What is Crime and Deviance

Crime means…

A action or behaviour that goes against the legislation of a particular country or state.

Deviance means…

Actions which go against the norms and values of a society. These may not be against the law but are frowned upon by most in society.

Social Construction means…

A social phenomena which is not naturally occurring but created by the society in which it is found.

Ways Crime and Deviance is socially constructed:

Historically

Definition:
Criminal action and deviant behaviour changes over time. What was once acceptable may become illegal/deviant and what was once deviant/illegal may become acceptable.

Examples:
- Homosexuality – Deviant and illegal → Acceptable
- Taking Cocaine – Legal medicine → illegal narcotic

Contextually

Definition:
Behaviours that are acceptable in certain situations would not be in others.

Examples:
- Bikini on the beach V bikini in centre of town
- Drinking alcohol at 8am

Culturally

Definition:
What is considered acceptable or rude varies depending on the culture you are in.

Examples:
- Eating with your left hand in Arab nations is considered rude.

Age

Definition:
Some behaviours are acceptable from certain age groups and some activities are illegal for some age groups.

Examples:
- Age restrictions on certain products
- 8- year old clubbing on a Friday night.

Why do people commit crime? (non sociological)

Psychological Explanations

Maternal Deprivation	BOWLBY - People who are deprived of a mothers love as a young infant are more likely to become juvenile delinquents which leads to a criminal career.	• Out of date – mothers are not the only primary caregivers. • Not all delinquents come from a broken home.
Personality Traits	FREUD – Id, Ego and Super-Ego. Personality is a balance for three unconscious areas and when these are out of balance in favour of the Id, criminal behaviour occurs as the individual is controlled by basic desires.	• Lack of empirical evidence of these processes. • Suggests that Criminals lack control so doesn't explain white collar crime.
Mental Abnormality	This idea suggests that there is some sort of brain damage or mental illness suffered by criminals, which makes them commit crimes.	• Criminals become the victims. • Hard to prove in some cases.

Biological Explanations

Lombroso	Went into Italian prisons and measured the facial features of criminals. He suggested that criminals were a less evolved human and this was shown in certain features such as large foreheads, big ears, small eyes.	Only looked at criminals who had been caught. These features could be apparent in non-criminals as well.
Genetics	The Warrior Gene (MAOA) is present in all humans but in some the gene gets mutated which has been linked to more aggressive behaviour, risk taking and impulsiveness which can all be linked to criminal behaviour.	We don't know enough about how this gene works yet to conclusively link to criminal behaviour. Excuse for criminal behaviour.

Functionalist Theories of Crime and Deviance

Positive functions of Crime

Boundary Maintenance & Social Cohesion

Thinker: Durkheim

Explanation:
Crime always society to reinforce what is acceptable behaviour in society as the public nature of the punishments shows people what will happen for breaking the rules. Very serious crimes can also led to society coming together to condemn the perpetrators.

Warning Sign

Thinker: Clinard / Cohen

Explanation:
An increase in a certain type of crime or deviant behaviour can be an indication that something in society is not functioning as it should be and a change needs to occur.

Adaption and Change

Thinker: Durkheim

Explanation:
Some social deviance is necessary to allow society to move forward and progress. Without some deviant and criminal behaviour society will become stagnant and die.

Safety Valve

Thinker: Davis / Polsky

Explanation:
Some minor crimes and acts of deviancy can actually prevent larger more serious crimes. For example Polsky suggests that accessing pornography can prevent more serious sexual crimes.

Evaluation:

- Marxism – Ignores the role that the powerful have in shaping what is criminal and deviant as well as the role of social inequality..
- Durkheim ignores the impact that crime has on the individual victims instead focuses on the impact on society.
- Doesn't quantify how much crime is beneficial to society.
- Crime doesn't always lead to solidarity but can cause isolation of both victim and criminal.

Strain Theory

Thinker: Robert K. Merton

Overview:
Based around the idea of the American Dream in the 1950's, Merton believed that crime is a response to the strain placed on people to achieve the goals and values of society.

Evaluation:

- Over exaggerates the importance of monetary success.
- Underestimates the amount of crime committed by those who have achieved societal goals.
- Doesn't explain why groups choose the response they do.
- Fails to explain non-utilitarian crime

Types of Strain

Type 1: Conformity
Accepting the goals set out and agreed by society as well the means to achieve them

Type 2: Innovation
Accepting the goals set out and agreed by society but choosing alternative means to achieve them.

Type 3: Ritualism
Following the means to achieve the goals of society but believing that you will never actually achieve them.

Type 4: Rebellion
Rejecting the goals of society and creating your own as well as the means of achieving them.

Type 5: Retreatism
Reject the goals of society and the means of achieving them but do not replace them with their own goals or means.

Control Theory

Thinker: Hirschi

Overview:
Asks not why people commit crime but why they don't commit crime. This idea suggests strong bonds with society stops people from committing crime.

Belief	Attachment
Involvement	Commitment
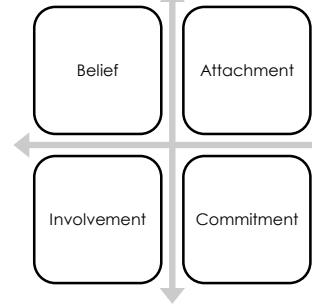
Evaluation

Assumes all people are naturally bad and it is society that keeps people good. Doesn't explain why the bonds are weak or strong, or how they become so. You can have strong bonds but still be deviant – sexuality

Sub-Cultural Theories

Thinker and overview	Evaluation
Status Frustration – Cohen Young people get frustrated by their inability to achieve social goals which lead to status so turn to crime to achieve status.	Willis – W/C boys do not share the same ideas of status as M/C boys. Ignores female delinquency Only discusses youth crime.
Illegitimate Opportunity Structures – Cloward and Ohlin Criminal subcultures which socialise young people into criminal activity. Conflict Subcultures where there is little social cohesion. Retreatist Subcultures those who fail to gain access to the other two subcultures.	Assumes the official statistics on crime are accurate. Over exaggeration of the criminal opportunities available to the young.
Focal Concerns – Miller W/C have a different set of values or focal concerns to the rest of society which include hyper masculinity which can lead to criminal behaviour appearing normal.	Not all W/C are criminals Matza – Sub culture membership is often short lived.

Capitalism is criminogenic because by its very nature it leads to crime as it causes exploitation of the working class. Capitalism leads to an ever increasing gap between the rich and poor and it is not surprising that the poor might turn to crime in order to afford the necessities. The frustration of exploitation can also lead to violence.

Gordon (1976) - Crime is a rational reaction to capitalist foci: Greed, Profit, Competition and materialism. Which is why it is found in all social classes despite what official statistics suggest.

Selective law enforcement means that the criminal justice system applies the law to different social groups in different ways.
Where as the working class and ethnic minorities are criminalised; the powerful and rich appear to get let off or ignored.

Reiman (2001): The ruling class are more likely to commit crime but less likely to have the offence treated as a criminal one.

Example: Social security fraud is committed by the poor and almost always leads to prosecution but tax evasion doesn't

Selective law making means that the laws themselves are socially constructed to benefit the rich and powerful.
Box argues that the rich often engage in activities which result in death, injury, fraud and theft but the activities are protected under the law. – Health and Safety laws.

Chambliss The law is shaped to protect property and profits of the rich and powerful. He also argues that the rich and powerful are part of a crime syndicate.

Snider – Governments are reluctant to pass laws which will regulate the activities of businesses or threaten profitability as this will effect donations.

The ideological functions of crime are to give a reason for the social control by the ruling class in order to prevent revolution from occurring. Criminals are often portrayed as 'disturbed' by the media rather than reveal the role that capitalism has in making people criminals.

Pearce – laws are occasionally passed which on the surface look like they are to benefit the working class but the reality is that they still benefit the ruling class through loop holes and lack of prosecution.
2007 corporate homicide law – in first 8 years only 1 successful prosecution.

Evaluation

Identify	Explain
Ignores other causes of crime	Marxism focuses on class inequalities and ignores other inequalities that can lead to crime such as gender and ethnicity. Also completely ignore other causes of crime outside of inequality.
Passive Working Class / Romanticises Criminals	Suggests that the working class cannot help but commit crime due to the economic circumstance. Also suggests that criminals are not to blame but the society in which they live has caused their behaviour.
Crime in communist states	If crime was a symptom of capitalism then communist states would be crime free. This was not the case in Soviet Russia and Cuba. .
Ignores the victims of the crime.	Most of the victims of crime are the poor and working class, if Marxist views were accurate then the ruling class would be victims.
Law makers in modern democracies are elected.	Modern democracies and law makers are elected by the electorate and include a range of interests. Also most criminal laws are not controversial and there is a consensus regarding the greater good.

Neo-Marxist Theories of Crime and Deviance

Fully Social Theory means a comprehensive understanding of crime and deviance for the betterment of society

In what three ways does Neo-Marxism agree with traditional Marxism?

1	Capitalism is based on exploitation and class conflict and understanding this is key to understanding crime.
2	The state creates and enforces laws for the benefit of the ruling class.
3	Capitalism should be replaced with a classless society where crime would be greatly reduced.

Elements of a fully social theory of crime

1	The wider origins of the deviant act.
2	The immediate origins of the deviant act
3	The act itself.
4	The immediate origins of the social reaction
5	The wider origins d of social reaction.
6	The effect of labelling.

As applied to Hall (1978) Policing the crisis

1	The 1970's was a time of social crisis.
2	Inner city riots, conflict in NI, strikes.
3	Mugging – police suggest more likely to be carried out by African Caribbean men.
4	Media outrage at muggings Racism in the MET police
5	The need to find a scapegoat & ease with which African Caribbean men could be blamed.
6	Sense of injustice amongst EM, loss of confidence in the criminal justice system by EM

In what 4 ways can crime be considered Voluntarist ?

1	Criminals make a conscious choice to commit crime (meaningful action.	3	Criminals are not passive puppets of capitalism.
2	Political motives behind crime. Readdressing inequalities in wealth.	4	Free will.

Evaluation

1	Rock 1988: Gives an overly romantic view of criminals, Robin Hoods who are fighting an unjust system. Left Realism points out the a majority of crime is against he working class by the working class.
2	Hirst 1975: Regards Neo-Marxism as having strayed too far from traditional Marxism to be considered linked.
3	Feminist criticism: Gender blind theory – applies the same explanations to both men and women despite it being made clear that men and women generally have different motivations to criminal activity.
4	Not all crime are politically motivated, for example domestic violence and rape are not political motivated or a reaction to capitalist inequalities. Right realists argue that crime is opportunistic rather than a reaction to perceived injustice.
5	Theory is overly idealistic and difficult to apply to real life. Hall was the closest but this still isn't a perfect fit and contains a lot of conjecture.

Labelling Theories of Crime and Deviance

Social Construction means social phenomena that is created by a society and is not naturally occurring result of evolution.

Relativity of Crime and Deviance (Becker)

Identify	Example
Contextual	Nudity
Historical Period	Homosexuality, Opium
Cultural	Drinking alcohol in Saudi Arabia and UK
Generational	Ideas of normal vary between age groups.

Who are moral entrepreneurs?

The people who decide what is morally acceptable within society.

Examples:
- Ruling class
- Governments
- Law Makers

Labelling Process

Thinker: Lemert

Primary Deviance	Secondary Deviance
A person commits an act that they know is deviant/criminal but no one else knows so no label is attached.	The deviant act is witnessed and a label is attached to the person committing the act

Cicourel believes that labelling is what leads to selective law enforcement and negotiation of justice. When a group is labelled as deviant or criminal then the police are likely to focus on that group and therefore reinforce the stereotype.

He referred to this a typificiations – common sense theories and stereotypes of what is a "typical criminal"

Who are Agencies of Social Control?

Examples:
- Formal
  - Police
  - CJS
  - Courts
- Informal
  - Peers
  - Society

Consequences of Labelling

	Explain
Self Fulfilling prophecy	Once a person is labelled a deviant they take on the label and begin to act in the way that they have been labelled.
Deviancy Amplification	An attempt to control deviance leads to greater amounts of that deviance. Two main examples of this are Stan Cohen's Mods and Rockers and Jock young's study of cannabis smokers in Notting Hill.
Master Status	This is where the individual is identified by a particular aspect of themselves such as being a criminal and this impacts how they are treated within society. With criminals this can lead to a deviant or criminal career as their label prevents them from accessing legitimate means of achieving social goals.

Evaluation

Strengths	Limitations
• Emphasises the social construction of crime and deviance • Identifies and reveals the role of the powerful in crime and deviance. • Shows how deviant careers can be established.	• Deviant becomes the victim and therefore not to blame for behaviour. • Deterministic • Doesn't explain why people commit the original deviance. • Doesn't explain where the stereotypes come from.

Realist approaches are different from other theories of crime because they not only look at the causes of crime but also give practical solutions as to how to deal with it.

Left Realist View of Crime

Background		The left realist view of crime developed during the 1980''s and 1990's. They follow the Marxist view that society is unequal and this is what causes crime and deviance. However unlike the Marxists they believe that gradual change is necessary rather than a violent overthrow of capitalism.
Causes of crime	**Relative Deprivation**	Lea and Young suggest that deprivation is at the root of criminality, not poverty. In the 1930's poverty was high but crime rates were low. Instead they argue that as living standards have risen so has peoples feeling of being deprived compared to others. This can lead to resentment and people turning to crime to achieve hath they feel they are entitled to.
	Marginalisation	Marginalised groups are those people that do not feel they are part of society, and lack the goals and organisations to represent their interests. This leads to a sense of frustration and resentment amongst those groups and this can lead to criminal behaviour which they believe will improve their situation.
	Sub Cultures	Links to the work of Cloward and Ohlin and AK Cohen especially their ideas of blocked opportunities and a groups inability to achieve goals through legitimate means. For left realists a subculture is a collective response to the problem of relative deprivation. For left realists criminal subcultures still subscribe to the goals and values of society such as materialism and consumerism – e.g. Ghettos in America hooked on Gucci, BMW and Nike.
View on Tackling crime		Left realists believe that in order to tackle crime you first need to tackle the social problems which lead to crime, in particular the causes of inequality and deprivation. Policies and strategies should focus on creating better relationships between the public and police, and create a multi-agency approach,
Evaluation		**Milovanovic** – accepts the governments definition of crime being the street crime committed by the poor. **Interactionists** – Doesn't explain the motives due to reliance on quantitative data. Assumes a value consensus. Relative deprivation cannot explain all crime as not all those that experience it go on to commit crime Focus on high crime inner city areas gives an unrepresentative view of crime and makes it appear a greater problem than it is.

Right Realist View of Crime

Background		Right realist views correspond closely with the neo-conservative governments of the 1970's and early 1980's. They see street crime as a real and growing problem that destroys communities and undermines social cohesion. Right realists are less concerned with the causes of crime and more concerned with practical and realistic solutions to crime. Despite this they do offer some explanations for the causes of crime.
Causes of crime	**Biological Differences**	**Wilson and Herrnstein 1985** – put forward a biosocial theory of crime. They believe that crime is caused by a combination of biological and social factors. They believe that some people are more predisposed to crime through personality traits such as aggressiveness, extroversion and risk taking along with low impulse control. This mixed with poor socialisation or lack of role models leads to criminal behaviour.
	Socialisation & the underclass	**Charles Murray –** believes that crime rates are increasing due to the growing underclass of people who are dependent upon the welfare state. He believes that this underclass fails to adequately socialise their children. Murray suggest that the 'glorious revolution' of the 1960's led to the increase of lone parent families which are inadequate agents of socialisation and teach children to not take responsibility for themselves.
	Rational Choice	**Ron Clarke 1980 –** Assumes that individuals have free will and the power of reason, therefore criminals have made a choice to commit a crime. Clarke argues that if the perceived cost of committing the crime is outweighed by the benefit, people will be more likely to offend. Right realists believe that the current costs of crime are too low which is why the crime rate has increased.
View of Tackling crime		Right Realists do not believe that it is beneficial to tackle the causes of crime as they are difficult to change, instead we should be looking at making criminal behaviour less attractive to people. This includes target hardening and Wilson and Kelling's Zero Tolerance theory. Target hardening focuses on making it harder for crimes to be committed in the first place where as zero tolerance means all criminal behaviour must be dealt with immediately.
Evaluation		Ignores wider structural causes of crime. Overstates rationality of the criminals – this doesn't explain violent or impulsive crimes. Contradictory between rationality and bio-social causes of crime. Ignores corporate and white collar crime.

Trends in Crime

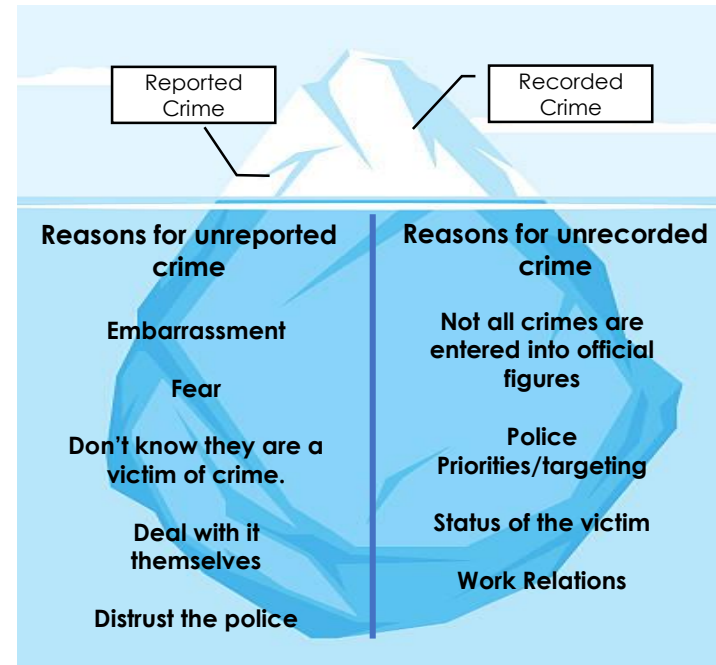|	Trend
1930 – 1950	**Gradual Rise In Crime** – end of the war, returning soldiers feeling frustrated. Rise in standard of living. Leading to relative deprivation.
1950 – 1980	**Steeper Rise In Crime** – Time of economic growth and social anomie with changes in the role of women and wider society.
1980 – Mid 1990	**Rapid increase –** Time of economic recession which led to higher relative deprivation and unemployment.
Mid 1990 - 2016	**Gradual annual decline –** Could be due to changes in the reporting, New types of crime which are not included. E.g. Cyber crime

Official Statistics are those which are collected by government agencies and usually published by the Office of National Statistics (ONS)

The **Official Crime Rate** is the statistics that are complied using police, court and prison records.

The **British Crime Survey** are the statistics which ware complied through victim surveys and self report survey's. 50,000 people over the age of 16 are asked annually if they have been a victim or crime.

Sources of Crime Statistics

	Outline	Evaluation
Police Recorded Crime	These are the statistics compiled based on the reports filed by the police. These are crimes which are investigated by the police. They may not end in a conviction or court case.	Not all crimes that are reported to the police are recorded by the police.
Victim Surveys	Part of the British Crime Survey, 50,000 people are asked if they were a victim of crime in the past12 months.	People don't always know they are victims of crime. May record crimes as something different to the police. Relies on memory.
Court Records	Compiled using the court records of which cases are taken to prosecution. They include information about the defendants, victims and types of crime as well as the results of case (Guilty or Not Guilty)	Only records crimes that are taken to court. Crimes can be reported and not taken to court for various reasons such as lack of evidence or a pre-trial deal.
Prison records	Looks at the composition of the prison system including: Ethnic makeup, gender, age and class. Also looks at length of sentence and recidivism rates.	Not all crimes are punished with a custodial sentence. Middle class criminals are more likely to get a fine or suspended sentence. This can lead to court records being biased towards the working class.
Self Report Survey	Self report surveys ask people if they have committed a crime in the last 12 months. These are conducted along side victim surveys annually. Around 50,000 people over 16 are asked.	People may not know if they have committed a crime as some crimes are not seen as real crime(e.g. Speeding), also relies on memory and truthfulness.

Reported Crime

Recorded Crime

Reasons for unreported crime

Embarrassment

Fear

Don't know they are a victim of crime.

Deal with it themselves

Distrust the police

Reasons for unrecorded crime

Not all crimes are entered into official figures

Police Priorities/targeting

Status of the victim

Work Relations

Perspectives Views of Crime Statistics.

Functionalism / New Right / Right Realism	Functionalists accept official statistics at face value as they see them as reliable and valid sources of data.
Interactionism / Labelling Theory	See statistics as a social construction and only useful for identifying stereotypes and assumptions.
Marxism / Neo-Marxism	Statistics show a biased view of crime as they are constructed by the ruling class. They also ignore white collar and corporate crime which therefore suggest criminals are working class.
Feminism	Statistics under-represent the extent of female crime and crimes against women such as domestic violence and rape.
Left Realism	Statistics are broadly correct but they under represent white collar and corporate crime and exaggerate working class crime particularly those by ethnic minorities.

Gender and Crime

Trends in Gender and Crime

Types of crime by women	Property offences except burglary, shoplifting, fraud especially benefits, prostitution.
Types of crime by men	Violent crime, assault, sexual offences, white collar crime and corporate crime.
Prison Statistics	By the age of 40 9% of women have a conviction against 32% of Men.

Debates on gender crime statistics

Chivalry Thesis

Thinker: Pollack

Explanation: it is not that women commit less crime than men it is that they are less likely to be charged or convicted of the crime due to the CJS being made up mostly of men who are brought up to be chivalrous towards them.

Evaluation: There are now more women in the CJS which disregards the chivalry thesis.
Women may get treated more leniently as their crimes tend to be less serious.
Women face double deviancy in the CJS especially when their crimes go against traditional gender norms.

Reasons why women commit less crime than men

	Outline & Thinker	Evaluation
Less detectable Offences	In general women tend to commit less detectable crimes then men such as shoplifting and petty theft. Even when men shoplift they tend to select bigger more detectable items than women.	
Sex Role Theory	**Parsons:** Females commit les crime than men due to the socialisation that they receive as children and their access to adult role models. Boys have less access to adult role models in the home so are more likely to turn to all male gangs for masculine identity.	**Walklate:** makes a biological assumption about the roles of men and women. It assumes that women are the more nurturing due to childbearing and therefore find their role models in their mothers.
Control Theory	**Heidensohn –** women commit less crime than men due to the amount of patriarchal control women are subjected to. This control is in the home, workplace and public arenas which mean that women have less opportunities to commit crime.	Patriarchal control can push people into crime rather than preventing it. Equal opportunities could be reducing patriarchal control.
Class and Gender Deals	**Carlen –** Class Deal – material rewards for being in paid work which enable women to purchase consumer goods Gender Deal – conforming to traditional roles of wife and mother and gains emotional rewards and male support. Not all women are able to access these rewards so they may turn to crime in order	Sample in the original study making it hard to generalise to all women. Suggests that women are influenced by external factors which under plays the role of free will
Socialisation	Women are socialised into being the "Guardians of domestic morality" and there for risk more social exclusion then men if they are to commit crime. There for women face a double jeopardy of being condemned twice once for committing the crime and once for behaving in a unfeminine way.	

Reasons for increased female crime

	Outline & Thinker	Evaluation
Liberation Thesis	**Freda Adler –** as women have become more liberated from patriarchal control there will be a increase in the levels of female crime as well as an increase in the seriousness of those crimes. Th due to greater self confidence and assertiveness in women as well as greater opportunities.	Crime rates in women started growing in the 1950's before the liberation movement. A majority of female criminals are W/C so less likely to be influenced by liberation movement. **Chesney-Lind** - women branching into male crimes is linked to female crimes.
Feminisation of Poverty	Women are more likely to be living under the poverty line which can force them into criminal activity in order to make ends meet.	Not all women who live below the poverty line turn to crime to support their family. Doesn't explain non-utilitarian crime.

Reasons for Male Crime rates

	Outline & Thinker	Evaluation
Masculinity Theory	**Messerschmidt –** men commit crime in order to show their masculinity and prove that they are men. He clarifies between Hegemonic and Subordinate masculinity	Could be considered a description of offenders rather than an explanation. Not all men commit crime to accomplish masculinity. Too far reaching.
Labelling Theory	Mere often stereotyped as being more violent than women which can lead to a self fulfilling prophecy on how they should behave. Additionally men are labelled as providers for the family and may turn to crime in order to do this.	Not all men a criminal. Rise of the symmetrical family and women in the world of work means that men are no longer seen as the sole providers for family.
Opportunity	Men have more opportunity to commit crime both blue collar and white collar crime. Men are more likely to be in situations that can lead to violent action and have access to commit white collar crime.	It doesn't explain why men commit the crimes they do and not all men commit crime,

Ethnicity and Crime

Trends in Ethnicity and Crime

Prison Statistics	Black people make up 3% of the population but 13.1% of the prison population. Asian people make up 6.5% of the population but 7.7% of prison population.
Police Statistics	Ethnic minorities are 3 times more likely to be stopped and searched by the police.
Court Statistics	Ethnic minorities are more likely to be given a custodial sentence then those of the ethnic majority.

Demographic explanations of ethnicity and crime statistics

Thinker: Morris

Explanation:

BAME groups contain a disproportionate number of young people compared to the white ethnic majority, explain why there is higher ethnic minority criminality as young people are more likely to commit crimes.

Evaluation

Statistical Illusion – It is impossible to determine if it is the age of the offenders that causes the higher rates or their ethnicity.

Reasons for ethnic minority criminality

	Outline & Thinker	Evaluation
Police Targeting	**Phillips and Browning 2007 -** EM are "over-policed and under protected" **Gilroy 1982 -** "Myth of Black Criminality" – Stereotyping Police focus on ethnic minorities and therefore they are more likely to be stopped and searched or arrested compared to the white majority.	Targeting could be caused by moral panics such as the Black Muggers in the 1970's and therefore based on actual criminality. Can cause a chicken and egg scenario where the targeting leads to higher ethnic minority criminality which leads to more targeting.
Locality Theory	**Waddington et al 2004 -** Certain areas are more densely populated with ethnic minorities which explains higher stop and search statistics. Additionally et minorities tend to live in the zones of transition where crime rates are much higher due to the lack of social cohesion.	This maybe the case for first generation immigrants but many ethnic minorities have moved out of the zone of transition after 1 or 2 generations and tend to assimilate into the majority culture.
Institutional Racism	**Holdaway 1983 – Canteen Culture –** Police Officers in themselves are not racists but when together they can reinforce stereotypes which are then acted on duty. **McPherson Report – 1999 –** result of the Stephan Lawrence murder which highlighted racists policies within the police force.	Since the publication of the McPherson Report the police force has been actively changing policies to deal with institutional racism, and recruiting more officers from ethnic minorities. However the crime rate amongst ethnic minorities has not decreased.
Social and Cultural Theory	**Hirschi –** Young people regardless of their ethnicity commit crime due to lack of social controls of attachment, commitment, involvement and belief, in their lives. Asian families have stricter controls over young people which could explain the lower rates of criminality amongst Asian communities.	This is not limited to ethnic minorities and is more of an explanation for age differences in criminality than ethnic minority.
Subcultures	Left Realism (Lea and Young) – suggest that ethnic minorities suffer from marginalisation and relative deprivation, This can lead to ethnic minorities forming sub cultures which help to alleviate feelings of marginalisation but these can take deviant forms and lead to higher rates of criminality.	Not all ethnic minorities join a sub cultures and not all sub cultures are criminal in nature.
Political Protest	**Gilroy –** Ethnic Minorities, particularly Black men, often feel alienated by everyday experiences of racism and what they perceive as a racist police force, and as such crime becomes a form of protest, Street Crime are seen as forms of resistance against white oppression. For example the crimes of the Black Panthers.	This doesn't account for the fact that most crime is commit within ethnic minority groups, therefore the majority of victims of black crime are black themselves which undermines Gilroy's theory.

Triple Quandary	**Sewell –** identifies three risk factors which could be responsible for the relatively high levels of crime amongst black boys:
	1) Lack of a father figure – Large numbers of single mother families amongst black families mean that boys look to their community for role models such as gang leaders.
	2) Negative experiences of white culture – Black boys are disaffected by their experiences of school, policing and employer racism.
	3) Media – Media influence of hip-hop and rap stars believe that status can be achieved in two ways:
	   1) Acquisition of status symbol designer clothing and jewellery.
	   2) Construction of hyper masculinity based on violence and sexual conquest.
		The rise of positive black role models such as Barak Obama.
		
		There is no causality established between single parenthood and criminality.
		
		Black crime tends to victimise black people.

Trends in Social Class and Crime

Prison Statistics	Prison populations are made up more from the working class than from the middle class or the upper classes.

	Working Class	Middle Class
Types of Crime	Street crimes such as theft, assault and shoplifting.	More white collar crime, corporate crime and cyber crime.

White Collar Crime Means when a person uses their job or company to commit crime for personal gain. For example embezzlement, fraud and insider trading.

Corporate Crime Means crimes committed by a company in order to increase profits and company standing. These include crimes such as healthy and safety violations and paying below minimum wage.

Street Crime also referred to as blue collar crime, includes crimes such as theft, assault vandalism and shoplifting.

Explanations for trends in social class and crime

Selective Law Enforcement

The police force and criminal justice system treat the working class and the middle class differently. Middle class are to get a slap on the wrist as they are seen as having made a mistake where are the working class are more likely to be arrested for the same crime. Also many corporate crimes are not investigated or prosecuted by the criminal justice system.

Selective Law Creation

Those who create the law are often of the middle and upper classes, this means that hey are able to manipulate the law into benefiting their own needs and will know ways to manipulate the law for their benefit.

Labelling and Stereotypes

The working class are often labelled as being more criminogenic and therefore the criminal justice system sees them as making conscious choices to commit crime where as middle class are seen as making a mistake or unintentionally committing a crime.

Explanations for White Collar and Corporate Crime

	Outline
Strain Theory	**Reiner –** Explains working class crime by using Merton Strain theory, but also explains middle class crime and white collar crime by suggesting that there is no limit to success financial or material so even those who appear successful can feel strain.
Control Theory	**Murray –** the underclass is responsible for the majority of street crime. **Hirschi** suggests that the underclass are more likely to lack impulse control and bonds to the community which prevent them from committing crime.
Criminogenic Capitalism	**Gordon –** capitalism not only encourages the working class to be criminal by creating a culture of envy and hostility. They commit utilitarian crime to survive in a capitalists system and commit non-utilitarian crime to vent frustration at being oppressed. Middle class crime can be explained as capitalism encourages those who are rich to enrich themselves further.
Labelling Theory	**Becker –** the working class are unfairly tattered by the CJS, they are less likely to be able to negotiate the system to their advantage. The police tend to patrol working class areas more which results in the working class crime statistics being higher than middle class.
Rational Choice / Opportunity	The middle class have more opportunities to commit white collar crime and corporate crime. They hold the positions within the company which gives them the access required to commit this type of crime.
Edgework / Masculinity	**Messerscmidt –** middle class men who engage in white collar crime may do so to show off their masculinity. **Katz** also suggests that engaging in white collar crime can also link to the idea of edgework and the feeling of excitement and adrenaline the acts may give.

Evaluation

Doesn't explain why only some people commit crime and not all people or companies use crime to resolve problems. Additionally it is difficult to gain accurate statistics on corporates and white collar crime as these are always reported to the police and often resolved in house or through ombudsman.

Media Representations of Crime

Fictional Media

Criminals	Victims	Police
Super Villain (Moriarty)	**Female Victims = Helpless**	**Super Intelligent** (Sherlock)
Stupid		**Bumbling idiots** (Clouseau)
Psychopaths (Dexter)	**Male Victims = Vigilante**	**Always get the bad guy**
Rational / Planner (Danny Ocean)	**Ethnic Majority**	

Factual Media

Criminals	Victims	Police
Under Class	**Missing white woman syndrome**	**Corrupt**
Ethnic Minorities		**Brutality**
		Racists
Young	**Selective Reporting**	**Incompetent**
Men		

News values

- ❑ The Immediacy of the story
- ❑ Dramatisation – action and excitement
- ❑ Personalisation - human interest
- ❑ Higher Status of the focus of the story.
- ❑ Simplification – Black and white, no shades of grey
- ❑ Novelty/unexpectedness
- ❑ Risk – victim centred stories about vulnerability and fear.
- ❑ Violence – Visual and spectacular acts.

Media Distortion of Crime

Kidd-Hewitt & Osbourne

They see media reporting of crime as increasingly driven by the need for a spectacle. (***Key value of dramatization***) Spectacles are engaging because audiences become both repelled by the activities but fascinated at the same time.

Postman

Media coverage of crime is increasingly a mixture of entertainment and sensationalism leading to what Postman refers to as "Infotainment"

Surette(1998)

Law of opposites – The media shows the direct opposite of official statistic. For example the media focuses on murders and violent crime when most crimes in the UK are property based crimes. The media also shows victims to be more likely to be female when statistics show that young men aged 19 – 24 are more likely to be a victim of crime.

Perspectives on Media influence on crime

	Outline
Functionalism / Pluralism	In reporting crime the media helps to keep social solidarity. Crimes reported tend to reflect the things people are most concerned about and most want to see reported, thus they create demand which is met by the media. Different forms of media report different crimes in different ways, they are not all dominated by a single ideology or small group of owners pushing the same agenda.
Marxism	The reporting of crime reflects the ideology of the ruling class, meaning: The crimes of the ruling class or those at the higher end of society are under-reported. The media's emphasis on sexual and violent crime means less importance is attached to some very large and serious **white- collar crimes** and **corporate** crimes, which rarely get reported. Crimes of the working class are over-reported. The reporting of crime is used as a way of maintaining control over powerless groups.
Feminism	Crime reporting reinforces the stereotyping and oppression of women. Women are portrayed as victims Under reporting of violence against women, especially domestic violence. They are highly critical of reporting of sex crimes against women as a way to provide entertainment.
Interpretivists	The media is a social construction as is crime. Interpretivists look at the labels attached to people who are determined to be deviant and see the media as a moral entrepreneur which determines who are deviant and who are not.
Postmodernism	***Baudriallard –*** Media creates reality – people have no understanding of crime only the representations of crime they experience through the mass media.

Media as a cause of Crime

The Hypodermic Syringe Model suggests that media audiences are passive recipients of the messages from the media and that these messages without critical thought. It argues that these messages are acted upon mindlessly by audiences.
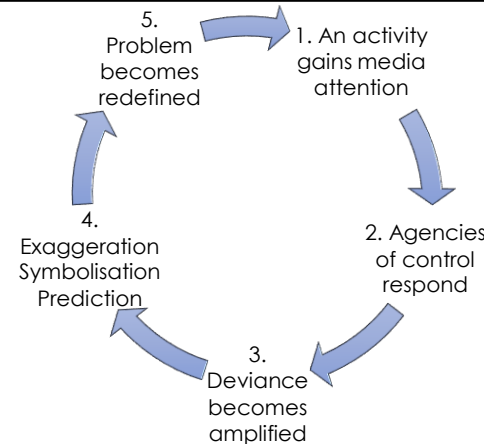
Outline

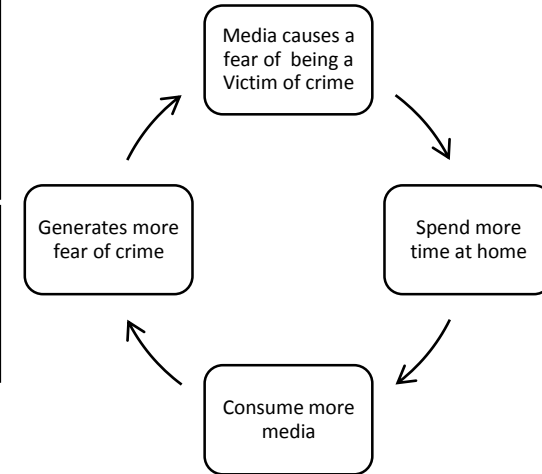|	
Imitation	The idea that people will act out the crimes and the violence that they view via the media, for example the College student who acted out scenes from GTA.
School of Crime	Watching crime shows and the news can help criminals to hone their skills and learn how to be less detectable in their crime. It can also show them how to commit a crime.
Arousal	The increased adrenaline and endorphins leads to people engaging in risky and criminal behaviour, for example the increase in traffic crimes on opening weekends of the Fast and Furious films.
Desensitisation	Watching violence in the media can lead to the lowering of peoples level for shock value meaning that they no longer are horrified by it and can be more likely to commit the act themselves.
Deprivation	Links to the Left Realism and Strain Theory. The idea that the media provides unobtainable ideas of lifestyles of the rich and famous which can lead to people commit crime to achieve these lifestyles – e.g. Made in Chelsea
Glamorisation	TV shows such as Sopranos and Marco's provide a glamorised view of the criminal lifestyle which can lead to people wanting to emulate it and be involved.

Media as a cause of the fear of Crime

Missing White woman Syndrome means that the type of victim that is likely to make the news cycle or the media is a white middle class woman as she will fit the stereotype of what they want a victim to be.

A Moral Panic is an instance of public anxiety or alarm in response to a problem regarded as threatening the moral standards of society.

Fear of Crime Cycle

Media causes a fear of being a Victim of crime → Spend more time at home → Consume more media → Generates more fear of crime → (cycle)

5. Problem becomes redefined → 1. An activity gains media attention → 2. Agencies of control respond → 3. Deviance becomes amplified → 4. Exaggeration Symbolisation Prediction → (cycle)

Examples of modern Moral Panics

• Black Muggings - 1970's
• HIV & Aids – 1980
• Satantic Child Abuse – 1980's
• Video Nasties – 1990's
• Guns – 2000's
• Islamic Terrorism – 2000's
• Knife Crime - Current

Criticisms of Moral Panic Theory (McRobbie and Thornton)

Frequency	Context	Reflexivity	Difficulty	Rebound
The frequency of moral panics has increased: they are no longer noteworthy.	In the past moral panics would scapegoat a group and create 'folk devils'. Today there are many viewpoints and values in society.	Because the concept of moral panic is well-known, some groups actually try to create one for their own benefit.	Because there is less certainty about what is unambiguously 'bad' today, moral panics are harder to start.	People are wary about starting moral panics as there is the possibility of it rebounding on them, e.g. John Major's 'family values' campaign.

Globalisation is an ongoing process that involves interconnected changes in the economic, cultural, social, and political spheres of society. As a process, it involves the ever-increasing integration of these aspects between nations, regions, communities, and even seemingly isolated places.

Held states that the globalisation of crime is the growing interconnectedness of crime across national boarders, sometimes referred to as the transnational organised crime.

Castells argues that there is now a global criminal economy of over £1 Trillion per annum.

Evaluation

Strengths	Weaknesses
Valuable – focuses on the newest, most dramatic and serious of crimes. Has led to more connectedness between law enforcement agencies around the world.	Difficult to investigate due to the secretive and global nature. Dependency on secondary sources and reliable statistics are not available. Primary research can be dangerous Easily exaggerated in terms of impact.

Globalisation and New Types of Crime

Drugs Trade	The global drugs trade is now worth over $300 billion per year. Drugs are often cultivated in third world countries such as Colombia, Peru and Afghanistan which have large impoverished populations so drugs is an attractive trade as it requires little investment but commands high prices especially in the western world.
Human Trafficking	Can include the trafficking of women and children as well as illegal immigrants and human body parts. It is estimated that over 2000 organs per year are trafficked from condemned or executed criminals. Women and children are often trafficked for sex trade or slavery, it is estimated the over half a million people are trafficked to western European annually
Financial Crimes	Such as money laundering have become much easier with the relaxing of international banking laws meaning that people are able to move money between offshore accounts much easier or to haven countries where national laws do not allow law enforcement access to accounts.
Cyber Crime	Cyber crime has developed out of the growth in technology and take a number of forms including cyber fraud, cyber theft, cyber terrorism and cyber violence. It is a transnational crime as the hacker can be in one country whilst hacking a system in a another country.
Transnational Organised Crime	There has been a growth in organised crime networks based on economic links. Glenny calls these "McMafia" which developed from the deregulation of global markets and the fall of the soviet union. Additionally the old school mafias such as the Italian mafia and the triads began to disperse around the world, especially in place like the USA.
Terrorism	Technological and communication advancements have made international terrorism easier, as groups are able to communicate with members all over the world and cultivate in-state members through online radicalisation.

Impact of Globalisation on Crime

Individualism	**Bauman –** Growing individualism and consumer culture means that individuals are left to weigh the costs and benefit of their decisions and choose the best course to bring them the highest rewards. This can lead to people taking part in criminal activity in order to achieve the consumer lifestyle which is otherwise unobtainable.
Opportunities	Growing globalisation, technological advancements and communications has led to newer types of crime as well as new ways in which to carry out crime. In particular places like the Dark Web which allow criminals to communicate and conduct crimes whilst undetected. Additionally crimes can be committed in one nation whilst the criminal is in a different country.
Disorganised Capitalism	**Lash and Urry** – increased deregulation and fewer state controls over business and finance. Corporations now act transnationally moving money, manufacturing, waste disposal and staff around the world to increase profits and lower regulation. **Taylor -** This has led to greater job insecurity, less social cohesion and fewer job opportunities in the west which can increase crime rates.
Risk Society	**Beck –** Growing instability in the globalised world has led to people being more risk conscious. The causes of the risks are often global in nature which can make it hard to pinpoint who is responsible and the media can play on this fear. These fears can lead to hate crimes and racially motivated crimes.
Problems with Policing	Due to crimes becoming transnational in requires cooperation between many different law enforcement agencies to bring the criminals to justice. Additionally what maybe illegal in one country is not in another and if the criminal is one country and the victim in another it can be difficult to determine jurisdiction.
More Inequality	**Taylor –** globalisation creates new patterns of inequality. The winners from the process are the rich financial investors and transnational corporations, where are the losers are the workers . The disadvantaged in both the developing and developed world are faced with greater insecurity and greater relative deprivation which then feeds criminal behaviour.

Transgressive means looking at the wider definitions of crime such as the harm that the crimes cause not just the breaking of state laws.

Anthropocentric means harm to the environment from the perspective of humanity. Pollution is a problem because it damages human water supply or causes diseases that are expensive to overcome; climate change is a problem because of its impact on people and the economic cost of dealing with it.

Ecocentric means harm to any aspect of the environment as harm to all of it. Therefore, crimes like animal cruelty or the destruction of habitats are green crimes, regardless of whether or not there is any specific human cost.

Globalisation links to Green Crime because environmental crimes are global crimes and a crime in one geographical location can have knock on effects across the planet.

Green crime is hard to police because an act can be done in one geographical location and not be considered a crime but have an affect on another geographical area where the act is a crime. Additionally it can be difficult identify who is to blame for the crime.

Definitions of Green Crime

Traditional Criminology

Situ and Emmons (2000) define Green crime as "an unauthorised act or omission that violates the law of a state or nation" in a similar way to other crime traditional criminology looks at patterns and causes of law breaking. This definition of green crime would not consider Global Warming or acid rain as a crime as they do not break any laws.

Transgressive Criminology

Transgressive criminology looks more at the harm that certain acts cause in order to determine criminality. **White (2008)** argues that green crime is any action that harms the physical environment and or human/non-human animals within it even if not law has been broken.

Global and Manufactured Risk

Beck (1992) – agues that in todays society we can now provide resources for all in the developing world and yet the massive increase in technology creates new manufactured risks which cause harm to the environment and have consequences for humans. For example the green house gasses caused by manufacturing has led to global warming which is global in nature rather than local.

Types of Green Crime

Key Thinker

Nigel South (2014)

Type 1: Primary Green Crime

Explanation	Crime that are the direct result of destruction and degradation of the earths resources.
Examples	Air Pollution, Deforestation, Species decline, Animal abuse, water pollution.

Type 2: Secondary Green Crime

Explanation	Crimes that result out of the flouting of rules aimed at preventing or regulating environmental disasters.
Examples	State violence against environmental groups, hazardous waste and organised crime, Environmental discrimination

Victims of Green Crime

Key Thinker: Wolf

Those in the developing world, poor and ethnic minorities are much more likely to be victims of environmental crime due to inability to move from the areas where toxic dumping takes place for example.

Perpetrators of Green Crime

Key Thinker: Wolf

Individuals	Individuals have a cumulative effect on the environment, their acts may not have immediate impact but soon add up to large impacts. E.g. littering or fly tipping.
Businesses	Environmental crime is a typical form of corporate crime, large corporations are responsible for the majority of the water, air and land pollution due to waste dumping and health and safety breaches.
Governments	Santana (2002) points out that the military are the biggest institutional polluter through unexploded bombs and lasting effects of toxic chemicals.
Organised Crime	O/C has a longstanding relationship with green crime often in collusion with governments and industry through contracts for waste disposal for example.

Evaluation

- It is very difficult to study green crime as there is not an agreed definition.

- It is also difficult to assess the impact of green crime as it can be a long term impact.

- Much of the research is based on case studies.

- Green crime can be accompanied by greater value judgements due to a lack of agreed definitions.

Green and Ward (2005) define *state crime* as 'illegal or deviant activities perpetrated by, or with the complicity of, state agencies'.

Definitions of State Crime

Domestic Law	Zemiology
Chambliss: Acts defined by law as criminal and committed by state officials in pursuit of the jobs as representatives of the state. Example – MP's Expenses	*Michalowski (1985)* State crime includes illegal acts but also legally permissible acts whose consequences are similar to those of illegal acts in the harm that they cause. *Hillyard (2004)* Replace the study of crime with Zemiology regardless of if the act is against the law.
International Law	**Human Rights**
Rothe and Mullins (2008) State crime is an action by or on behalf of a state that violates international law and/or a states own domestic law.	*Schwendinger 1975* State crime should be defend as a violation of people's basic human rights by the state and their agents.

Types of State Crime

Key Thinker: Eugene McLaughlin

Political Crimes

Censorship or Corruption
According to the Corruption Index put together by Transparency International there seems to be a correlation between corruption, war and conflict and poverty – Somalia, North Korea, Sudan, Afghanistan and Iraq come out bottom of the Corruption Index, while the usual suspects – the Scandinavian countries plus Canada come out as the least corrupt.

Crimes by security, military and police

Genocide, Torture, Imprisonment Without Trial And Disappearance Of Dissidents.
- Genocide – Rawanda 1994 (Hutu's against Tutsi) Cambodia 1970's (Khmer Rouge), Bosnia Herzegovina 1990's (Bosnian Serbs against Bosnia Muslims)
- IWT – Guantanamo Bay
- DoD – China, Russia, Saudi Arabia
Rummel calculated that from 1900 – 1987 over 169 million people had been murdered by governments excluding death during war.

Economic Crimes

Official violations of health and safety laws.
- Chernobyl Disaster

Economic Policies which cause harm to the population
- Austerity

Social and Cultural Crimes

Institutional Racism
Police force targeting certain groups in society, Ethnocentric Curriculum ignore certain groups history.

Destruction of native cultures and heritage
ISIS destruction of Churches and shrines in Mosul
USA Destruction of Native Indian sites and lands

Seriousness of State Crime

Scale	State as a source of Law
States are large and powerful entities, they can cause large and powerful, often widespread. For instance, in Cambodia between 1975 and 1978 the Khmer Rouge government killed up to 1/5 of the entire population.	States have the power to **conceal their crimes** and make them **harder to detect,** and change the law to benefit their deviance. The concept of National Sovereignty means that it is difficult for international bodies to intervene
Culture of Denial	**Neutralisation Theory**
Cohen • **STAGE 1** – 'It didn't happen'. • **STAGE 2** – 'If it did happen, "it" is something else'. • **STAGE 3** – 'Even if it is what you say it is, it's justified.	Sykes and Matza 1957 Justification of the act through: ✓ Denial of the victim ✓ Denial of injury ✓ Denial of responsibility ✓ Condemning the condemners ✓ Appeal to higher loyalty

Explaining State Crime

Integrated Theory

Green and Ward: This theory suggests state crime arises from similar circumstances to those of other crimes, like street crime.
Integrating three factors and how these factors interact generate state crimes:
Motivation, Opportunity and lack of controls.

Modernity

Bauman (1989) suggests it is certain features of modern society that made the state crimes possible:
1. A division of labour: Each person is responsible for one task so no one is full responsible.
2. Bureaucratisation: Normalisation of the act by making it repetitive and routine. Dehumanisation of victim.
3. Instrumental rationality : Rational and efficient methods to achieve a goal regardless of the goal itself.
4. Science and technology: Scientific and technological knowledge to justify the means and the motive.

Social Conditions

Unlike citizen crime, state crimes tend to be crimes of obedience rather than deviance.
Kelman and Hamilton identify three features that produce crimes of obedience:
1. **Authorisation**: Acts are approved of by those in power. Normal moral principals are replaced by duty to obey.
2. **Routinisation:** Turn the act into a routine behaviour so it can be performed in a detached manner.
3. **Dehumanisation:** The victims are portrayed as sub human so normal morality doesn't apply.

Left realist view of crime is that crime is caused by social factors such as marginalisation, relative deprivation and sub cultures.
Relative Deprivation is where people feel deprived compared others in society. This can lead them to become marginalised within society and form sub cultures which have deviant or criminal goals.
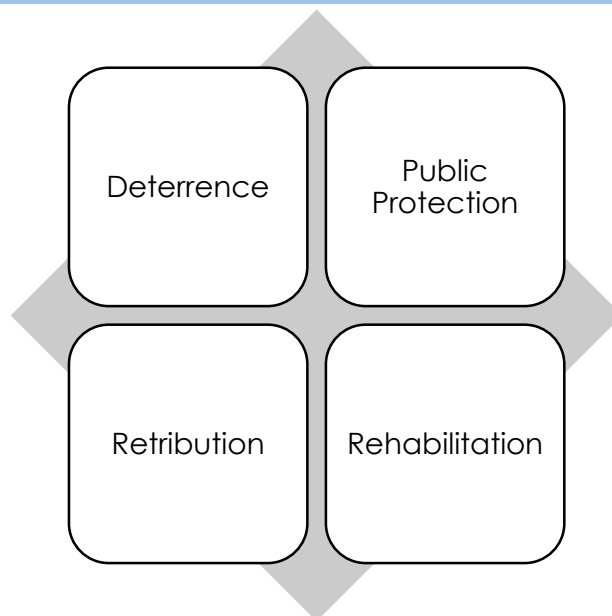
Right realist view of crime is more individualistic. They feel that crime is a rational choice and that criminals are able to commit crime because the benefit outweighs the cost of being caught and there are too many opportunities to commit crime.
Murray also argues that the rise in single parent families and teen parents has led to a lack of socialisation into appropriate values which leads to youth delinquency

	Situational Crime Prevention	Environmental Crime Prevention	Social and community Crime Prevention
Summary	Pre-emptive approach that aims to make it harder to commit crime in the first place by designing out crime	By improving the local area and dealing with low level criminal activity such as vandalism, graffiti and loitering.	Left realist approach which suggests that be dealing with the social inequalities that lead to crime then it will reduce the crime rate. They believe that it is social inequality that is the biggest cause of crime.
Strategies	Target hardening through bars and bolts on Windows, alarm systems, park benches that prevent homeless sleepers.\n\nMore CCTV, more police on the streets\n\nHostile architecture.	Zero tolerance policing - sweat the small stuff and deal with small petty crimes which will prevent the movement into more serious crimes.	Youth groups and community centre which will help to create a sense of community. Parenting groups to help with socialisation. Increasing community police officers and the bobby on the beat to improve community relations with the police which will help cries to be solved.
Studies	•Pease (2002) "Bars, Bolts and Barriers"\n\n•Hostile Architecture\n•_Marcus Felson 1998:_ NYC Port Authority Bus Terminal\n\n•Cornish and Clarke (2003) - Notices	Wilson and Kelling - Broken window policy	Community action programs: Prey pre school program\n\nIntervention programs: Troubled families program.
Evaluation	Displacement theory – doesn't reduce crime but moves it to a different area.\n\nDoesn't deal with corporate or white collar crime.\n\nUnfairly targets the working class who can't afford the target gardening systems.	Deals with the symptom not the cause .\n\nTargets working class people and street crime rather than ,corporate or white collar crime.\n\nDisplacement theory.	Assumes a value consensus within a community and ignores issues such as relative derivation and institutional racism which can limit the effectiveness of community and social policies.\n\nDoesn't deal with corporate or white collar crime.

Criminal Justice System

Key Agencies of the Criminal Justice System

1	The police
2	Crown Prosecution Service
3	The Court System
4	National Offender Management Service
5	Youth justice Board.

Role of CJS in Preventing Crime

Deterrence	Public Protection
Retribution	Rehabilitation

Government Departments responsible for Criminal Justice System

Home Office	• Oversees the police. • The Home Office protects the public from terror, crime and anti-social behaviour. • It helps build the security, justice and respect that enable people to prosper in a free and tolerant society. • The department is responsible for crime and crime reduction, policing, security and counter-terrorism.
Attorney General	• Oversees the CPS, the Serious Fraud Office the Revenue and Customs Prosecutions Office. • They are responsible for ensuring the rule of law is upheld. • The AG also take action to appeal unduly lenient sentences and bringing proceedings under the Contempt of Court Act.
Department of Justice	• Oversees the magistrates' courts, the Crown Court, the Appeals Courts, the Legal Services Commission and the NOMS • The Ministry of Justice manages the justice process from end to end. • The ministry is responsible for criminal law and sentencing policy, for legal aid, reducing re-offending and for prisons and probation.

Perspectives Views of the Criminal Justice System

Functionalism	Functionalists see the criminal justice system as a vital institution within the society. It works with other social institutions to ensure social solidarity and cohesion by maintaining the law and order.
Marxism	Marxists see the Criminal justice system as part of the repressive state apparatus and used by the ruling class to maintain their power through oppression whilst appearing to be legitimate.
Feminism	Feminists see the criminal justice system as a tool of the patriarchy to maintain their power. This is done through the fact that most members of the CJS are men and women face double victimisation and double deviancy at their hands.

Roles in the Criminal Justice System

Police	The role of the police would be to enforce the law by prosecuting and catching criminals.
Courts	The role of the courts would be to determine guilt and impose an appropriate sentence.

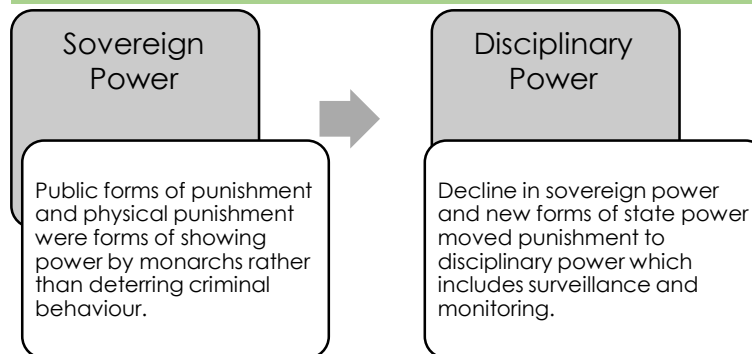## Purpose of Punishment (Newburn)

1	**Rehabilitation** – Discourage reoffending **Deterrence** – To prevent other people from offending in the future.
2	**Restorative Justice –** To force criminals to make amends to the victims they have harmed.
3	**Protection of society –** Incapacitation takes the offenders out of society so they are unable to harm others.
4	**Boundary Maintenance** – To reinforce the social norms and values and remind people of what is acceptable.
5	**Retribution –** Because the criminals deserve to be punished for their crimes – Just Deserts.

Perspectives on Punishment

Functionalism	Society can only exist if there is a shared system of values that tie a society together morally. Laws are a representation of this collective conscious. Durkheim suggest that retribution gives people an outlet for anger and reaffirms collective consciousness.
Marxism	Laws area reflection of ruling class ideology and punishment is part of the repressive state apparatus (Althusser) which keeps people in line and in their place.
Weberianism	Only the state has the power to punish offenders, not the church or landowners as in the past. Legal Rational Authority meaning punishment is based on impersonal rules and regulations set out by a vast bureaucracy and set of checks and balances.

Changing Forms of Punishment

Foucault (postmodernism)

Sovereign Power → **Disciplinary Power**

Public forms of punishment and physical punishment were forms of showing power by monarchs rather than deterring criminal behaviour.

Decline in sovereign power and new forms of state power moved punishment to disciplinary power which includes surveillance and monitoring.

Garland

Garland argues that in the 1950s the state practised '**penal welfarism**' – in which the criminal justice system did not just try to catch and punish offenders, but also tried to rehabilitate them, so that they could be reintegrated into society

Garland argues that we have now moved into a new era in which a '**punitive state**' enforces a 'culture of control' – there are three main ways in which the state now seeks to control crime and punish offenders:
- Actuarialism
- 'mass incarceration' and 'transcarceration'.
- Politicians increasingly use the issue of crime control, and 'being tough on crime' as a means to win elections

Rusche and Kirchheimer

A Marxist approach which sees punishment as a form of social control and class domination. **Punishment changes as economic need changes**. They see the change in punishment from the physical punishments, to transportation and now with cheap prison labour. This reflects the changing economic needs of the dominate class. Brutality rose when population was plentiful land declines as labour forces declined.

Prisons

The purpose of prison is to be the ultimate deterrent, both controlling crime and punishing offenders

Are prisons effective as a form of punishment?

Yes	No
Keeps society safe from dangerous criminals.	School of crime
Resocialisation into social norms and Values	Leads to Labelling which can cause reoffending.
Education to prevent recidivism.	High recidivism rates show it is not effective.
Bad experiences in prison will stop reoffending.	

Synopticon Surveillance means everyone watches everyone else **Thompson –** politicians fear media surveillance which may uncover damaging information on them. Widespread camera ownership allows citizens to control the controllers – filming police wrongdoing.

Liquid Surveillance is all the ways that we are monitored from number plate recognition, store cards to CCTV means that we are constantly monitored and aware of that monitoring. Also refers to your digital footprint that can be used to infringe your civil liberties as well as protect you.

Panopticon means a prison design where the prisoner has their own cell which is visible to the guards from a central position, however the guards are not visible to the prisoners. This means that the prisoners behave as they never know if they are being watched or not.

Self Surveillance means people monitoring themselves and their behaviour due to the fear of being judged by others. This is particularly prominent in new mothers who fear being judged as a bad mother.

Surveillance Societies

Thinker: Lyon

Explanation: Modern society and technology has reached the point where our lives are quite transparent and there is a lack of privacy. Our every move, is monitored but it has become so routine that we no longer notice it or consider it consciously.

Disciplinary Societies

Thinker: Foucault

Explanation: societies which do not use physical punishment to control its people but control the mind through surveillance. This has also led to a **Carceral Culture (prison like)** where the disciplinary power has moved to other areas of society beyond the CJS such as teacher, social workers and psychiatrists who monitor the population.

Synoptic Surveillance

Thinker: Matheison

Explanation: Everyone is watching everyone else through the power of the media and social media. This can be through camera p dashcams and social media. This leads to greater self surveillance. This items have also allowed for society to exercise some control over the controllers such as filming police wrong doing.

Actuarial Justice

Thinker: Feely and Simon

Explanation: New technology of power, not interested in rehabilitation but in preventing offending through the use of similar algorithms to insurance actuaries. Airports use this to determine who to stop and search based on risk factors and profiling. It identifies and classify groups based on perceived levels of dangerousness.

Post Panoptical society

Thinker: Bauman and Lyon

Explanation: It is not just the thought of being watched but the knowledge that we are actually being monitored which controls our behaviour. Liquid surveillance means that we are constantly being monitored from where we drive to what we buy

Killburn Experiment

Thinker: Newburn and Heyman

Explanation: CCTV is as much a protection as an erosion of civil liberties. Given access to Kilburn custody suites for 18 months. Saw that CCTV could be used by defence lawyers as much as prosecution. Can also be used to protect law enforcement against claims of brutality.

Is surveillance a good or bad form of social control?

Yes	No
Helps reduce the fear of crime. People feel less of a fear of being a victim of crime when they are aware of CCTV and other surveillance systems, as they believe that there is a greater chance of the perpetrator being caught so they are less likely to commit crime. **Helps to fight against terrorism.** Using data mining and social media monitoring links are able to be made between disparate terrorist groups **Provides evidence** Both for the prosecution and the defence.	**Oppressive form of social control.** A few watching the many allows for the ruling class to shape the behaviour of the working class. **Limited evidence that it changes behaviour.** Norris found that although CCTV reduced crime in car parks it did little to reduce other sorts of crime. Loveday and Gill – Burglars, shoplifters and fraudsters were not put off by CCTV. **Erosion of civil liberties.** Every action we take is monitored there is no such thing as privacy and our actions can be used against us at any time.

Victimology

Changes in the study of victimology

Victims as Consumers of CJS

In recent years Victims are see as consumers of the CJS and the CJS is judged by its ability to meet the needs of the victims through the use of victim surveys, victim support services.
Since 2013 victims of ASB & low level crime could have their say on out of court punishment by selecting from a list.
Growing recognition that the CJS need victims to come forward and have confidence in the CJS in order to be able to punish criminals

2002 National Crime Recording Standard

Adopted by all police forces in the England and Wales and gave priority to the victims recollection of the crime rather than the police interpretation of the evidence.

A victim is defined as those who have suffered harm including mental, physical or emotional suffering, economic loos and impairment of their basic rights through acts or omissions that violate the law of the state – **The United Nations.**

Inverse Victimisation Law means those that have the least power, most deprived and have the least material possessions are the most likely to be victims of crime, and are also the most likely to be the ones committing the crimes.

Traditional View of Crime Victims

Weak
Innocent
Blameless
Female
Elderly
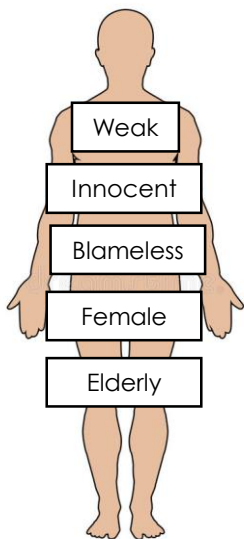
Statistical View of Crime Victims

Male
19 - 28
Ethnic Minority
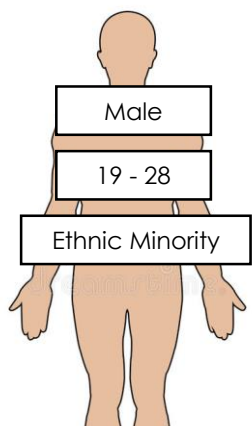
There are variances when looking at different types of crime

Patterns of Victimisation

Class
Working class and underclass people are more likely to be a victim of crime although middle class are more likely to fear being a victim of crime.

This is partly due to the areas in which lower working class live.

Age
Infants are most likely to be victims of murder.

Teens are most likely to be victims of theft, violent crime and sexual crimes.

The elderly are the most likely to be victims of abuse.

Gender
Men are more likely to be victims of violent crime and theft. 70% of homicide victims are male.

Women as more likely to be victims of sexual crimes, domestic violence and trafficking.

Ethnicity
Ethnic Minorities are more at risk of being victims of crime. Especially those of mixed ethnicity

The Home Office estimates 106,000 hate crimes per year = 300 per day

Impact of Victimisation

Hoyle 2012
Hoyle identifies 12 reactions to being a victim of crime. Victims may feel some or all of these emotions a which can have a negative effect on their lives. Reactions include, Sleeplessness, far of revictimization PTSD, Shock, Anxiety, Poor health.

Waklate 2004
Waklate talks about double victimisation which can occur during the trail. This is because the defence team will be looking at ways of discrediting the victim or ways to blame the victim for their own victimisation.

Fear of Crime
Many people who are victims of crime become much more fearful of being a victim again in the future. This can impact their behaviour and their lifestyle.

Explanations of Victimisation

Positivist Victimology

Tierney
Victim Proneness – identifies characteristics which make someone more likely to be a victim of crime.

Victim Precipitation – how victims have been actively involved in the crime or brought the crime upon themselves.

Hans Von Hentig
Developed a typology of victims based on the degree to which victims contributed to causing the criminal act.

13 characteristics of victims included the young, female, old, immigrants, depressed, wanton, tormentor, blocked, exempted, or fighting.

Evaluation

Critical Victimology

•**Mawby and Walklate**
•Social structures as a cause victimization.

•**Labelling** - Denial or attachment of labels.

•**Tombs and Whyte**
•Hierarchy of victimization.- Safety Crimes passed of as clumsy workers.

Evaluation