DEFINING AND MEASURING CRIME
WHAT IS FORENSIC PSYCHOLOGY?

Forensic psychology is the interaction of the practice or study of psychology and the law.
WHAT IS A CRIME?

• Refers to any behaviour that is unlawful and punished by the state. It is an act that is harmful to an individual, group or society as a whole

• Not simply behaviour that is wrong, but has been identified as being wrong by the law
DEFINING CRIME

INFLUENCE OF CULTURE

• Criminal behaviour will vary from country to country (depending on their laws)
  – E.g. in the UK it is illegal to have more than one wife, but in other countries it is not illegal

• Within a country, laws change over time, so criminal behaviour is not a constant
  – E.g. Homosexuality in the UK was illegal until 1969, but is still illegal in some countries (like Saudi Arabia and Egypt)
  – E.g. stealing sheep or handkerchief in 17th Century Britain would be punishable by hanging

• Therefore, defining crime is a social construction; related to the dominant morals and values of a particular culture at a particular time
DEFINING CRIME EVALUATION

UNIVERSAL CONCEPTS

• Despite the variations in how crimes are identified, there are some behaviours that are universally regarded as unacceptable (like murder, rape and theft)

• However, even within those categories there are cultural variations in the law
  – E.g. the French concept of a “crime passionnel” (crime of passion) may lead to a more lenient sentence for murder if a court decides that the murderer acted from a strong and unplanned impulse
  – Many former French colonies still apply this judgement
WAYS OF MEASURING CRIME

OFFICIAL STATISTICS

• In most countries the government produce official crime statistics annually

• The information is now based on any incident reported to the police or when the police observe or discover an offence

• Home Office statistics also make historical comparisons to look at trends in crime
WAYS OF MEASURING CRIME

VICTIM SURVEYS

- Another approach is to ask a sample of people to identify which crimes have been committed against them (reported and unreported crimes) over a fixed period of time.

- Since 2001 the Crime Survey has been repeated every year and now involves a sample of about 50,000 households (aged 16 and over).

- The sample is selected randomly from the Royal Mail’s list of addresses (so all groups should be represented).

- Each person is interviewed using a fixed set of questions.

- All data is confidential.
WAYS OF MEASURING CRIME
OFFENDER SURVEYS

• In England and Wales, the Offending, Crime and Justice Survey (OCJS) was carried out annually between 2003-2006
• The aim was to increase the knowledge about young people and criminal behaviour
• The initial sample was people aged 10-65 living in private households (in England and Wales)
• A sample of about 5,000 of people aged 10-25 was studied longitudinally up to 2006
• Over 95% of the respondents remained with the study over the 4 years
• The questions tried to get information about the extent of offending, anti-social behaviour and drug use
• The focus was on criminal behaviour and relevant contextual data
EVALUATION OF MEASURING CRIME
• Only a certain number of crimes actually get reported to the police
  – This could be due to the victim not feeling the police will take it seriously, avoid the stigma of being a victim, or not being aware that a crime has been committed

• Only 42% of crimes reported to the British Crime Survey were reported to the police (Walker et al, 2006)

• This is called the “dark figure” of unreported crime and means that official statistics only represent a part of criminal activity
VICTIM SURVEYS

• This potentially provides information about the “dark figure” of unreported crimes
  – Although it depends on the honesty of answers provided

• People may still prefer not to report crimes with a stigma attached (e.g. rape) or ones that they feel are trivial

• Victim Surveys may be more consistent than official statistics when making comparisons over time as official statistics vary with changes in the law

• There are issues with sampling
  – Only about 75% of those contacted take part, meaning that the final sample is biased (people who are willing to respond may be those with time on their hands, etc)
  – The sample is drawn only from those with a postal address, which makes the sample bias

• Another criticism is that the number of crimes reported from any one individual is capped at five in any one year
  – Only the first 5 incidents would be reported if a person was experiencing more than 5 incidents of domestic abuse in any year
  – It has been estimated that as many as 3 million incidents may not be included in the overall figures of crime because of this cap (Farrell and Pease, 2007)
OFFENDER SURVEYS

• Any self-report method is subject to certain problems such as lack of accuracy in answers

• In the case of offender surveys, we might expect that people may underplay their criminal involvement and other behaviours (such as drug use)

• However, the OCJS report that the participants sais they were honest in their answers (Hales, et, al, 2007)
OFFENDER PROFILING: THE TOP-DOWN APPROACH
THE TOP-DOWN APPROACH

• This approach comes from the FBI and was developed as a way of trying to solve some of the most bizarre and extreme murder cases and designed to produce a profile of the most likely offender.
• It is regarded as a more intuitive application of a profiler’s prior knowledge – the profiler has a “feel” for the kind of person who committed the crime.
KEY TERMS

• **Top-Down Approach:** An analysis of previous crimes creates a profile of a likely offender. A profiler uses this knowledge to narrow the field of possible suspects. This relies on intuition and beliefs of the profiler.

• **Offender Profiling:** A method of working out the characteristics of an offender by examining the characteristics of the crime and the crime scene.

• **Organised Type of Offender:** This type of offender commits a planned crime and may engage in violent fantasies with the victim and is high in intelligence and socially competent.

• **Disorganised Type of Offender:** The crime scene is left with many clues such as fingerprints, there is little evidence of engagement with the victim and the offender has lower intelligence and socially competent.
THE TOP-DOWN APPROACH

1. PROFILING INPUTS

• Data collected at this stage includes a description of the crime scene (e.g. photos and sketches), background information about the victim (employment, habits, relationships) and details of the crime itself (weapon, cause of death, autopsy report)

• All the information should be included (even if it appears trivial)

• Possible suspects should not be considered, as this may bias the information collected
2. Decision Process Models

• The profiler starts to make decisions about the data and organises it into meaningful patterns.

• Some of the following issues are considered:
  
  – **Murder type** (mass, spree – lots of people killed at one time or serial – lots of people killed over time)

  – **Time factors** (short/long time ago, during night/day)

  – **Location factors** (was the crime scene the same as the murder scene?)
3. CRIME ASSESSMENT

Based on data collected the crime is classified as organised or disorganised.

This organised-disorganised distinction presumes that there is a correspondence between offences and offenders.

- **Organised type of offender** – the crime tends to be planned and the victim specifically targeted, body often transported from the scene, weapon is hidden, violent fantasies carried out.
  - Offenders are generally high in intelligence, socially and sexually competent, live with a partner, have a good working car, follow their crimes in the media.

- **Disorganised type of offender** – this is the opposite of the above. Tends to be unplanned, random selected victims, sexual acts performed after death.
  - The crime scene is likely to contain many clues (e.g. blood, semen), from the offender, fingerprints and the weapon.
THE TOP-DOWN APPROACH

4. CRIMINAL PROFILE

• A profile is now constructed of the offender which includes hypotheses about their likely background, habits and beliefs

• This description is used to work out a strategy for the investigation to help catch the offender

• It is important to anticipate how this person will respond to various investigative efforts, including how the offender might be interviewed if they were caught
5. CRIME ASSESSMENT

• A written report is given to the investigating agency (e.g. police) and persons matching the profile are evaluated

• If new evidence is generated and/or no suspects are identified, then the process goes back up to stage 2 (decision process models)
THE TOP-DOWN APPROACH

6. APPREHENSION

If a suspect is apprehended, the entire profile-generating process is reviewed to check that at each stage the conclusions made were legitimate (i.e. valid, and consider how the process may be revised for future cases)
EVALUATION OF TOP-DOWN APPROACH
IS THE METHOD USEFUL?

• Police who have used FBI methods believe it is useful
  – Copson (1995) found that 82% of police officers questioned said the technique was useful and 90% would use it again

• The technique may not result in an actual identification of the offender
  – However, this approach offers investigators a different perspective, opens up new avenues for investigation and may prevent wrongful conviction
THE BASIS OF THE METHOD

FLAWED

• The original data came from interviews with 36 of the most dangerous and sexually motivated murderers (like Ted Bundy and Charles Manson)

• The data was used to identify the key characteristics that would help the police “read” a crime scene
  – This is dubious as these individuals are not likely to be the best source of reliable information
  – Their approach and rationale may be quite different to more “typical” offenders

• However, the 6-stage process allows for improvements to constantly be made
POTENTIAL HARM CAUSED BY USING THE TOP-DOWN APPROACHES

• The process of top-down analysis is not based on science or theory
  – Courts have been known to regard it as “junk science”

• The believability of profiles based on the top-down approach might be explained in terms of the “Barnum effect”
  – Ambiguous descriptions can be made to fit any situation
  – In a list of 20 statements about a person, 10 will often be correct or nearly correct and this explains why profiles often appear to be “right”

• Jackson and Bekerian (1997) suggest that smart offenders can read about how profiles are constructed and deliberately mislead profilers by providing misleading cues
MEASURING THE ACCURACY OF THE APPROACH

• The data on usefulness can also be questioned in terms of how usefulness is measured
  – One way is to consider the end of the case (how close the profile is to the actual offender)

• Alison et al (2003) shows that such judgements are not reliable
  – Police officers were given a profile along with one of two versions of offender’s actual characteristics
  – They found that over 50% of officers rated the profile they were given as generally or very accurate, even though half were given a fake version
DISTINGUISING BETWEEN ORGANISED AND DISORGANISED TYPES OF OFFENDER

- Turvey (1999) suggest that contradiction between organised and disorganised types of offender is false

- One solution (Douglas et al, 1992), was to have a third category of “mixed” offenders
  - Although this could be a dustbin category where everyone could fit into

- Canter et al (2004) provided evidence that the classification has little basis in reality
  - Their analysis on aspects of serial killings, revealed no clear division between organised and disorganised types of offender
OFFENDER PROFILING: THE BOTTOM-UP APPROACH
This was developed by David Canter, who proposed that **profiling can and should be based on psychological theory and research**

There are 3 main features of his approach:

1. **Interpersonal Coherence** (people are consistent with their behaviour and so there will be links with elements of the crime and how they behave in everyday life. But people’s behaviour changes over time and so looking at differences in crimes over a four-year period might offer further clues)
INVESTIGATIVE PSYCHOLOGY

2. **Forensic Awareness** (certain behaviours may reveal an awareness of particular police techniques and past experience)

- E.g. Davies et al (1997) found that rapists who concealed their fingerprints often had a previous conviction for burglary
3. **Smallest Space Analysis** (This is a statistical technique where data about many crime scenes and offender characteristics are correlated so that most common connections can be identified)

- E.g. Salfati and Canter (1999) analysed the co-occurrence of 48 crime scene and offender characteristics taken from 82 UK murder cases where the victim was a stranger

- They identified 3 underlying themes:
  1. **Instrumental Opportunistic** (using a murder to achieve a goal, by taking the easiest opportunities)
  2. **Instrumental Cognitive** (being concerned about being detected and so being more planned)
  3. **Expressive Impulsive** (uncontrolled, in the heat of strong emotions, provoked by victim)
GEOGRAPHICAL PROFILING

- Canter proposed that **people do not just reveal themselves through the crimes they commit but also through the locations they choose**
- Geographical profilers are concerned with where rather than who
- **Offenders are more likely to commit a crime near where they live or habitually travel as it involves less effort**
- So the location of a crime can be a prime clue in an investigation
- Geographic profiling analyses the locations of a connected series of crimes and considers where the crimes were committed, the spatial relationships between different crime scenes and how they might relate to an offender’s place of residence
Canter and Larkin (1993) proposed that most offenders have a spatial mindset (they commit their crimes within a kind of imagined circle)

- **Marauder** – the offender’s home is within the geographical area in which crimes are committed
- **Commuter** – the offender travels to another geographical area and commits crimes within a defined space around which a circle can be drawn
GEOGRAPHICAL PROFILING

CRIMINAL GEOGRAPHIC TARGETING (CGT)

• This is a computerised system developed by Rossmo (and Rossmo’s formula)

• The formula produces a three-dimensional map showing spatial data related to time, distance and movement to and from crime scenes

• The map is called a **jeopardy surface**

• The different colours indicate likely closeness to crime scene
JEOPARDY SURFACE
EVALUATION OF BOTTOM-UP APPROACH
SCIENTIFIC BASIS OF THE BOTTOM-UP APPROACH

• Bottom-up approaches are considered to be more scientific than top-down approaches due to the use of objective statistical techniques and computer analysis.

• However, such techniques are only as good as the data that is input and the underlying assumptions used to work out the links between data items.
  – However, this data is related to offenders who have been caught, not unresolved crimes.

• Computer programming formula has to be developed by someone (and so may be incorrect).

• Therefore, the bottom-up approach has the potential to be objective and systematic, but in practice it is inevitably biased.
IS INVESTIGATIVE PSYCHOLOGY USEFUL?

• Canter’s first attempt at profiling was very impressive and led to police interest in the method

• Copson (1995) found that over 75% of police officers questioned said that profilers’ advice had been useful
  – However, only 3% said that this advice had helped to identify the actual offender, but most said that they would use a profiler again

• Therefore, it may not be useful in catching offenders, but the slight benefit that it offers makes it worthwhile
IS CIRCLE THEORY USEFUL?

• Canter and Larkin (1993) showed support for their model by distinguishing between marauders and commuters
  – However, 91% of the offenders were identified as marauders
  – So if almost all offenders are marauders, then the classification doesn’t seem particularly useful

• Petherick (2006) pointed out a number of flaws with the model
  – E.g. if a person’s home base is not actually at the centre of the circle, the police may look in the wrong place
IS GEOGRAPHICAL PROFILING GENERALLY SUCCESSFUL?

• Rossmo (1999) is one of the key supporters of the geographical approach
  – They claim that while it may not solve crimes, it can be useful in prioritising house-to-house searches or identifying a geographical area where DNA could be collected
  – However, it can’t distinguish between multiple offenders in the same area

• Rossmo worked for many years for the Vancouver Police Department and introduced geographical profiling
  – In 2001 he was dismissed and the Department ceased using his methods as they did not feel it enhanced policing outcomes
FINAL CONCLUSIONS

• The success rates for offender profiling and the views of the police forces who have used the techniques suggest that **profiling can’t reliably identify an offender**
  – What profiling can do is assist police is narrowing down the field of possibilities

• **Big dangers lie in sticking too closely to any one profile (Rachel Nickell murder)**
  – Forensic psychologist helped create a profile which led to the identification of Colin Stagg
  – Lots of time and money was used to try and convict him
  – However, the actual murderer was Robert Napper, who had been ruled out because he was taller than the picture given in the profile
BIOLOGICAL EXPLANATIONS OF OFFENDING BEHAVIOUR: A HISTORICAL APPROACH
CRIMINAL PERSONALITY TYPES

- A general approach to explaining behaviour has been to identify different personality types based on physical characteristics.
- The Greeks were the first to link physical form to personality.
- They suggested that there were four personality types (sanguine = confident, melancholic = unhappy, choleric = short-tempered/irritable, phlegmatic = calm/unemotional) each related to a particular body fluid (called “humours”).
**CRIMINAL PERSONALITY TYPES**

**ATAVISTIC FORM**

- Cesare Lombroso wrote *L’uomo delinquente* (The criminal man) in 1876 setting out his view that offenders possessed similar characteristics to lower primates and this could explain their criminality.
- He produced four further editions of this book, revising his views each time.
- His ideas came at the time when Charles Darwin introduced the theory of evolution and so Lombroso suggested that criminals are essentially throwbacks to an earlier species.
- “Atavistic” means a tendency to revert to an ancestral type (atavus is Latin for ancestor).
CRIMINAL PERSONALITY TYPES
ATAVISTIC FORM

• **Lombroso wrote:**

There is an “asymmetry of the face, excessive dimensions of the jaw and cheekbones, eye defects and peculiarities. Ears of unusual size, or occasionally very small, or standing out from the head as do those of the chimpanzee; nose twisted, upturned, or flattened in thieves, or aquiline or beak-like in murderers, or with a tip rising like a peak from swollen nostrils.......Chin receding, or excessively long, or short and flat, as in an ape ....... Excessive length of arms; [more than the usual number of] fingers and toes”
CRIMINAL PERSONALITY TYPES

ATAVISTIC FORM

• In total, Turvey (2011) identifies 18 different characteristics that make up the atavistic type.

• The basic assumption is that the innate physiological make-up of the person causes them to become criminals.

• Lombroso also linked different features to different crimes in the final edition of his book containing an *Atlas of criminal types*.
CRIMINAL PERSONALITY TYPES

ATAVISTIC FORM

EMPIRICAL EVIDENCE

• Lombroso based his theory on his own research using post-mortem examinations of criminals and studying the faces of living criminals
• He made precise measurements of skulls and other physiological characteristics – called anthropometry (the measurement of humans)
• Over the course of his career he and his co-workers examined over 50,000 bodies
• In one particular study of 383 convicted Italian criminals, he found that 21% had just one atavistic trait and 45% had at least five
CRIMINAL PERSONALITY TYPES

ATAVISTIC FORM

ENVIRONMENTAL INFLUENCES

• Lombroso later recognised that it was unlikely that only one factor would be the cause of criminality.

• He proposed that inherited atavistic form interacted with a person’s physical and social environment.

• This is still a determinist view as it suggests that factors outside a person’s control (nature and nurture) determine whether they become criminal.
CRIMINAL PERSONALITY TYPES

ATAVISTIC FORM

ENVIRONMENTAL INFLUENCES

- This led Lombroso to distinguish between three types of criminals, moving away from the atavistic form as the only explanation for criminality:
  - **Born criminals** – the atavistic type; “throwbacks” identifiable from their physical characteristic
  - **Insane criminals** – suffering from mental illness
  - **Criminaloids** – a large general class of offenders whose mental characteristics predisposed them to criminal behaviour under the right circumstances (i.e. certain physical/social environments)
CRIMINAL PERSONALITY TYPES

SOMATOTYPES

- There were a number of other historical approaches to criminal types, some of them based on body shape or somatotype.
- One of them, proposed by Kretschmer (1921), suggested that there were four types:
  - Leptosome or asthenic – tall and thin = petty thieves
  - Athletic – tall and muscular = crimes of violence
  - Pyknic – short and fat = commit crimes of deception and sometimes violence
  - Dysplastic or mixed – more than one type = crimes against morality (e.g. prostitution)
EVALUATION OF A HISTORICAL APPROACH
CONTRIBUTION TO THE SCIENCE OF CRIMINOLOGY

• Lombroso brought science to the study of crime and is regarded as the founder of modern criminology
• Prior to his work, the “classical school” studied crime but not the criminal and assumed that crime was a choice (free will) which could be deterred if punished
• Lombroso believed in less harsh treatment for criminals and a more humane view that both biology and the environment may remove the option of free will
• More importantly he felt that an evidence-based approach was needed, which is what he tried to do
• He based his ideas on empirical observation and detailed measurement
• His methods and conclusions may be criticised now, but the key issue is that he raised the possibility of scientific studies of the criminal mind
The key failure in Lombroso’s research was the lack of controls (no attention to non-prisoners).

Non-prisoners would still probably have found them to have the same characteristics as the prisoners.

Goring (1913) did this though:

- He compared 3000 convicts with a group of non-convicts.
- He found no differences (apart from the fact that convicts were slightly smaller).
GENDER BIAS

• Lombroso had some unusual androcentric ideas about women (even though he did not study women directly)!
  – He believed that women were less evolved than men
  – They were jealous and insensitive to pain, but also passive, low in intelligence and had a maternal instinct – and so less likely to become criminals

• According to Lombroso, women who did become criminals had masculine characteristics (which created monsters in women but were beneficial to men)
CRITICISMS OF SOMATOTYPES

• Kretschmer’s evidence has been criticised
  – Not been scrutinised so not sure if it was based on fact

• However, there has been some evidence to support the link between body type and criminality (e.g. Glueck and Glueck, 1970)
  – They found that 60% of delinquents were mesomorphs (athletic type)

• Sheldon (1949) created a fairly similar set of somatotypes
  – He concluded that there were differences between delinquents and non-delinquents in terms of body type (delinquents tended to be mesomorphs)
  – This supports the link of criminality to physical features
LINK BETWEEN PERSONALITY TYPE AND CRIMINALITY

• The basic notion of criminal types by Lombroso has not gone away, they have just become more sophisticated (Canter, 2010)

• Eysenck’s theory of criminal personality is based on large data sets using rigorous research methods (but it is basically a theory of the relationship between personality types and criminality)

• The implication of research into genetics is that some people are born to be criminals, which is what Lombroso claimed

• Lombroso suggested that the atavistic form was not the only basis of criminality, which is again in line with more modern conceptions
BIOLOGICAL EXPLANATIONS OF OFFENDING BEHAVIOUR: GENETIC AND NEURAL
GENETIC EXPLANATIONS

• This proposes that one or more genes predispose individuals to criminal behaviour
• Evidence of this genetic component comes from twin studies (where Mz and Dz twins are compared)
• Raine (1993) reviewed research on the delinquent behaviour of twins and found a 52% concordance for Mz twins compared with 21% for Dz twins
GENETIC EXPLANATIONS
SEARCHING FOR CANDIDATE GENES

• **Monoamine oxidase A (MAOA)**
  • Stephen Mobley argued that he should escape the death penalty as he was not responsible for his behaviour (he was “born to kill”)
  • This claim was based on research by Brunner et al (1993) on 28 male members of a Dutch family who had histories of impulsive and violent criminal behaviours (e.g. rape, attempted murder)
  • Brunner analysed the DNA of these men and found they shared a particular gene that led to abnormally low levels of MAOA

• **Cadherin 13 (CDH13)**
  • Tiihonen et al (2015) studied 900 offenders and found evidence of low MAOA activity and also low activity from the CDH13 gene
  • They estimated that 5-10% of all violent crime in Finland is due to abnormalities in one of these two genes
Current thinking in terms of **epigenetics** proposes that it is no longer one or a few genes on their own that will determine behaviour.

Instead there is an interplay where genes are “switched” on or off by epigenomes (chemical compound that can tell a genome what to do), which have been affected by environmental factors (e.g. maltreatment in childhood).

Caspi et al (2002) used data from the longitudinal Dunedin study (in New Zealand) that has followed about 1,000 people from when they were babies in the 1970s.

They assessed anti-social behaviour at age 26 and found that 12% of men with low MAOA genes had experienced maltreatment when they were babies but were responsible for 44% of violent convictions.
NEURAL EXPLANATIONS

• These consider how structures of the brain may be different in criminals as well as there being differences in neurotransmitter levels.
NEURAL EXPLANATIONS

REGIONS OF THE BRAIN

• A common observation is that criminals reports having had some head injury
• In general 8.5% of the US population have had a brain injury compared with 60% in US prisons (Harmon, 2012)
• So brain differences may be due to nurture, or inherited (nature)

PREFRONTAL CORTEX

• Raine (2004) cited 71 brain imaging studies showing that murderers, psychopaths and violent individuals have reduced functioning in the prefrontal cortex (which is associated with regulating emotion and controlling moral behaviour)
• Lowered activity in this area is associated with impulsiveness and loss of control
NEURAL EXPLANATIONS
REGIONS OF THE BRAIN

• LIMBIC SYSTEM
  • This is a set of subcortical structures (including the thalamus and amygdala) that are linked to emotion and motivation
  • Raine et al (1997) studied murderers who were found not guilty by reason of insanity (NGRI)
  • Compared with matched controls, they found abnormal asymmetries in the limbic system of the murderers, especially the amygdala
NEURAL EXPLANATIONS

NEUROTRANSMITTERS

• SEROTONIN
  • Researchers (like Seo et al, 2008) suggest that low levels of serotonin may predispose individuals to impulsive aggression and criminal behaviour
    • Partly because serotonin normally inhibits the prefrontal cortex
    • Dopamine hyperactivity may enhance this effect

• NORADRENALINE
  • Both very high and very low levels of noradrenaline have been associated with aggression, violence and criminality (Wright et al, 2015)
    • High levels of noradrenaline are associated with activation of the sympathetic nervous system and the fight-or-flight response (and so linked to aggression)
    • Noradrenaline also helps people react to perceived threats, low levels would reduce this ability
EVALUATION OF GENETIC AND NEURAL EXPLANATIONS
RESEARCH SUPPORT FROM ADOPTION STUDIES

• Twin studies are not the only kind of genetic research
  – Adoption studies

• Crowe (1972) found that adopted children who had a biological parent with a criminal record had a 50% greater risk of having a criminal record by the age of 18
  – Whereas, adoptees without a biological parent with a criminal record had a 5% risk

• Mednick et al (1987) studied 14,000 adoptees and found that 15% of sons adopted by a criminal family went on to be criminals
  – Compared to 20% whose biological parents who were criminals
  – SUGGESTS THAT INHERITED GENES ARE A MARGINALLY MORE SIGNIFICANT FACTOR
CAN GENETIC (AND NEURAL) EXPLANATIONS EXPLAIN NON-VIOLENT CRIMES?

• Most of the genetic and neural research relates to the association between offending and violent or aggressive behaviour
  – **Offending behaviour includes** theft, fraud, drug use (all non-violent)
  – **Biological explanations just account for crimes of violence and psychopathy** (which is a personality trait that is inherited)

• Findlay (2011) highlighted that **crime is “neither a natural nor a homogenous (same) category of behaviour; it is a social constructions”**
  – So, people have created the category of criminal behaviour and it includes many types of crime
  – This makes it **difficult to argue that this behaviour can be simply explained in terms of genetics and its interaction with the environment**
PROBLEMS WITH DETERMINIST EXPLANATIONS

• Genetic explanations are presented as if the genes a person is born with determine later behaviour (as put across by the lawyers of Stephen Mobley)

• But criminality cannot be 100% explained in terms of genetics. Tiihonen et al showed this by finding that those with the defective gene were 13 times more likely to have a history of repeated violent behaviour

• SO NOT EVERYONE WITH THE GENE BECAME AN OFFENDER

• On the other hand, the law asks the question about whether the cause of behaviour is outside a person’s control
  – E.g. it is harder for some men to avoid criminal violence (due to their biology and their environment)
  – THEREFORE A DETERMINIST VIEW OF CRIMINAL BEHAVIOUR CANNOT BE RULED OUT
CAUSE OF EFFECT?

• Neural explanations also raise concerns about **determinism**

• One issue is about whether abnormalities in regions of the brain or levels of neurotransmitters **are the cause of offending behaviour** or just an intervening variable
  – Research only highlights a correlation between head injury and later criminality
  – **I.e. someone in a violent household or engages in risky behaviours might be more likely to suffer with a head injury**
  – So the link between head injury and criminality is due to a violent childhood
• One benefit of research on neural abnormalities is that it **could lead to possible methods of treatment**
  – E.g. **if low serotonin leads to aggressive behaviour, then prisoners should be given a diet enhancing serotonin to reduce aggression**
BASED ON RESEARCH RELATED TO AGGRESSION RATHER THAN OFFENDING

• Research on neurotransmitters often relies on studies of non-human animals
  – Therefore it is not criminality that is being studied, but aggressiveness
  – This undermines the potential relevance of such information for understanding offending behaviour

• As with genetic evidence, there is not 100% correspondence with any area of the brain or neurotransmitter
  – So the data cannot be used to predict who might become an offender or not
PSYCHOLOGICAL EXPLANATIONS OF OFFENDING BEHAVIOUR: EYSENCK’S THEORY
Eysenck developed the theory of personality based on the idea that character traits (like moodiness, talkativeness etc) tend to cluster along three dimensions:

- **Extraversion-Introversion**
  - Extroverts are active, outgoing, optimistic
  - Introverts are quiet, reserved, passive

- **Neuroticism-Stability**
  - Neurotics are moody, anxious, restless
  - Stable individuals are calm, even-tempered, carefree

- **Psychoticism-Normality**
  - Psychotics are egocentric, aggressive, impulsive
  - Normal individuals are the opposite
EYSENCK’S THEORY OF THE CRIMINAL PERSONALITY

EYSENCK’S THEORY OF PERSONALITY

• Each of these dimensions are normally distributed, so we would expect about 68% of any population to fall within one standard deviation from the mean.

• The personality test assesses an individual’s personality and is called the Eysenck Personality Questionnaire (EPQ).
EYSENCK’S THEORY OF THE CRIMINAL PERSONALITY

BIOLOGICAL BASIS

• Eysenck suggested that each trait has a biological basis which is mainly innate
• 67% of the variance for the traits is due to genetic factors
• **Extraversion** is determined by the overall level of arousal in a person’s nervous system
• A person who is under-aroused requires more stimulation, whereas an over-aroused person doesn’t require this
• Extraverts seek external stimulation to increase their cortical (brain) arousal
• Introverts are innately over-aroused and so seek to reduce or avoid stimulation
EYSENCK’S THEORY OF THE CRIMINAL PERSONALITY

BIOLOGICAL BASIS

• **Neuroticism** is determined by the level of stability (i.e. the amount of reactivity) in the sympathetic nervous system – how much a person responds in situations of threat (fight-or-flight)
• A neurotic person is someone who is slightly unstable and reacts/gets easily upset quickly
• At the opposite end of this dimension the “stable” personality has a more unreactive nervous system (they are calm under pressure)
• **Psychoticism** has been related to higher levels of testosterone, which means that men are more likely to be found at this end of the spectrum
EYSENCK’S THEORY OF THE CRIMINAL PERSONALITY

LINK TO CRIMINAL BEHAVIOUR

• This can be explained in terms of arousal (extraverts seek more arousal and so engage in dangerous activities)
• Neurotics are unstable and therefore prone to over-react to situations of threat, which would explain some criminal activity
• Psychoticism can be easily linked to criminality as individuals are aggressive and lacking empathy
EYSENCK’S THEORY OF THE CRIMINAL PERSONALITY

LINK TO CRIMINAL BEHAVIOUR

• Eysenck also explained criminality in terms of the outcome between innate (biologically determined) personality and socialisation
• A person is born with certain personality traits, but interaction with the environment is key in the development of criminality
• This can be seen particularly in conditioning
  • In a “normal” person, wrongdoing is avoided because of previous punishment (this has reduced the likelihood that the negative behaviour is repeated – operant conditioning)
• Eysenck claimed that people who were high in extraversion and neuroticism were less easily conditioned and so they do not learn to avoid anti-social behaviour
EVALUATION OF EYSENCK’S THEORY
RESEARCH ON THE GENETIC BASIS OF PERSONALITY

• Personality has a biological basis

• Zuckerman (1987):
  – Found a +.52 correlation for MZ twins on neuroticism compared to .24 for DZ twins
  – Found a +.51 and +.12 correlation for extraversion and similar data for psychoticism

• **This shows that there is a considerable genetic component**

• **Figures may be slightly inflated as MZ twins tend to be treated more similarly**
PERSONALITY MAY NOT BE CONSISTENT

• Personality theories suggest that personality is consistent in every situation.

• Psychologists suggest that people tend to be similar in similar situations but not across situations (e.g. being relaxed at home and neurotic at work).

• Mischel and Peake (1982) found no correlation between traits displayed when rating students in a variety of situations.

• This means that the notion of criminal personality is flawed as people don’t simply have “one” personality.
PERSONALITY TESTS MAY NOT BE RELIABLE

• A score of label on a personality test is given to a person depending on the answers they provide on a personality questionnaire (e.g. EPQ)

• When answering, **people are responding to the demands of the questionnaire, as they are asked to select traits that apply to them, which may not reflect reality**

• The EPQ asks for “yes”/”no” answers and not “sometimes”

• People also give socially desirable answers
SUPPORT FOR LINK BETWEEN PERSONALITY AND CRIMINAL BEHAVIOUR

• Dunlop et al (2012) found that both extraversion and psychoticism were good predictors of delinquency.

• However, the participants were all students and their friends and delinquency was an assessment of minor offences in the previous 12 months (e.g. theft, traffic offences, armed robbery was included).

• Van Dam et al (2007) found that only a small group of male offenders in a juvenile detention centre had high scores on all three of Eysenck’s variables.
BASIS AS A THEORY ON OFFENDING BEHAVIOUR

• Eysenck’s theory of personality was set out for personality not for offending behaviour

• Although, it is true that high psychoticism would be found in criminals (e.g. in people who are aggressive and lack empathy)

• Even though the three traits are good predictors of delinquency, it is not close enough to use as a means of detecting who is going to become an offender

• It may also provide some useful ideas of how to treat offenders
PSYCHOLOGICAL EXPLANATIONS OF OFFENDING BEHAVIOUR: COGNITIVE
COGNITIVE DISTORTIONS

• This is a form of irrational thinking
• “Distortions” are ways that reality has become twisted so that what is perceived no longer represents what is actually true
• The result is that a person’s perception of events is wrong but they think it is accurate
• In the context of criminal behaviour, such distortions allow an offender to deny or rationalise their behaviour
• Two examples of cognitive distortions relevant to crime are [hostile attribution bias](http://www.example.com) and [minimalisation](http://www.example.com)
COGNITIVE DISTORTIONS

HOSTILE ATTRIBUTION BIAS

• “Attribution” refers to what we think when we observe someone’s actions and draw a conclusion about what it means
  • E.g. if a person smiles at you, you might think they are communicating that they like you
• A **hostile attribution bias** is when someone leans towards always thinking the worst
  • E.g. someone smiles at you but you think that the person is actually thinking bad thoughts about you
• Such negative interpretations then lead to more aggressive behaviour
• In terms of criminal behaviour, hostile attribution bias is more likely to be linked to increased levels of aggression
COGNITIVE DISTORTIONS

MINIMALISATION

Both magnification and **minimalisation** are cognitive distortions where the consequences of a situation are either over- or under-exaggerated

In the case of criminal behaviour, minimalisation can explain how an offender may reduce any negative interpretations of their behaviour before or after a crime has been committed

This helps the individual accept the consequences of their own behaviour and mean that negative emotions can be reduced

For example, a burglar might think, when planning a crime, that stealing a few things from a wealthy family has little effect on their lives

Because of this way of thinking, the burglar doesn’t feel as bad about committing the crime
LEVEL OF MORAL REASONING

- Kohlberg (1969) interviewed boys and men about the reasons for their moral decisions and constructed a stage theory of moral development
- Each stage represents a more advanced form of moral understanding, resulting in a more logically consistent and morally mature form of understanding
- There are three levels of moral reasoning and each is divided into two stages (see next slide)
- People progress through these stages as a consequence of biological maturity and also as a consequence of having opportunities to discuss and develop their thinking, such as learning to take the perspective of another person
KOHLBERG’S LEVEL OF MORAL REASONING

PRE-CONVENTIONAL LEVEL

- Children accept the rules of authority figures and judge actions by their consequences
- Actions that result in punishments are bad; those that bring rewards are good

- STAGE 1 = Punishment and obedience: focuses on rules enforced by punishment
- STAGE 2 = Instrumental purpose: what counts as “right” is defined by one’s own needs
Kohlberg’s Level of Moral Reasoning

Conventional Level

• Individuals continue to believe that conformity to social rules is desirable, but this is not out of self-interest

• Maintaining the current social system ensures positive human relationships and social order

• STAGE 3 = Good boy/girl: what is “right” is defined by what others expect

• STAGE 4 = Social order: reference to duties of each citizen
KOHLBERG’S LEVEL OF MORAL REASONING

POST-CONVENTIONAL LEVEL

• Individual moves beyond unquestioning compliance to the norms of the social system
• The individual now defines morality on terms of abstract moral principles that apply to all societies and situations

• STAGE 5 = Social-contact: individual rights may be more important than the law
• STAGE 6 = Universal ethical principles
LEVEL OF MORAL REASONING

LINK TO OFFENDING BEHAVIOUR

• Kohlberg found that about 10% of adults reach the post-conventional level, so the most common level is the conventional level of moral reasoning

• Adults at the conventional level of moral development who breaks the law would feel that their behaviour was justified because it helps maintain relationships or society

• So, an offender might accept breaking the law to protect a member of his/her family or protecting other people
LEVEL OF MORAL REASONING

LINK TO OFFENDING BEHAVIOUR

- Criminals are likely to be at the pre-conventional level (Hollin et al, 2002)
  - They believe that breaking the law is justified if the rewards outweigh the costs or if punishment can be avoided
- Most people reach this stage around the age of 10
- In Kohlberg’s longitudinal study, just under 20% of the children at age 10 were at stage 1 and about 60% of children were at stage 2
- This fits with the idea of an “age of criminal responsibility”
- In England and Wales, children under 10 cannot be charged with a crime as it is believed that they do not understand the idea of moral responsibility
  - I.e. they are thought to be at the pre-conventional level where they judge right and wrong only in terms of consequences rather than any principles of morality
EVALUATION OF COGNITIVE DISTORTIONS
RESEARCH SUPPORT FOR HOSTILE ATTRIBUTION BIAS

• Schonenberg and Aiste (2014) found that violent offenders were more likely to interpret any pictures that had some expression of anger as an expression of aggression.

• They concluded that such misinterpretation of non-verbal cues (e.g. facial expressions) may at least partly explain aggressive-impulsive behaviour in susceptible individuals.
RESEARCH SUPPORT FOR MINIMALISATION

• Kennedy and Grubin (1992) found that sex offenders’ accounts of their crimes often downplayed their behaviour (e.g. suggesting that the victim’s behaviour contributed in some way to the crime)

• Maruna and Mann (2006) suggested that this is part of a fairly “normal” behaviour where all people try to blame events on external sources as a way to protect the self

• In this way it is not especially deviant behaviour
REAL-WORLD APPLICATION

• Understanding cognitive distortions probably cannot be used in the identification of criminals or potential criminals
  – However, it can be used in treatment
• Heller et al (2013) worked with a group of young men who were mainly from disadvantaged groups in Chicago using CBT to reduce judgement and decision-making errors (cognitive distortions)
  – They found that those participants who attended 13 one-hour sessions had a 44% reduction in arrests
EVALUATION OF LEVEL OF MORAL REASONING
RESEARCH SUPPORT

• Colby and Kohlberg (1987) reported that the sequence of stages appears to be universal, though post-conventional reasoning was less common in rural communities (Snarey, 1985)

• Gudjonsson and Sigurdsson (2007) found that 38% male juvenile offenders did not consider the consequences of what they were doing and 36% were confident they would not be caught
  – Suggesting that they were at Kohlberg’s pre-conventional level of moral reasoning, supporting the relationship between moral reasoning and offender behaviour

• Chen and Howitt (2007) found that offenders (male adolescent 12-18 year olds in Taiwan) who showed more advanced reasoning were less likely to be involved in violent crimes
LIMITATIONS OF KOHLBERG’S THEORY

• One major issue is that Kohlberg’s theory concerns moral *thinking* rather than behaviour

• Krebs and Denton (2005) suggest that moral principles are only one factor in moral behaviour and may be overridden by more practical factors, such as *making personal financial gains*
  – They found that moral principles were used to justify behaviour *after* it had been performed

• A second issue concerns the fact that Kohlberg’s research was based on male samples only (*gender bias*)

• Gilligan (1982) suggested that the theory is focused on a male perspective – *one of justice rather than caring*
REAL-WORLD APPLICATION

• Kohlberg suggested that **belonging to a democratic group and being involved in making moral judgements facilitated moral development**

• Gilligan and Kohlberg set up a number of **Cluster Schools** (also called “just” communities) in a number of schools, and even in one prison
  – **Members had the power to define and resolve disputes within the group, encouraging moral development**
PSYCHOLOGICAL EXPLANATIONS OF OFFENDING BEHAVIOUR: DIFFERENTIAL ASSOCIATION
DIFFERENTIAL ASSOCIATION THEORY

• Sutherland (1939) proposed **differential association theory**, suggesting that offending behaviour can be explained entirely in terms of social learning
• It is regarded as a sociological theory as it suggests that people are socialised into a life of crime
• **The concept of “differential association”** is that people vary in the frequency with which they associate with others who have more or less favourable attitudes towards crime and these attitudes influence their own attitudes and behaviour
• Sutherland believed it to be possible to develop a mathematical formula which would predict whether or not someone would turn to crime based on the frequency, duration and intensity of their social contacts
DIFFERENTIAL ASSOCIATION THEORY

WHAT IS LEARNED?

• A potential criminal is someone who has learned pro-criminal attitudes from those around them (e.g. children learn attitudes towards crime)

• Children will learn which particular *types* of crimes are acceptable within their community and also desirable (i.e. worth doing)

  • E.g. they may learn that burglary is acceptable but that violent crime isn’t

• A child may also learn about specific methods for committing crimes

  • Some techniques are quite complicated (robbing a bank), whereas others are simple (robbing a corner shop)
WHO IS IT LEARNED FROM?

• Attitudes and behaviours are learned from intimate personal groups (e.g. family and/or peer group)
• They are also learned from the wider neighbourhood
• The degree to which the local community supports or opposes criminal involvement (differential social organisation) determines the differences in crime rates from one area to another
• The individuals or social groups may not be criminals themselves, but they may still hold deviant attitudes or an acceptance to such attitudes
DIFFERENTIAL ASSOCIATION THEORY

HOW IS IT LEARNED?

• Sutherland suggested that the frequency, length and personal meaning of such social associations will determine the degree of influence

• He did not specify the actual mode of learning, but it is likely to be both direct and indirect operant conditioning
  • A child may be directly reinforced for deviant behaviour through praise, or may be punished for such behaviour by family and peers
  • Role models would provide opportunities to model behaviours and, if the role models are successful themselves in criminal activities, this would provide indirect (vicarious) reinforcement
  • Social groups also establish norms by which we define behaviour
SUTHERLAND PROPOSED NINE KEY PRINCIPLES

1. Criminal behaviour is learned rather than inherited
2. It is learned through *association* with others
3. This association is with intimate personal groups
4. What is learned are techniques and attitudes/motivations
5. This learning is directional – either for or against crime
6. If the number of favourable attitudes outweigh unfavourable ones, then a person becomes an offender
7. The learning experiences (*differential associations*) vary in frequency and intensity for each individual
8. Criminal behaviour is learned through the same processes as any other behaviour
9. General “need” (e.g. for money) is not a sufficient explanation for crime because not everyone with those needs turns to crime
EVALUATION OF DIFFERENTIAL ASSOCIATION
**MAJOR CONTRIBUTION**

- The major success to this theory is that it changed people’s views about the origins of criminal behaviour
  - It marked an important shift from “blaming” individual factors to pointing to social ones
  - It suggested that crime did not need to be explained in terms of personality but could be explained in terms of social experiences
  - This is important in the real-world as learning environments can be changed but genes cannot be changed

- Sutherland also introduced the new concept of “white collar crime” (offences committed by people seen as respectable and high in social status like the middle class)
  - These are non-violent crimes by business and government professionals, such as fraud, bribery, copyright infringements, forgery, etc
SUPPORTING EVIDENCE

• Osborne and West (1979) found that, where there is a father with a criminal conviction, 40% of the sons had committed a crime by the age of 18 compared to 13% of sons of non-criminal fathers
  – This supports differential association (as criminality runs in families)
  – Although this could be explained in terms of genetics as well

• Akers et al (1979) found the most important influence on drinking and drug behaviour was from peers and that differential association, differential reinforcement and imitation combined to account for 68% of the usage of marijuana and 55% alcohol
METHODOLOGICAL ISSUES

• The data collected is correlational, which does not tell us what is cause and what is effect

• In terms of peer influences, it could be that offenders seek out other offenders and this would explain why offenders are likely to have peers who are offenders

• Some critics (e.g. Cox et al, 2014) that the theory is not testable because of the difficulty of separating learned and inherited influences

• The issue about how one measures the effect of number and strength of associations on subsequent attitudes

• It is also not clear what ratio of favourable to unfavourable influences would tip the balance so that a person becomes a criminal
CAN’T ACCOUNT FOR ALL KINDS OF CRIME

• Social learning influences are probably confined to “smaller” crimes rather than violent and impulsive offences like rape and murder

• So differential association is only a partial account of offending behaviour
  – On the other hand, this kind of “smaller” crime accounts for a bigger % of the crimes committed than violent and impulsive offences (e.g. in England and Wales in 2014 there were 500 murders but more than 400,000 burglaries)

• A related criticism is that differential association can’t explain why most offences are committed by younger people
  – Newburn (2002) found that 40% of the offences are committed by people under 21
  – However, Eysenck’s personality theory can explain the desire for risk taking as an element of criminal behaviour
  – Gudjonsson and Sigurdsson (2007) found that desire for risk was a key factor in crime
THE ROLE OF BIOLOGICAL FACTORS

• The absence of biological factors from this account is a drawback

• The diathesis-stress model may offer a better account by combining social factors with vulnerability factors
  – Vulnerability factors may be innate genetic ones, or it might be that early experiences (like maltreatment) act as a vulnerability

• There may also be attachment problems in early childhood which may make a child vulnerable to deviant peer influences in adolescence at a time when young people tend to have a need for riskiness

• The social approach, on its own, may be insufficient
PSYCHOLOGICAL EXPLANATIONS OF OFFENDING BEHAVIOUR: PSYCHOdynamic
PSYCHODYNAMIC EXPLANATION

MATERNAL DEPRIVATION THEORY

• Bowlby proposed that prolonged separations between a mother and child would have a long-term emotional consequences
• Separation will only have this effect if this happens before the age of about 2 and a half and if there is no substitute mother-person available
• Bowlby also felt there was a continuing risk up until the age of 5 years
• Bowlby suggested that one potential long-term consequences of separation is affectionless psychopathy, a lack of normal affection, shame or sense of responsibility
• This is related to the general notion of a psychopath as someone who lacks understanding of the feelings of other people
Explaining Delinquent Behaviour

- Bowlby observed that a number of delinquent thieves had experienced early and frequent separation and they also displayed signs of affectionless psychopathy.
- **These characteristics enabled them to be “thieves” as they could steal from others as it didn’t matter to them.**
- To test this, Bowlby (1944) found that none of the control participants experienced early separations, whereas 39% of the thieves had experienced early separations.
- He also found that those thieves with an affectionless character had almost all experienced frequent separations – 86% of the affectionless thieves (12 out of 14), compared to 17% (5 out of 30) of the other thieves.
PSYCHODYNAMIC EXPLANATION

THE SUPEREGO

• In Freud’s theory of psychoanalysis, the personality develops from three components: the id, ego and superego (each of which demands satisfaction)
  • The id represents our primitive wants and operates according to the pleasure principle
  • The superego determines which behaviours are allowed and causes feelings of guilt when rules are broken (a moral compass)
  • The ego mediates between the impulsive demands of the id and the moralistic demands of the superego (the ego is anchored in the reality of the external world)
• Therefore, **the superego is likely to be related to offending behaviour as it is concerned with right and wrong.** There are three ways this may happen (weak or underdeveloped superego, harsh or overdeveloped superego, deviant superego)
THE SUPEREGO

Weak or underdeveloped superego

- According to Freud, the superego develops around the age of 4 (during the phallic stage) as an outcome of the Oedipus complex or Electra complex.
- A child who does not identify with their same-sex parent or whose parent is absent develops a weak superego.
- The consequence is that the person has little control over anti-social behaviour and is likely to act in ways that satisfy their instinctual id impulses.
PSYCHODYNAMIC EXPLANATION

THE SUPEREGO

Harsh or overdeveloped superego

• At the other extreme a child may develop a very strong identification with a strict parent
• The consequence is excessive feelings of guilt and anxiety much of the time as, any time the person did act on id impulses, they would feel bad
• The individual would commit a crime with a wish to be caught and then the punishment would reduce their feelings of guilt
PSYCHODYNAMIC EXPLANATION

THE SUPEREGO

Deviant superego

- Normal identification with the same-sex parent means that the child takes on the same moral attitudes as that parent
- In the case of children with a criminal parent, the child would then adopt the same deviant attitudes
EVALUATION OF THE PSYCHODYNAMIC EXPLANATIONS
IMPORTANT CONSIDERATION OF EMOTION

• The psychodynamic approach is the only explanation for offending behaviour that deals with emotional factors.

• A key criticism of psychological explanations in psychology is that certain factors are overlooked.
  – E.g. cognitive explanations miss out on how emotion affects behaviour.

• The psychodynamic approach addresses this issue and includes how anxiety and/or feelings of rejection may contribute to offending behaviour.

• The psychodynamic approach also recognises the role of biological influences and the importance of early childhood experiences in moulding adult personality, both of which have been shown to be important in other theories.
NOT CAUSAL FINDINGS

• A conclusion could be drawn from Bowlby’s 44 thieves study that prolonged separation caused emotional problems experienced by many of the thieves
  – However, *separation was not manipulated*
  – All that this study demonstrates is an *association* between separation and emotional problems (other variables may have caused the emotional problems)
  – E.g. it might be that conflict in the home “caused” prolonged separations between mother and child and also caused the affectionless nature of some of the children
  – It could even be that the affectionless character caused the separations in some cases (e.g. a difficult child may be more likely to be placed into care)
REAL-WORLD APPLICATION

• Bowlby drew the conclusion from his research that the findings had implications for prevention of delinquency.
• Treatment of emotional problems in young delinquents is slow and difficult, so he suggested that it is preferable to try to prevent the problem in the first place by avoiding early separations.
• Earlier research by Bowlby et al demonstrated that the key was emotional separation rather than just physical separation.
• They showed that children coped reasonably well with separations from parents as long as alternative emotional care was provided.
GENDER BIAS IN FREUD’S THEORY

- Freud’s explanation of events during the phallic stage proposed that women should develop a weaker superego than men as they do not identify as strongly with their same-sex parent as boys do
  - This is due to the fact that the resolution of the Electra complex is less satisfactory and also because Freud believed there was little reason for anyone to identify with a woman because of her low status
  - **These views represent alpha-bias (exaggerating the difference between men and women and devaluing women)**

- If Freud’s views were correct, we would expect to see more women as criminals than men due to a weaker superego (**but this is not the case**)

COMPLEX SET OF FACTORS

• Bowlby acknowledged that juvenile delinquency is undoubtedly the consequence of many complex factors like poverty, bad housing and lack of recreational factors (none of which actually figure in psychodynamic explanations)

• Farrington et al (2009) of a 40-year longitudinal study in the UK starting in the 1950s with 400 boys from South London

• The study concluded that the most important risk factor at age 8-10 for later offending were:
  – Family history of criminality (genetic and/or differential association)
  – Daring or risk-taking personality (Eysenck’s theory)
  – Low school attainment
  – Poverty
  – Poor parenting (the psychodynamic approach)

• This shows that all the different explanations can be combined to give a clearer picture of the origins of offending behaviour
DEALING WITH OFFENDING BEHAVIOUR: CUSTODIAL SENTENCING AND RECIDIVISM
CUSTODIAL SENTENCING

AIMS OF CUSTODIAL SENTENCING

To protect the public: incapacitation
• Putting criminals in prison is necessary in the case of violent offenders or psychopaths who may not be capable of controlling their behaviour, and the public needs to be protected

To punish an offender and prevent recidivism (reoffending)
• This is essentially a behaviourist approach to dealing with offending behaviour
• The principal is that punishment decreases the likelihood of a behaviour being repeated
• Punishment or the threat of punishment may not work, but it is believed by many people to be the reason why most people don’t commit crimes
CUSTODIAL SENTENCING
AIMS OF CUSTODIAL SENTENCING

To deter others

- The fact that people are giving prison sentences should discourage the general population from committing crimes.
- If the punishment was seen as less serious, people may be willing to take the risk and break the law.
- This is a social learning approach, that we learn indirectly from the consequence of other’s behaviour.
CUSTODIAL SENTENCING
AIMS OF CUSTODIAL SENTENCING

To atone from wrongdoing: retribution

• The victim and their friends/family wish to feel a sense of justice being done
• The offender should be seen to pay in some way for the crime they committed
CUSTODIAL SENTENCING

AIMS OF CUSTODIAL SENTENCING

To rehabilitate offenders

• Many people take the view that the only way to prevent criminal behaviour is through some form of education or therapy, especially in the case of offenders with mental health issues.

• Having a person in prison may offer the best opportunity for therapy as they have fewer distractions and there may be incentives for participation.
CUSTODIAL SENTENCING
PSYCHOLOGICAL EFFECTS OF CUSTODIAL SENTENCING

De-individuation

- The Stanford Prison Experiment (Zimbardo et al, 1973) shows how prison and guard uniforms may lead to a loss in individual identity (deindividuation) which is associated with increased aggression and treating people in inhuman ways
CUSTODIAL SENTENCING
PSYCHOLOGICAL EFFECTS OF CUSTODIAL SENTENCING

Depression, self-harm and suicide

• Depression can be explained in terms of hopelessness
• Offenders entering prison may initially feel quite anxious about the whole new and frightening environment, hopeless about their future and lacking in control (helplessness)
• Abramson et al (1989) suggested that depression is caused by both helplessness and hopelessness
Depression, self-harm and suicide

• Depression may be expressed in terms of self-harm
• The Howard League for prison reform reported 10,000 incidents of self-harm in 2008
  • Though self-harm may be explained in terms of conformity (Newton (1980) reported that it was a way of becoming part of inmate culture
• Finally, suicide is also an outcome of depression
• The greatest risk group is single young men in the first 24 hours of imprisonment
CUSTODIAL SENTENCING

PSYCHOLOGICAL EFFECTS OF CUSTODIAL SENTENCING

Overcrowding and lack of privacy

• The growing prison population in the UK has not been matched by an increase in the number of prisons
• 25% of prisoners are in overcrowded accommodation (e.g. two people in a cell for one)
• A classic study by Calhoun (1962) with rats showed that overcrowding led to increased aggression as well as hypersexuality, stress and increased physical illness
Effects on the family

• Children with a mother or father in prison are deeply affected financially and psychologically, and the reverse is true.

• Parents in prison may feel guilt and also separation anxiety (Glover, 2009).
EVALUATION OF THE CUSTODIAL SENTENCING
THE EFFECTIVENESS OF PUNISHMENT

• High rates of recidivism suggest that, **for at least 50% of the prison population, punishment doesn’t work**

• According to behaviourist principles, **punishment is most effective when it occurs immediately**, which doesn’t happen in the case of a custodial sentence
  – An offender might actually see the sentence as a punishment for being caught rather than for the offending
  – Therefore, **what is learned is to learn to avoid being caught**

• **We would also expect the severity of the punishment to be a deterrent, yet US statistics show that murder rates are not lower in states where there is the death penalty**

• Another argument is that crime is often committed when a person is in a highly emotional condition, when people do not pause to consider negative consequences
OTHER BENEFITS OF CUSTODIAL SENTENCING

• A further proposed benefit of custodial sentencing is **incapacitation**
  – However, this is only relevant to a small range of dangerous prisoners and it is not relevant to reducing recidivism (reoffending). So this benefit is a limited one

• **Retribution** (revenge) is another potential benefit but one which can be achieved without a custodial sentence
  – It can be achieved through restorative justice, where offenders have to make amends to their victims and maybe their own conscience
  – This offers the potential of changed attitudes towards re-offending

• The final benefit is **rehabilitation** in the context of a custodial sentence
  – Offenders cannot be forced to take part in such programmes and, if they do, it may only be a kind of superficial involvement with the aim of trying to reduce their sentence rather than a wish to change
PRISONS AS A TRAINING GROUND FOR CRIME

• **Prisons may increase the likelihood of re-offending** rather than decrease it.

• According to Sutherland’s differential association theory, **this would happen as offending behaviour is a consequence of increasing association with people who have pro-criminal attitudes**
  – This both affects an individual’s attitudes towards crime (it becomes more “normal”) and provides opportunities for learning about how to be more successful at committing crimes.

• **There is some research support for this; Latessa and Lowenkamp (2006)** concluded that placing low-risk offenders (in terms of recidivism) with high-risk offenders makes it more likely that the low-risk individuals will re-offend.

• On the other hand, there are other explanations for why imprisonment may encourage increased criminal behaviour on release (e.g. imprisonment may lead to lowered self-esteem, reduced empathy for others and/or anger towards the system).
INDIVIDUAL DIFFERENCES IN RECIDIVISM

• **A custodial sentence may be more effective with some offenders than others**
  – E.g. Walker et al (1981) found that length of sentence made little difference to habitual offenders who were just as likely to re-offend no matter what their sentence was

• **Rates of recidivism vary with age and crimes**
  – E.g. younger people are more likely to re-offend, and those committing crimes such as theft and burglary are more than twice as likely to re-offend than those committing drug or sexual offences (Home Office, 2005)

• **So, sentencing should be targeted in different ways with different groups of offenders**
The benefits of non-custodial sentencing

• The cost of prison care and the problems associated with it means that alternatives might be preferred
  – These may include probation, compensatory penalties, electronic monitoring, fines, community service and ASBOs

• Evidence suggests that **cautions are more effective deterrents than arrests** (Klein et al, 1977) and that **offenders sentenced to community rehabilitation were less likely to re-offend**
  – Although this may be due to less serious offenders getting community service (Home Office, 2005)

• A further advantage of non-custodial sentencing is that **some of the problems that occur in prison** (e.g. inmate culture, deindividuation, suicide) **can be avoided by non-custodial sentences**

• Community sentences may be especially advantageous for new offenders and also offenders who are non-violent
DEALING WITH
OFFENDING BEHAVIOUR:
BEHAVIOUR
MODIFICATION IN
CUSTODY
TOKEN ECONOMY

• This is a system of exchange of goods (economy) based on tokens (something neutral which has no intrinsic value)
• Such a Token Economy works well in a closed society like a prison or other institution (e.g. mental institute) as rewards can be very precisely manipulated
TOKEN ECONOMY

REINFORCEMENT

• **Operant conditioning** involves the reinforcement of new behaviours
• In a token economy, prisoners are given tokens when they perform desirable behaviour like making their bed or obeying orders
• These tokens can then be used to obtain desirable goods like tobacco, food or watching TV
• The items purchased with the token act as reinforcers, increasing the likelihood that a behaviour will be repeated
The items like food and tobacco are primary reinforcers and the tokens are secondary reinforcers. This is because they become reinforcers through being repeatedly presented alongside the reinforcing stimulus (this is classical conditioning). Target behaviours must be clearly specified and there may be a hierarchy where some behaviours get more tokens than others. Simply giving the rewards for good behaviour is not a token economy. Rewards (primary reinforcers) must also be clearly defined at the outset.
TOKEN ECONOMY

PUNISHMENT

- A further strategy is to remove tokens because of undesirable behaviours, which would be a punishment.
TOKEN ECONOMY

SHAPING

• Long-term objectives or complex behaviours consisting of smaller components can be taught through the process of shaping (whereby tokens are given for behaviours that progress in terms of complexity)
  
• E.g. initially tokens would be given for prisoners making their bed daily (easily achievable) and then later it might be for being polite to prison guards
KEY STUDY: HOBBS AND HOLT (1976)

- They observed a token economy in use at Alabama Boys Industrial School, a state training school for adolescent delinquents (aged 12-15)
- The aim was to reduce inappropriate social behaviour before and after dinner and when lining up
KEY STUDY: HOBBBS AND HOLT (1976)

PROCEDURE

• Staff at the centre were given extensive training
  • 3 X 4 hours and then twice weekly over three months
  • This was to identify and define target behaviours, discuss
    methods of observing and recording data, and work out
    logistical problems
• After the training phase there were weekly sessions to
  assess the operation of the programme
• In total 125 delinquent males were observed living in
  four cottages
  • One cottage served as a control group where the boys did not
    receive tokens
  • Baseline data, before tokens, was collected for all groups
KEY STUDY: HOBBS AND HOLT (1976)

PROCEDURE

• Boys were told the target criteria and told how many tokens they could earn in each category
• Each day the boys were told how many tokens they had earned and were given a piece of paper with this information
• They were taken to a token economy store once a week where they could buy drinks, sweets, toys, cigarettes
• They could also save tokens and use them for a more expensive off-campus activities like a baseball game or a visit home
KEY STUDY: HOBBS AND HOLT (1976)

FINDINGS

• The baseline mean percentages for social behaviours before the boys were given tokens were 66%, 47% and 73% for each of the three cottages

• These increased post-tokens to 91%, 81% and 94% (an average increase of 27%)

• The control group showed no increase in the same time period
EVALUATION OF BEHAVIOUR MODIFICATION IN CUSTODY
ADVANTAGES OVER OTHER METHODS OF REHABILITATION

• It is relatively easy to implement
  – So prison staff can think about what behaviours are desirable and increase these

• It can be implemented without trained Psychologists

• For it to be successful, sufficient pre-planning needs to go into setting it up and staff need to be consistent in the way tokens are awarded
SUCCESS OF TOKEN ECONOMIES IN CUSTODY

- TE is very successful for schools and dealing with people with autism (Tarbox et al, 2006)
  - However, it has been less successful with prison populations

- Research showed that socially approved behaviours were enhanced and criminal behaviours diminished (Milan and McKee, 1976)
  - However, it fell out of favour after this time as good results did not persist

- Use of TE in the UK was limited to young offenders’ institutes (Cullen and Seddon, 1981)
SHORT- VERSES LONG-TERM GOALS

- In the short-term TE can improve behaviour in the prison environment (Brewer, 2000)
- However, such systems have little effect on re-offending rates in the long-term (Moyes et al, 1985)
- This can be understood through the principles of Operant Conditioning
  - Once rewards cease, the stimulus-response link is extinguished
  - Behaviours learned in prison may not apply in the real world
- It may be possible to implement a strategy where prisoners live in a half-way house to be rewarded for desired behaviour and to re-integrate into the community
  - This was successful with disabled adults (Stocks et al, 1987)
- It does not mean that all behaviour therapies lack long-term success
INDIVIDUAL DIFFERENCES

• Some people respond to Operant Conditioning better than others
  – E.g. there has been success with young delinquents but much less success with violent offenders
• Cohen and Filipcjak (1971) found that juvenile delinquents who had TE were less likely to re-offend after one year
• Rice et al (1990) found that 50% of men treated with TE re-offended
ETHICAL ISSUES

• Major problem with TE is the violation of human rights as individuals’ behaviour is being manipulated

• Hall (1979) suggests that this can be overcome with procedures and goals being agreed by the prisoners, officers and administrators and reviewed
  – However, the basic needs are still conditional on good behaviour

• Some prisoners are not able to control their behaviour and so cannot get tokens to gain privileges or necessities

• The use of punishment to earn tokens is unethical and counter to the goals of rehabilitation

• Some establishments punish offenders by taking tokens away from them for poor behaviour
DEALING WITH OFFENDING BEHAVIOUR: ANGER MANAGEMENT
ANGER MANAGEMENT

• The use of anger management with prisons has two aims
1. A short-term aim of reducing anger and aggression in prisons where it is a serious issue
2. A longer-term aim of rehabilitation and reduction of recidivism (re-offending) – especially for violent prisoners
• As this is a cognitive approach the aim is to change the way a person handles anger and aggression
• Cognitive therapy accepts that the situation itself may not be changeable but a person can change the way they think about it and so change their behaviour
KEY AIMS

• Novaco (2011) identified 3 key aims for any anger management programme:
  • **COGNITIVE RESTRUCTURING** – Greater self-awareness and control over cognitive dimensions of anger
  • **REGULATION OF AROUSAL** – Learning to control the physiological state
  • **BEHAVIOURAL STRATEGIES** – Such as problem solving skills, strategic withdrawal and assertiveness
**STRESS INOCULATION MODEL**

• Most anger management programmes used with offenders are based on work by Novaco (1975, 1977)
• His model drew on the stress inoculation approach
• Stress inoculation aims to provide a kind of vaccination against future “infections”
• The therapy tends to be conducted with a group of offenders either inside prison or outside (e.g. probation period)
STRESS INOCULATION MODEL

- The 3 key steps are:

1. **COGNITIVE PREPARATION** – clients learn about anger generally, how it can be adaptive and non-adaptive. They analyse their own patterns of anger and identify situations which provoke anger in them.

2. **SKILL ACQUISITION** – clients are taught various skills to help manage their anger, like self-regulation, cognitive flexibility and relaxation. They are also taught better communication skills to resolve conflicts assertively, without being angry.

3. **APPLICATION TRAINING** – Clients apply the skills initially in controlled and non-threatening situations like role plays of situations that previously made them angry. They receive extensive feedback from the therapist and other group members. Later they can try their skills in real world settings.
EXAMPLES OF ANGER MANAGEMENT PROGRAMMES WITH OFFENDERS

• Ireland (2004) assessed the effectiveness of an anger management therapy with 87 young male offenders.
• Baseline measures were made, assessing pre-intervention anger (using a questionnaire) and assessed by prison officers.
• The experimental group of 50 took part in the treatment programme and 37 others were placed on a waiting list.
• Treatment consisted of 12 one-hour sessions over 3 days.
• 8 weeks after the treatment, all participants were re-assessed using the same questionnaire as before and assessed by prison officers.

The study found significant improvements in the experimental group and no changes in the control group.
EXAMPLES OF ANGER MANAGEMENT PROGRAMMES WITH OFFENDERS

• Trimble et al (2015) reported on an anger management programme with 105 offenders on probation in Northern Ireland
• It was a condition of their probation that they attended an anger management programme
• This programme did not include offenders who had a poor history of anger and aggressive behaviour alone
  – It included those whose anger and poor emotional control predisposed them to offend
• The programme was conducted across a range of centres
• There were 9 weekly sessions lasting 2 hours, with 15 min break
• It was found that the programme significantly reduced the expression of anger as well as the amount of anger experienced among offenders compared to their pre-treatment scores
EVALUATION OF ANGER MANAGEMENT
SUCCESS OF ANGER MANAGEMENT PROGRAMMES

• Anger management programmes are successful in reducing anger

• **Taylor and Novaco (2006) report 75% improvement rates** (based on 6 meta analysis)

• Landenberger and Lipsy (2005) analysed 58 studies using CBT, 20 of them used anger control as a part of the therapy
  – They found that having anger control element was significantly related to amount of improvement

• **Not all studies have been so positive**
  – Howells et al (2005) cite 5 meta-analyses which showed only moderate benefits of anger management programmes
  – Law (1997) reported a study where only one person improved
METHODOLOGICAL ISSUES WITH RESEARCH

• It is **difficult to make comparisons in these studies** when some only last a few days and others last years. As well as some courses are run by psychologists and others by prison staff

• Further variability includes **different kinds of offender and different anger management programmes, making comparability difficult**

• Anger is assessed using self-report measures or observations by prison staff (both are subject to bias)

• In assessment of treatments, **patients may portray themselves in a more positive light after treatment** as they want to be helpful in showing that the therapy worked
LIMITATIONS OF ANGER MANAGEMENT PROGRAMMES

• CBT is not for everyone, some people do not like to reflect on their thinking and find it difficult to make the effort needed to change attitudes and behaviours
  – These individuals may drop out of voluntary anger management programmes for offenders
• One alternative is the use of drama-based courses which are less reliant on verbal ability and more engaging
  – These courses have been successful (Blacker et al, 2008)
• Research has shown that one way to cope with drop out rates is to assess “readiness to change” before the start of a programme rather than waste time
• It is also probably true that anger management programmes are best as part of a wider therapeutic approach
SHORT- VERSES LONG-TERM GOALS

• Most assessments of the success of anger management programmes focus on the short-term goal of reducing aggression in prison.

• Fewer studies have looked at long-term effects of relapse rates, partly because it is more difficult to follow up.

• McGuire (2008) looked at a number of such studies and found some instances of reduction in re-offending after one year compared with individuals just on probation.

• **It is likely that the success of such programmes is related to more than just anger management but some kind of general therapeutic support.**
RELATIONSHIP BETWEEN ANGER AND AGGRESSION AND CRIME

• Are anger and aggression related?
  – It is aggression (and crime) that is trying to be reduced
  – If anger doesn’t contribute to aggression, then anger management may be irrelevant

• Loza and Loza-Fanous (1999) claim that research that has linked anger and crime is based on lab studies using students

• In their own study they found no differences between violent and non-violent offenders in terms of anger
  – However, this may be because violent individuals mask their anger

• Loza and Loza-Fanous further suggest that one danger with anger management programmes is that they can be harmful as offenders attribute their violent behaviour to anger rather than taking personal responsibility

• Howells et al (2005) conclude that “anger is neither a necessary nor a sufficient condition for aggression and violent crime”

• Much violence can take place without anger acting as an obvious originator
DEALING WITH OFFENDING BEHAVIOUR: RESTORATIVE JUSTICE PROGRAMMES
RESTORATIVE JUSTICE PROGRAMMES

• RJ seeks to achieve justice by repairing the harm done by an offender rather than punishing them
• It usually involves communication with the victim
  • It can involve payment from offender to victim
  • The offender may write a letter to the victim
  • There may be a face-to-face meeting or video conference between victim and offender in the presence of a facilitator
• Offenders are often offered RJ as an option instead of prison
AIMS OF RESTORATIVE JUSTICE

- RJ has the potential to address two key aims of custodial sentencing:
- **Rehabilitation** of offenders so they won’t re-offend
  - The victim has the opportunity to explain the real impact of the crime and this helps the offender to understand the effects on their victim
  - The offender is encouraged to **take responsibility for the crime** which should have an effect on future behaviour
- **Atonement** (compensation or amends) **for wrongdoing**
  - Offering compensation for their crime shows feelings of guilt
  - The victim has an opportunity to express their distress, which provides the offender with the chance of developing empathy by taking the perspective of the victim
AIMS OF RESTORATIVE JUSTICE

• **Victim’s Perspective**
  • From the victims perspective RJ can reduce their sense of victimisation as they are no longer powerless and have a voice
  • A victim may develop a greater understanding of the offender by listening to their account which, in turn, reduces the victim’s sense of being harmed
A THEORY OF RESTORATIVE JUSTICE

• Wachtel and McCold (2003) propose a theoretical framework
• Their starting point is that the **focus should be on relationships** rather than punishment
• Crime harms people and their relationships, and justice requires that harm to be healed as much as possible
• Early models of RJ focused on the offender and victim only, but more recent ideas recognise the effect on the wider community
• **The involvement of three stakeholders is needed**
  • The **victim** seeks compensation
  • The **offender** must take responsibility
  • The **community** needs a resolution to maintain a healthy society
A THEORY OF RESTORATIVE JUSTICE

- If only one stakeholder is involved, the process is only partly restorative
- If two stakeholders are involved then it is mostly restorative
- Full restoration involves all three stakeholders
A THEORY OF RESTORATIVE JUSTICE

Explain this diagram
A THEORY OF RESTORATIVE JUSTICE

- Ignoring a criminal is simply neglectful (low control, low support)
- High control with low support is just punishment (punitive)
- Giving support with no control is permissive (lenient)
- Restoration aims to have high control along with high support
A THEORY OF RESTORATIVE JUSTICE

PEACE CIRCLES

• These have been set up in many communities where violence and crime levels are high
• They aim to foster the environment of respect where the community offers support to victims of crime but also welcomes the offender into the circle to enable mutual understanding
• Everyone sits in chairs placed in a circle
• A “talking piece” is passed from one person to another around the circle so that a person can speak uninterrupted
• There is a “keeper” whose task is to maintain an atmosphere of respect and articulate constructive solutions (Pranis et al, 2003)
• There are other kinds of “circles of support” that have developed with the aim of giving community support to offenders to prevent re-offending instead of excluding them (Wilson et al, 2007)
A THEORY OF RESTORATIVE JUSTICE
EVALUATION OF RESTORATIVE JUSTICE
SUCCESS FROM THE VICTIMS PERSPECTIVE

• The UK Restorative Justice Council (2015) report 85% satisfaction from victims in face-to-face meetings with their offender.
  – These reports cover a large range of different crimes from theft to violent crimes.

• Avon and Somerset police force reported 92.5% victim satisfaction with RJ when the victim had been the subject of a violent crime.
SUCCESS IN TERMS OF REDUCED OFFENDING

• RJ not only seeks to help victims recover from the effects of crime but also to reduce re-offending and thus reduce crime rates

• Research indicates this aim has been achieved
  – E.g. Sherman and Strang (2007) reviewed 20 studies where they all showed reduced re-offending and none were linked to higher re-offending

• The UK Restorative Justice Council (2015) report an overall figure of 14% reduction in re-offending rates
ADVANTAGES OF RESTORATIVE JUSTICE COMPARED WITH CUSTODIAL SENTENCING

• In a RJ programme the offender faces their victim which could be very unpleasant and act as a form of punishment for the offender
  – It could be unpleasant enough to act as a deterrent

• By avoiding custodial sentencing (by doing an RJ programme instead), it avoids the influence of a deviant sub-culture (as prison may actually encourage re-offending due to exposure to criminal attitudes)

• RJ saves money
  – RJ Council claims that reduced re-offending means that £8 is saved for every £1 spent on the restorative process
  – The cost of RJ programmes are sometimes funded by the fines paid by the offenders
SELECTING WHICH OFFENDERS AND WHICH VICTIMS

• The RJ system will never be able to be applied to all offenders and all victims

• Firstly, the offender needs to have admitted to the crime (although RJ programmes can work without the offender)

• Secondly, some crimes may not be suitable

• Lastly, some victims may decline the offer of an RJ

• Therefore, RJ cannot be a global solution to dealing with offending behaviour
ETHICAL ISSUES

• From the victim’s perspective, **one of the major ethical concerns is what happens if the victim actually feels worse afterwards?**

• From the offender’s perspective, **making people face up to their wrongdoing can lead to abuses of power**
  
  – **Victims can gang up on an offender**, especially where the offender is a child
  
  – **Victims may try to shame the offender**, which is not the intention of the process
  
  – **RJ programmes need to be carefully balanced and ensure benefit to both victim and offender**