

Compare criminal behaviour and deviance

Social definition

If a society has said that an act is a crime, it becomes one.

Legal definition

In our society it is the legal system that defines a crime.

Deviance

Norms, moral codes and values:

Norms are social expectations that guide behaviour and explain why people act in a way that they do. Norms keep in check deviant behaviour. While it is expected behaviour, it could vary from one culture to another. For instance, in the UK we often wear dark sombre colours for a funeral but in China the colour of mourning is white.

Moral codes are morals or good ways of behaving.

Breaking a moral code would generally be considered serious in society, e.g. murder.

Values are rules shared by most people in a given culture. It is what people feel should happen. They are more general than guidelines than norms e.g. most people would feel we should respect elderly people.

Deviant & Criminal Acts

Deviant	Both	Criminal
Shouting in a library	Murder	Keeping excess change given by mistake
Smoking	Stealing from a friend	Robbery
Hoarding newspapers	Naked sunbathing	Burglary
Excessive washing of hands	Theft	Speeding

Formal Non-Court Sanctions against criminals:

Cautions are administered by the police for minor crimes such as writing graffiti on a bus shelter. You have to admit an offence and agreed to be cautioned; otherwise you could be arrested for the offence. A caution is not a criminal offence. Conditional cautions are given by the police but you have to agree to certain rules and restrictions, such as receiving treatment for drug abuse or repairing damage to a property.

Formal Non-Court Sanctions against criminals: (cont)

Penalty notices for disorder are given for offences such as shoplifting, possessing cannabis, or being drunk and disorderly in public. You can only get a penalty notice if you are 18 or older.

Informal & Formal sanctions against deviance

Informal sanctions:

- Frowning upon behaviour
- Name calling
- Ignoring behaviour
- Labelling behaviour
- Parents grounding a child

Formal sanctions:

- Fines
- Imprisonment
- Detention

The classroom environment provides many examples of both formal and informal sanctions.

Formal Court Sanctions against criminals:

Custodial sentences are where you are immediately sent to prison. There are mandatory and discretionary life sentences and fixed term and indeterminate prison sentences.

Formal Court Sanctions against criminals: (cont)

Community sentences can be a combination order including unpaid work, probation, curfew and orders such as a shaving drug testing and treatment.

Fines are financial penalties; the amount depends on the seriousness of the offence and the financial circumstances of the offender.

Discharge can be either conditional, when if the defendant reoffends during a set time period the court can give an alternative sentence, or absolute, when no penalty is imposed as the defendant is technically guilty but morally blameless.

How laws change over time

Capital Punishment - The practice of executing someone as punishment for a specific crime after going through the legal proceedings, or a legal trial. In the 18th century there were over 200 offences for which the death penalty could be given; The crimes included pickpocketing and shooting rabbits.



How laws change over time (cont)

The laws were often focused on the poor who were viewed as lazy and the cause of their own misfortune. This view faded as all people were given rights and freedoms, and the opportunity to progress in society. Eventually capital punishment remained purely for the very serious crimes of murder and treason..

Laws against double jeopardy - The law regarding double jeopardy has changed over time. The law that prevented a person being tried again for the same offence was abolished for serious offences. The Court of Appeal may quash an **acquittal** and order a retrial. This change was necessary as the law at the time was inadequate to bring justice. Technology and medical knowledge also became more advanced, allowing for certainty of evidence.

Laws concerning prostitution - Legal but many of the connected activities: **soliciting** in a public area, **kerb crawling**, or owning a **brothel** are illegal.

How laws change over time (cont)

Previously prostitution had a stigma attached to it and the women involved were thought to be immoral due to the idea of having sex for money. Many women became prostitutes because it provided them a source of income at a time when they had few other options for other jobs. Society's view, however, slowly changed; there are now calls for it to become decriminalised with appropriate regulation. Society changed its view due to a decline in people believing in religion and an increase in moral tolerance..

Vagrancy -

Variety of criminal acts

Fatal offences against the person

| Murder, manslaughter

Non-fatal offences against the person

| Assault, battery, ABH and GBH

Offences against the property

| Theft, robbery, burglary

Sexual offences

| Rape, indecent assault

Public order offences

| Riot, affray, violent disorder

Drug offences

| Possession of a controlled drug or possession with intent to supply

AC1.1 Key Terms

Actus Reas - Guilty act

Mens Rea - Guilty mind

Combination order - A sentence of the court that combines a probation order and a community service order

AC1.2 Key Terms

Civil partnership - Legally recognised agreement for both same-sex couples and heterosexual couples

Execute - To kill someone as a legal punishment

Statute - An act of Parliament or legislation

Miscarriage of justice - The conviction and punishment of a person for crime that they had not committed

Acquittal - Verdict of a court when someone is found not guilty of a crime they have been charged with doing

Soliciting - To offer sex for money, usually in a public place

Kerb crawling - Driving slowly along a road, close to a pavement or walkway, in order to ask a prostitute for sex

Brothel - A place where men go to pay to have sex with a prostitute

Manslaughter - An unlawful killing, without malice or aforethought and in circumstances when it is not murder

Diminished responsibility - A partial defence for murder resulting in a conviction for manslaughter instead of a murder

Mandatory - Required by law

AC1.2 Key Terms (cont)

Consent - A defence in law that proves permission was provided by the appropriate person for the crime to occur

Self-defence - A defence in law allowing the use of reasonable force to avoid a conviction

Automatism - A defence in law where the defendant is not in control of their actions

Prostitution is known as the world's oldest profession.