low income, school attainment in poorer areas, and parenting skills need to be considered in preventing some individuals from becoming delinquent and going on to become serious criminals. Even these approaches do not go as far as those of, for example, Left Realists who set criminality in the context of overall levels of inequality in society.

Overall, it seems that situational crime prevention can help to significantly reduce certain types of crime taking place and are particularly effective in reducing crime rates in ‘problem areas’. However, the effects may be limited to certain types of crime and may be geographically specific, with some crime simply pushed into different areas. For these reasons, situational crime control may be a valuable tool in trying to reduce certain types of criminality but it is more likely to be effective when combined with wider policies which reduce the motivation to commit crime and don’t just focus upon the opportunity to offend.