

## EXPLAINING CRIME

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### CRIME THEORIES

- Theories are used to explain why crime occurs, and what the response should be. Theories of crime are spiritual or natural.
- **MILLS (1959)- CONTEXT** helps understand social problems-
  - o Social/political structure.
  - o Individual person.
  - o Time and place.
- **HEIGHT AND WEILDON (2015)- STEPS TO UNDERSTANDING CRIME;**
  - o Know the history.
  - o Acknowledge assumptions.
  - o Understand the scope.
  - o Define the terms.
  - o Respect the research.
  - o Understand the theory-practice problem.
  - o Map it out.
- **SPIRITUAL:**
  - o Events are influenced by otherworldly forces. Crime can be attributed to a sinful human nature, and is explained along spiritual terms (e.g. Plato).
- **NATURAL:**
  - o Uses objects and events in the material world to explain crime; concerns observable phenomena (early Greeks developed naturalistic approach/Hippocrates).
    - **SCIENTIFIC:**
      - A Natural explanation.
      - Assertions based on observable phenomena, tested against the observed world of facts- either becomes falsified if not consistent, or more credible if consistent (not proven).
        - o **ELEMENTS OF CAUSATION;**
          - **Correlation;** variation of things in relation to each other; (e.g. more weight equals more height is a positive correlation, more miles on your car means less value is a negative correlation).
          - **Theoretical Rationale;** a coherent explanation as to WHY one thing causes another.
          - **Time Sequence;** direction of causation- does one thing cause the other or the reverse. If one element comes first and the other later, it is assumed that the first causes the second.
          - **Absence of Spuriousness;** it is not caused by another element.
        - o **FRAMES OF REFERENCE;**
          - Intelligence and Rationality are fundamentally human characteristics, and are the basis for explaining human behaviour.
            - Humans understand themselves, and act to promote their own interests.
            - Everyone has free will -no otherworld forces. Can assess benefits and detriments.

- Rational society responds to crime with increased cost and decreased benefit to influence individuals choices.
- **Behaviour is determined by factors beyond the individuals control.**
  - Humans are NOT self determined agents who are free to do as they wish.
  - E.G. positivist criminology- biological, psychological, and social factors cause crime. Often a multiplicity influencing criminal involvement.
- **Causes of criminal behaviour are similar to causes of legal behaviour- search for cause is futile.**
  - Legal and illegal is defined by how the criminal law is written and enforced.
  - Poor people more likely to be criminalised- actions more likely to be defined as crime, and these laws more likely to be enforced.

- SPIRITUALISM moved to CLASSICISM after the ENLIGHTENMENT PERIOD- emergence of social contract thinkers (HOBBS, LOCKE)- people sacrifice their self interest for greater social good. STATE enforces this through RULE OF LAW.

## CLASSICAL CRIMINOLOGY

CLASSICAL THEORIES	
DEFINITION OF CRIME	Human choice based on rational calculation of cost and benefit, underpinned by human hedonism (will seek pleasure and benefit).  - Emerged as naturalistic approaches challenged spiritualistic approaches- provided natural and rational explanation for what was previously associated with sin and acts of God. (Basis for modern criminal justice systems).
FOCUS OF ANALYSIS	Three strands of theory in classicism: <b>DETERRENCE THEORY, ROUTINE ACTIVITY THEORY, AND RATIONAL CHOICE THEORY.</b>
CAUSE OF CRIME	Focus on the CRIME- everyone commits it for the same reasons- for benefit.
RESPONSE TO CRIME	<ul style="list-style-type: none"> <li>- Punishment should be proportionate to the severity of the offence- cost must exceed reward, but excessive punishment leads to excessive offending (people commit more crime trying to avoid punishment).</li> <li>- Everyone must be punished equally.</li> </ul>
CRIME PREVENTION	Focus on DETERRENCE- make the benefit not worth the cost/ rational calculation.

<b>THEORIST</b>	<b>THEORY</b>
<b>BECCARIA</b>	<ul style="list-style-type: none"> <li>- Draconian era- Objected to barbaric punishment and capricious justice, sought to make CJS more rational).</li> <li>- Legislature should define crime and punishment, purpose of punishment is deterrence, punishment is unjust when it exceeds deterrence, excessive severity increases crime, punishment should be prompt and certain, the law should be known.</li> </ul>
<b>BENTHAM</b>	<ul style="list-style-type: none"> <li>- People calculate reward and risk, and choose the action with the best outcome.</li> <li>- HARSH penalties justified for repeat offenders.</li> </ul>
<b>GIBBS</b>	<ul style="list-style-type: none"> <li>- Empirically tested Beccaria's claims- over time certainty and severity in law found to deter crime.</li> </ul>

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- **CRITIQUES-**
  - Is everyone equal and able to make choices?
  - There is an assumption of an agreed set of values and goals (social contract based on whose values? What about minorities?)
  - Decisions to commit crime always considered irrational (rational as a result of social conditions).
  - Ignores social/individual forces (e.g. mental illness, socioeconomic circumstances).
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### **MODERN CLASSICAL THEORIES**

<b>DETERRENCE THEORY</b>	
<b>TYPES OF DETERRENCE RESEARCH</b>	
<b>FOCUSSED DETERRENCE</b>	Less imprisonment AND less crime- specific intervention and deterrence with high risk individuals or groups instead of broad deterrence. Increasing with police technologies able to identify appropriate individuals.
<b>EXAMINE EFFECTS OF POLICIES TARGETING CRIME</b>	<ul style="list-style-type: none"> <li>- Examine policies in specific places.</li> <li>- Initial deterrent effect that deteriorates quickly (initial deterrence decay).</li> </ul>

	- Residual deterrence also peters out as people find it “safe to offend” after a crackdown.
<b>PERCEPTUAL DETERRENCE</b>	Association between offending and perceptions of certainty of punishment- increased perception of risk leads to reduced criminal behaviour but engaging in criminal behaviour leads to a more realistic perception of risk.
<b>CRIMINAL JUSTICE POLICIES</b>	Examines differing policies and correlating crime rates to see if there is a deterrent effect e.g. factors such as increased police presence.

<b>RATIONAL CHOICE THEORY</b>	
<b>CENTRAL PRINCIPLE</b>	Offenders calculate cost and benefit to rationally calculate whether criminal activity is worth it.
<b>FOCUS</b>	<ul style="list-style-type: none"> <li>- Focus on CRIME- everyone commits crime due to benefit and gain.</li> <li>- Crime depends on opportunity.</li> <li>- Validity questionable when rational choice is compromised due to emotions or substances.</li> </ul>
<b>PUNISHMENT</b>	<ul style="list-style-type: none"> <li>- Limit benefits of crime, change situations to influence rational calculations and increase perceived cost.</li> <li>- Deterrence and situational crime prevention.</li> </ul>

<b>ROUTINE ACTIVITY THEORY (COHEN AND FELSON)</b>	
<b>CENTRAL PRINCIPLE</b>	Rational offenders respond to opportunities to commit crime related to ‘routine activities’.
<b>FOCUS</b>	Focus on CRIME- everyone commits crime due to opportunity.
<b>INFO</b>	<ul style="list-style-type: none"> <li>- Used to explain different rates at which different groups are victimised.</li> <li>- Differences in lifestyle, daily activities, vocational and leisure activities.</li> <li>- Modern world provides more opportunity for crime e.g. out all late for work increases risks to property and person.</li> <li>- Crime requires a suitable offender, a target, and the absence of a capable guardian.</li> </ul>

	- Changing crime rates- increased opportunities and targets and decreased guardians.
<b>PUNISHMENT</b>	Limit opportunities for crime (situational).
<b>CRITIQUE</b>	<p>Fails to explain complex MOTIVATION, relies on OPPORTUNITY (situational selection- decision to engage in criminal activity at a given time_.</p> <p>Oversimplifies humanity- disregards peer pressure, abuse, anger, crimes of passion, socioeconomic pressures, moral judgement etc.</p>

<b>SITUATIONAL CRIME PREVENTION</b>	
<b>INCREASE EFFORT REQUIRED</b>	<ul style="list-style-type: none"> <li>- Controlling access e.g. swipe cards, fingerprint scanners.</li> <li>- Screened entry e.g. ticketing, CCTV.</li> <li>- Controlled opportunity e.g. tool and weapon storage and use monitoring.</li> </ul>
<b>DECREASE RISK OF "VICTIMISATION"</b>	<ul style="list-style-type: none"> <li>- Assist surveillance e.g. improved lighting, line of sight.</li> <li>- Reduce anonymity- e.g. ID scanning and checks, uniforms.</li> <li>- Formal surveillance e.g. alarms, guards, cameras.</li> </ul>
<b>REDUCE REWARDS</b>	<ul style="list-style-type: none"> <li>- Conceal targets e.g. off street parking, unmarked armoured trucks.</li> <li>- Remove targets e.g. removable car radios, prepaid payphone cards.</li> <li>- Identify property e.g. name or brand tagging, vehicle parts marking, license plates.</li> <li>- Disrupt markets- e.g. monitor pawn shops, licence street vendors etc.</li> <li>- Deny benefits e.g. graffiti cleaning, disabling/blocking mobile phones</li> </ul>
<b>REMOVE EXCUSES</b>	<ul style="list-style-type: none"> <li>- Rules-e.g. behavioural rules and agreements and signage.</li> <li>- Post instructions.</li> <li>- Alert conscience e.g. pirating ads.</li> <li>- Assist compliance- e.g. plastic drinks containers, bins.</li> <li>- Control access- alcohol free events, RSA etc.</li> </ul>

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**POSITIVIST THEORIES**

POSITIVIST THEORIES	
CENTRAL PRINCIPLES	Something is displacing rational choice to cause criminal behaviours (e.g. substance abuse, illness etc).
FOCUS	<b>LOMBROSO, GORING, SHELDON</b> developmental, sociological, psychological, biological.
CAUSE OF CRIME	The INDIVIDUAL- what is causing this individual to commit crime.
PUNISHMENT	<ul style="list-style-type: none"> <li>- Rehabilitation</li> <li>- Legal Defence of Mental Illness</li> </ul> POLICY IMPLICATIONS; <ul style="list-style-type: none"> <li>- Policy implications focus on changes to cognitive patterns- change thinking to reduce future crime.</li> <li>- Early intervention to high risk children has been seen to produce results.</li> </ul>
INFO	Rejects CLASSICISM (RATIONAL CHOICE) and embraces EMPIRICISM (crime results from measurable factors, often outside the individual).  Early positivist criminology- focus on biological factors increasing probability of criminal behaviour (moved to interaction between these and the social environment- BIOSOCIAL).