

WHY DO PEOPLE break the Law?

CRIME V.S DEVIANCE		
	Crime	Deviance
Definitions	Actions defined by the Criminal Code Act, it's a <u>written</u> law.	Actions out of the social norms, violating some kind of <u>unwritten</u> societal rules that state it's just not okay.
Example	Robbing a house, domestic violence, texting and driving, violent protest, stalking	Peaceful protest, invasion of personal space, tattoos on the entire face and the fact that it's not usual.
Perspectives	<p>The four different perspectives of crime</p> <p>Sociological perspective: more <u>micro in</u> nature, crime is a behaviour that threatens social order, such as leaking the information of wiki</p> <p>Political perspective: crime is a behaviour constructed by the rules set in the society. This is not very fair as in situations such as possession with drugs, poor people go to jail while celebrities go to rehab.</p> <p>Psychological perspective: crime is a maladaptive behaviour that stops your ability to adjust to particular situations</p> <p>Legal perspective: crime has to be <u>defined by the state, prohibited by criminal law and bring punishments.</u></p>	<p>The normative rules, the social norms fall into 4 categories:</p> <p>Less Deviant</p> <p>Folkways: non-binding social conventions, these are things we just kind of know without them being expressed, we absorb them when growing up in a society.</p> <p>Mores: strong convictions about right or wrong. These are more of a personal belief and opinions instead of real rules.</p> <p>Taboo: prohibition of socially offensive acts. There's no law but people would actually do something if they see this particular act, people are highly likely to intervene, such as a mom hitting a young child in public</p> <p>Laws: strongest norms, written with formal decrees to differentiate between right and wrong, such as robbing a house.</p> <p>Most Deviant</p>
What forms a crime?	<p><u>The act/ omission and intent:</u></p> <p>Actus reus: the action that cause the crime (Act)</p> <p>Mens rea: the specific state of mind (intent)</p> <p>According to the law, all adults are mentally capable to make intent (<u>mens rea</u>) and take responsibilities for their action, children under 10, however, are incapable of committing a criminal act.</p>	
The relationship between crime and deviance		
	<p>We can have deviancy with no crime, but there's no crime without deviancy. <u>In sync = deviant and illegal, out of sync = deviant but not illegal</u></p> <p>When society is really in sync with the law, we get a really close overlap, a lot of what's deviant gets consumed in the law, aka, texting and driving.</p> <p>When the society is really out of sync, there's not that much of an overlap.</p> <p>Rape in marriage is illegal in Australia, while in others, it's totally legal for men to rape their wives.</p> <p>In 1980s, it's not deviant to be a gay, but it's illegal to be gay in Queensland and you can be arrested, charged and convicted for being one. The law is only changed in 1990s.</p> <p>Society is sometimes very slow to align the laws with the norms and mores about what's deviant and what's not.</p>	

	Measurement of crime															
<u>Why</u> do we measure crime?	<p>Understand the nature and extent of a crime Track crime trends and whether they are increasing or decreasing Evaluate the theories of criminal behaviour Evaluate the effectiveness of current policies Assess the limitation/ inaccuracies discovered in crime stat</p>															
<u>How</u> do we measure crime?	<p>Administrative date/official stat These are everything from the criminal justice system.</p> <p><u>They are classified into</u> violent (homicide, assault, sexual assault, dangerous acts, abduction, harassment, robbery, extortion) Property (break and enter, theft, fraud) Others (drugs, weapons, damage, public order offences, traffic, government offences).</p>	<p>So how can we go against the "Dark figure" of crime that states many crimes <u>are not discovered in official data (60-80%)?</u> With self-report</p> <table border="0"> <thead> <tr> <th>Crimes for which people report</th> <th>Reasons for not reporting</th> </tr> </thead> <tbody> <tr> <td>1. Motor Vehicle Theft</td> <td>1. Trivial/unimportant</td> </tr> <tr> <td>2. Break-in</td> <td>2. Believe nothing could be done</td> </tr> <tr> <td>3. Theft from MV</td> <td>3. Believe police unwilling</td> </tr> <tr> <td>4. Malicious property damage</td> <td>4. Personal matter</td> </tr> <tr> <td>5. Attempted break-in</td> <td>5. Told someone else</td> </tr> <tr> <td>6. Other theft</td> <td>6. Nothing stolen</td> </tr> </tbody> </table> <p>sources</p> <p>From the offender: With self-reported crime and delinquency surveys such as Drug use Monitoring in Australia, self-report delinquency studies in school</p> <p>From the victim: With victimisation surveys such as crime and safety survey</p> <p>These surveys vary according to the method of collection (face to face, telephone, internet, self-complete, focus groups)</p>	Crimes for which people report	Reasons for not reporting	1. Motor Vehicle Theft	1. Trivial/unimportant	2. Break-in	2. Believe nothing could be done	3. Theft from MV	3. Believe police unwilling	4. Malicious property damage	4. Personal matter	5. Attempted break-in	5. Told someone else	6. Other theft	6. Nothing stolen
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<u>Strengths</u>	<p>Complete coverage of all crimes Comparing across jurisdictions The functioning of society and criminal justice system</p>	<p>From the offender: Most people participate in trivial crimes Fewer offenders are responsible for many crimes Count in victimless crimes (drug use) Gives a better understanding of causes</p> <p>From the victim: Majority of people are not victimized Greater levels of crime are reported Better understanding of when and why people report Better understanding of causes and consequences of victimization</p>														
<u>Limitations</u>	<p>Undercount the frequency of crime in society → "<u>crime funnel</u>" Differences between QLD and NSW Different legal and social conditions: Where there's mandatory reporting law, higher level of reporting.</p>	<p>From the offender: Limited types of crime and target specific groups Over-reporting → exaggeration The bias, memory and the unwillingness to report</p> <p>From the victim: Can't measure victimless crimes The bias, memory and the unwillingness to report</p>														

“THE CRIME FUNNEL”

We lose cases and undercount due to the Crime Funnel and the "Dark figure" of crime that states many crimes are not discovered in official data (60-80%)

1000 actual offences occurred, only 41% actually reported to police. Once reported, the crimes have to be recorded by police, the police will not record if it's not serious enough. Then the police has to arrest somebody and charge the person, the case then has to go court and a lot of them don't because police won't send people that has no chance to being convicted.

People report because they need to for the insurance claim, sexual assault is one of the crimes that are highly undercounted.

Crime facts:

- i. We are more likely to be murdered by someone we know
- ii. The overall trend in the number of recorded crimes in Australia has actually been decreasing since 2002
- iii. Young males are more likely to be victims than other age groups, older people are the least likely
- iv. Women are more likely to be victims of sexual assault and by someone they knew
- v. Males are more likely to be victims of violent crimes

Gender and Crime

What explains the crime drop (Farrell and US, evidence that suggests the crime drop in Australia, suggest the correlations of the crime drop)?

Farrell conclusions of the crime drop in the USA: Improved security is the number one factor that can explain the crime drop across all countries, across all different types of crime, it holds up data examination. It's the only explain that we can put around universal for the crime drop.

Crime drop in Australia **The falling crime rate can possibly due to** these are all correlations, not causes

- Decreased heroin use → YES
- Increased effective police (CompStat shows the progress of crimes) → YES
- Increased number of old people, especially the 50s and 60s (This is because people naturally age out of crime with no interventions)
- Increased economic and imprisonment (Big increase correlate with crime reduction)
- Better life (People are earning more per week since 2000 and most of them have access to money, this correlates with the crime drop)
- Elimination of lead in blood (decreased lead in blood correlates with less assault)
- Crim plummeted due to advanced technology

Gender and crime (why have criminologists historically been less interested in female offending, explanation of gender differences in offending)

Primarily explained the criminal behaviour of men because the boys were offending more.

