

PART 1

**THE ANATOMY
OF CRIME**

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CRIME AND ITS CAUSES

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Everyone holds different views about what constitutes criminal behaviour and what to do about it. Historically, what behaviour has been defined as ‘criminal’ has been much influenced by moral conventions and political pressures. For example, in the UK, homosexual acts between consenting males were criminalized under the Criminal Law Amendment Act 1885 which decreed that “acts of gross indecency” between “men whether public or private” were punishable with up to two years of hard labour (Weeks, 1981, p. 117), an action which was only decriminalized in 1967 (Padfield, 2002). Likewise traditionally, physical assault or rape within a domestic setting were largely ignored by the law and only in 2004 was domestic violence the subject of new and stringent legislation under the Crime and Domestic Violence Victims Act (Office of Public Sector Information, 2007).

Definitions of crime can also vary according to who is describing them; for example, those who commit burglary may justify it as not ‘really’ a criminal act, because victims can recoup the costs through their insurance, or white-collar criminals may consider embezzlement to be an acceptable practice as the

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company can ‘afford such losses’. Thus, definitions of criminal behaviour may be fluid depending on who is defining it (Walsh & Poole, 1983).

This chapter provides an introduction to the general topic of crime, and factors that contribute to offending behaviour. The key themes of this chapter are:

- how crime is classified
- how crime is measured
- explanations of why particular individuals engage in criminal behaviour and develop criminal careers, and
- the increasing importance of the victim’s perspective and the victim’s return to the political centre stage.

WHAT IS CRIME?

In order to address criminal behaviour, first it had to be defined. Cressey (1951) considered the classification of ‘crime’ as necessary for the following reasons: (i) democratic and legal agents needed to restrict the usage of this term to behaviours which contravene the law, and (ii) in accordance with the assumptions of proper scientific methodology, to facilitate the rigorous definition of “. . . *phenomena under investigation in criminology*” (p. 551). Padfield (2002) considered “. . . *crime . . . [as] a legal wrong, which may result in punishment*” (p. 1). However, crime was thought by some criminologists to be (pre-) determined behaviour: individuals could not avoid committing crime as it was in their nature, a view illustrated in Lombroso’s (1897) *L’Uomo Delinquente*. His theories will be discussed in more detail in the section below on biological explanations for criminal behaviour.

Criminal law is a corpus of laws that identify offences as crimes and their perpetrators as criminals; it also provides sentencing guidelines as to the appropriate punishment. The legislation in England and Wales has its origins in **common law** that dates from the time of the Norman Conquest. Laws may vary between countries and continents but there are certain types of behaviours which appear universally illegal, irrespective of the country of origin such as: robbery, theft, arson, burglary, murder and rape (Blackburn, 2001). Criminal behaviour may also be understood as the infringement of socially defined rules or ‘norms’, which dictate what types of behaviour are socially acceptable, but which, as has been illustrated, can vary across time and between countries. But, what are the fundamental underlying objectives of criminal law?

Firstly, legislation aims to maintain public moral standards. Secondly, to protect the weak and vulnerable in society. Thirdly, through linking punitive sanctions to law breaking, to deter criminal behaviour by other members of society. Finally, criminal legislation sometimes enables the rehabilitation of offenders through subjecting them to mandated interventions (such as drug relapse prevention programmes), targeting possible underlying causes (e.g. drug misuse) for their criminal behaviour while also facilitating legally sanctioned punishment such as incarceration (resulting in the removal of their personal freedom).

The definition of certain types of behaviour as ‘criminal’ may also be used to serve the political interests of the powerful in society and their definition of appropriate and publicly acceptable moral behaviour. Divided into its basic parts as defined under original common law, behaviour considered to be inherently evil was described in Latin as *mala in se*, whereas socially proscribed immoral behaviour was defined as *mala prohibita*. In addition to these concerns regarding moral behaviour, for certain acts to be defined as criminal two key factors must also be present. (i) *Mens rea*, which means that the person must intend to commit the act. To elaborate further, the person must plan or premeditate the perpetration of the particular behaviour, such as purposefully running over a person as opposed to accidentally hitting a pedestrian who walked out unexpectedly onto the road. Other factors may also impact upon the capacity of *mens rea* such as diminished responsibility. For example, in the *R. v. Ahluwalia* (1992) case, the victim endured years of domestic violence, and then one night after her husband threatened her with another beating, she set fire to him while he was asleep. She was originally convicted of murder, however at her appeal she pleaded guilty by reason of diminished responsibility, her defence being provocation: a sudden and temporary loss of control resulting in violent actions (Padfield, 2002). Other *mens rea* factors include insanity and automatism (e.g. where the offender committed the crime in their sleep). (ii) The other pivotal component in a criminal act is *actus reus* where the individual must perpetrate the act voluntarily and therefore was not coerced. For example, if in the case of rape the perpetrator states that the victim consented to sexual intercourse, then this refutes *actus reus*.

Criminal law also reinforces the paternalistic nature of society (sometimes described by the popular press as the ‘nanny state’) in the social control of the moral behaviour of individuals. This can result in paradigmatic shifts regarding the criminalizing of certain behaviours in accordance with the political concerns of the government of the time. For instance, as we have noted, homosexual acts between two consenting adult males in private was decriminalized in 1967, but it was not until the Criminal Offences Amendment Act (2000) that the age of consent for homosexual males was made the same as for heterosexual intercourse (16 years old). Media representation of particular behaviours can be used to increase support for passing certain legislation; for example, legislation aimed at reducing terrorism, but which infringes civil liberties (Burnett & Whyte, 2005). The media also socially construct issues regarding particular types of behaviour which they imply are a cause of concern for the general public and apply political pressure on the government to criminalize these behaviours, such as the introduction of anti-stalking legislation. Peelo and Soothill (2000) state that the media provide an outlet for facilitating a “*mass endorsement of morality*” (p. 136). These symbolic boundaries encourage social conformity to established rules, such as legislation.

The comprehension of criminal behaviour is pivotal in order to address the psychological factors that may contribute to criminal offending. Forensic psychology is utilized in many different contexts from assisting the initial stages of the investigative process, to developing risk assessment procedures, evaluating the effectiveness of offender treatment programmes, treating offenders, supporting victims, and generally assisting the criminal justice process through providing training and professional expertise. Psychology’s individualistic interpretation of causes of criminal behaviour will be discussed later in this chapter. However, psychologists should not examine

CASE STUDY

R v Ahluwalia

The R v Ahluwalia case is an interesting one to consider further as there are a number of important factors which may have had a significant bearing on the outcome. Firstly, this case involved a well-educated Asian woman who murdered her husband in self-defence. She poured petrol over her husband and set fire to him as he slept. The initial defence used was provocation as it was stated that her actions were the result of 10 years of abuse perpetrated by the victim. She received a life sentence for her crime so the mitigating circumstances of the preceding years of abuse were not recognised. Thus, the judge's original directions to the jury were to consider whether a reasonable person with the accused's socio-demographic characteristics (e.g. her ethnicity, class and education) would have reacted in this manner. The basis of the appeal, however, was that the judge's directions should have included that Ahluwalia was suffering from Battered Woman's Syndrome (this medical condition is a form of Post-Traumatic Syndrome), a symptom of which is severe depression which was the result of years of domestic violence at the time of the incident. It was also highlighted that Ahluwalia had been unaware of the option to plead guilty to manslaughter on the grounds of diminished responsibility. The appeal was upheld in light of this additional information. Ahluwalia was subsequently released for time served. This Syndrome, while predominantly used in the defence of female offenders, can be described as "Battered Person's Syndrome" as it is not gender specific. This case highlights once more the categorization of female offenders as either "mad or bad". In order to launch a successful appeal Ahluwalia had to accept the label of "mad" and thus medicalization of the female body. However, the importance of this case lies in its fundamental impact on British legislation, in that, as a consequence of the Ahluwalia ruling, victims of partner violence could now use the mitigation of years of domestic violence. Thus, victims of domestic abuse who ultimately kill the perpetrators of their abuse are not treated as murderers who have coldly premeditated the attack. The distinction is the intent of the offender, in that Ahluwalia did not intend to kill her husband but to hurt him in order for him to experience what the abuse felt like. However, choosing the defence used by Ahluwalia has inherent implications regarding the agency of the defendant and the moulding of the accused's behaviour into such that is comprehended by society. Although this defence was successful in Ahluwalia's case, in the later case R v Thornton, Sara Thornton stabbed her husband to death while he slept and received a life sentence, which reflects the absence of recognition of the abuse which had been perpetrated against her over a number of years. The judicial reasons provided for the severity of sentence was that she should not have waited and then acted but responded to her partner's abuse on an immediate basis. Also, the fact that she suffered from a personality disorder and her eligibility for the Battered Women's Syndrome type of defence were not considered. The Thornton case provides an interesting contrast to the Ahluwalia case.

individual criminal behaviour in a social vacuum. Not only does the individual act on society but the reverse also occurs. Criminal behaviour therefore is an interactive process or as stated by Buckle (1861) “. . . *Society prepares the crime, and the guilty are only the instruments by which it is executed*” (p. 108).

Thus, the definition of criminal behaviour may be shaped by the power structures in society and societal moral concerns influenced by paradigmatic shifts in government policy or mass media sentiment. In the next section, the prevalence of criminal offending in society is considered.

MEASURING CRIME

England and Wales: Officially Recorded Crime Statistics and the British Crime Survey

Measuring the prevalence of crime is key to deciding the most effective methods for tackling and reducing crime. However, measures of crime are not without their shortcomings. For example, the dark figure of unreported and unrecorded crimes is a phenomenon that should always be borne in mind when considering officially recorded statistics. Self-report surveys such as the British Crime Survey ask individuals about their reasons for reporting or not reporting crime to the police, as well as highlighting general levels of fear of crime in society. A limitation of such self-report studies is that they are predominantly carried out on juveniles and focus on particular crimes. Thus, the findings may not be generalizable or representative of patterns of offending (which may vary with age, influencing the severity of crime committed) (Williams, 2004). There have been efforts to compensate for the limitations of officially recorded statistics and self-reported crime statistics. In the *Crime in England and Wales 2002–2003* report, both the British Crime Survey and officially recorded statistics were combined for the first time (Home Office, 2003). The aim was to provide a more holistic picture of the prevalence of criminal victimization in England and Wales. The introduction of the National Crime Recording Statistics in 2002 led to a considerable augmentation in the recorded levels of crime in England and Wales (Home Office, 2006a).

Factors to Consider in Crime Reporting

Crime-reporting practices do not take place in a social and psychological void. There are a number of factors that determine the decision to report a crime to the police, such as the victim–offender relationship, the severity of the incident, the potential stigma or humiliation of the victim and implications for the honouring of insurance claims (Coleman & Moynihan, 2002). The type of crime also influences the likelihood of it being reported: missing persons, homicides, and burglaries are more readily reported than domestic violence, child abuse or rape, although recent improvements in the police response and treatment of survivors has had an impact on reporting (Williams, 2004). In addition, there is the likelihood of certain types of violence becoming normalized and thus not perceived as a crime by the victim.

It is not only officially recorded statistics and crime victimization surveys that provide insights into the level of crime in society. There are also self-report surveys that

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collate data regarding individuals' own criminal offending behaviour, which assists in illuminating the dark figure of crime. For example, child molesters whose only recorded crime was incest reported also being actively involved in assaults and property crimes (Weinrott & Saylor, 1991). However, these reports have inherent limitations. Firstly, there may be a tendency for some offenders to minimize their offending. Secondly, prior offences may be forgotten by the offenders. Thirdly, acts may be defined as criminal offences by respondents but may not in fact be illegal; for instance, in the UK prostitution is legal (it is the acts associated with it that are illegal such as soliciting).

There are also surveys that explore crime rates at a micro level such as local crime surveys. Examples of local surveys in the UK include Merseyside and Nottingham, both of which were conducted in 1985. Surveys were also carried out in Islington and Sheffield in 1986 and 1987 respectively. These examine the incidence of crime at a local level in order to inform crime reduction policies (Mawby & Walklate, 1995). For example, attention may be paid to contributing factors such as the social geography or level of socio-economic deprivation particular to that area (Williams, 2004). At a macro level, there is the International Crime Victims Survey (ICVS), which provides a contextualized representation of where England and Wales are situated relative to 31 other countries across a variety of crimes. However, comparisons can be problematic because of differential practices of law enforcement agencies, legislative variation and pervasive cultural differences (Williams, 2004).

Another factor that needs consideration regarding the accuracy of recorded statistics is gender. This is noteworthy due to the divergent responses provided by the criminal justice system when dealing with female offenders, which may impact on recording practices. Depending on the type of female offender, they may be responded to in a chivalrous manner or penalized harshly for their gender-deviant behaviour as in the case of juvenile offenders (Blackburn, 2001). The negative reaction to female offenders engaged in sex-role deviant offences involving revenge or confrontation are more likely to receive a custodial sentence, and also have higher conviction rates than their male counterparts for certain crimes such as prostitution-related acts (Armstrong, 1999). Regarding national sentencing trends, the gender differential in England and Wales remains marked: in 2004, 279 500 female offenders were sentenced versus 1 257 300 male offenders (Home Office, 2005) and the corresponding figures for 2005 were 282 700 females (a rise by 1% from the last year), against 1 192 500 males (a decline of 5%) (Home Office, 2006a).

How does the recording of crime in the UK compare to other countries? In the next section, the recording and reporting of criminal behaviour in the US will be considered, drawing on the FBI's Uniform Crime Reports, the National Incident-Based Reporting System, as well as self-report surveys such as the National Crime Victimization Survey.

The United States: FBI Uniform Crime Reports, National Crime Victimization Survey and National Incident-Based Reporting System

In the US, recorded crime has been measured since 1930 and is now published annually by the FBI in their Uniform Crime Reports. This is composed of two parts: Part I measures the prevalence nationally of serious offences such as homicide, robbery and forcible rape (these habitually occur across the country), which together compose the

crime index. Part II covers sex offences such as incest, statutory rape and indecent exposure (it excludes prostitution and commercialized vice), weapon-related crimes (such as carrying, possessing etc.) and drug-abuse violations; however, only the *arrest data* are collected. The FBI crime rates are compiled by dividing the number of reported crimes by the number of people composing the national population size which are then stated as the number of crimes per 100 000 people (Conklin, 2004). The use of the terms '*prevalence*' and '*incidence*' in relation to the calculation of crime figures also requires consideration when interpreting crime statistics due to the significant difference in meaning. For example, '*prevalence*' refers to the quantity of offences over a number of years whereas '*incidence*' relates to the perpetration of offences over a specified period such as one year. In other words, '*prevalence*' is composed of collective '*incidence*'. There are similar limitations regarding FBI Uniform Crime Reports, as highlighted in relation to the international victimization surveys because of variations in police recording practices across states and between local police. This raises questions regarding the reliability and validity of such statistics. In an effort to overcome these limitations, in 2000, the FBI introduced a Quality Assurance Review to maintain consistent crime recording standards across states (Conklin, 2004). Rantala (as cited in Kilpatrick, 2004) discussed the differences in the recording of crimes between the FBI Uniform Crime Report and the National Incident-Based Reporting System (NIBRS) introduced in 2001.

According to the FBI, the NIBRS provides a better quantity, quality, and efficient collection of crime data by law enforcement and an improved methodology is used to compile, analyse and audit this material (FBI, n.d.). The NIBRS has several advantages in comparison to the summary reporting system (UCR): (i) it is more detailed as offence information on 46 major crimes is collected as compared to only eight in the UCR; (ii) the definition of rape in the NIBRS includes both male and female victims unlike the summary system where only female rape victims are reported; (iii) the NIBRS differentiates between attempted and completed offences whereas the summary system does not (FBI, n.d.).

Kilpatrick (2004) recommended standardizing the definition of rape used by the FBI Crime Reports so that it is more comprehensive (besides being gender neutral, the NIBRS definition recognizes non-consensual vaginal, anal, and oral penetration by penis, foreign objects and body parts) and consistent across states. In addition, "*incomplete coding rules increase the discretion of local agencies in completing various NIBRS data elements, a problem that potentially decrements reliability*" (Maxfield, 1999, p. 133).

The Bureau of Justice Statistics of the United States Department of Justice compiles a national crime victimization survey collating data across households asking residents aged 12 years and above to document their experiences of criminal victimization (including details regarding incidents, context and offenders where feasible) on an annual basis (Kilpatrick, 2004). There are flaws in the National Crime Victimization Survey (NCVS) similar to the British Crime Survey, which include victims forgetting, incorrectly defining crimes and omitting victimless crimes, and corporate and organized crime (Conklin, 2004). Furthermore, the measurement of particular types of crime, such as rape and domestic violence, may be unreliable due to the lack of sensitivity of the screening questions (those questions that are included to filter responses

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for the relevant information) and fail to capture the extent of the this type of criminal victimization due to the ‘normalization’ of these experiences. Researchers also suggest more sensitive screening questions should be used by the NCVS (Fisher, Cullen & Turner, 2000).

Conclusion

Thus, different measures of crime each have their limitations in assessing the prevalence and incidence of crime within society. However, official statistics, self-reported criminal victimization, and self-reported criminal offences taken together can assist in portraying the level of crime perpetrated and experienced. Hence, measures of crime are valuable as long as their limitations are taken into consideration and may be used by governments to inform their crime reduction policies, so that financial resources are allocated on a needs basis or used in a manner to support public policy. However, crime reports may also be manipulated by the media to invoke *moral panics* (Benedict, 1992) or to assert the media’s claim to be the voice of the people in their concerns regarding the perceived level of crime (Peelo & Soothill, 2000).

This section examined the prevalence of crime within society, methodological concerns relating to officially recorded statistics, self-report measures, and how these may be used to support dominant political concerns. It is the criminal offender, and the psychological and criminological explanations for their offending behaviour, which will now be explored.

WHO BECOMES A CRIMINAL?

In this section, the definition of the criminal and offending behaviour patterns are examined, drawing on biological, social and environmental factors, longitudinal research and the influence of gender.

Biological Explanations of Criminal Behaviour

Historically, it has been hypothesized that offenders could be distinguished from non-deviant members of the public by their physical appearance. Lavater (as cited in Vold, Bernard & Snipes, 2002) was renowned for his claims regarding physiognomy (study of the face) and its relationship to deviant human behaviour. Phrenology, the study of the shape of the skull, was thought to mirror the internal contours of the brain. Thus, different undulations of the brain reflected differing potentials for criminal behaviour. Lombroso (1897) combined both physiognomy and phrenology and further developed these approaches to study the anatomical composition of the human body in its entirety. He claimed that criminals’ brains differed in shape from law-abiding citizens, describing the criminal as “. . . *an atavistic being who reproduces in his person the ferocious instincts of primitive humanity and the inferior animals*” (p. 12). These individuals were considered to be sub-human or evolutionary throw-backs, and thus their criminal behaviour was determined in that they did not have the capacity to desist

from such actions. These criminal individuals could be identified, for example, by their asymmetrical faces, thickset lips, receding chin, large jaws and cheekbones, long arms, extra digits or toes, and unusually large or small ears (or those that protruded from the head). Goring (1913) refuted Lombroso's assertions by carrying out an empirical study in England comparing physiological characteristics of convicts and officers of the Royal Engineers and found no significant differences. The only noteworthy finding was that criminal offenders tended to be of shorter stature than non-criminals.

It was not only the physical characteristics of criminals that were scrutinized by criminological theorists in their quest for an explanation of criminal behaviour but also body shape. Sheldon (1949) identified three physique types based on his study of juvenile offenders:

- endomorphs (soft, round body) would be calm, sensual, sensitive but extrovert
- mesomorphs (hard, muscular, athletic, lean) would be aggressive in verbal and behavioural manner
- ectomorphs (lean, fragile body) considered introverted, prone to allergies and skin conditions, sensitive to noise and crowds.

Sheldon found that delinquent boys were predominantly of a mesomorphic physique, with few cases of ectomorphic physique associated with criminal behaviour. His research was developed upon by Glueck and Glueck (1956) who supported his claims regarding a link between male delinquency and mesomorphic body type. In addition, they concluded that delinquent young males also possessed characteristics not usually associated with mesomorphs such as a proneness to contagious diseases, a sense of inadequacy, and being emotionally unbalanced. Moreover, there were cultural factors that were associated with delinquent behaviour, such as lack of access to recreational facilities and a disorganized home life. Subsequent studies have found only equivocal support for a causal link between body type and criminality; for example, Laub and Sampson (1988) and Feldman (1977) argue that the link may reflect stereotyping, such that persons of particular build are more likely to attract the attention of the police.

Another factor that may contribute to criminal behaviour is the elevated presence of certain hormones such as testosterone. There is evidence of a link between hormones and the likelihood of engaging in criminal behaviour. For example, some studies have found higher levels of testosterone in aggressive compared to non-aggressive prisoners (Ehrenkrantz, Bliss & Sheard, 1974). Researchers also suggest that there is a closer relationship between testosterone and dominance (Mazur, 1983). However, Raine (1993) has found conflicting evidence regarding this relationship: aggressive behaviour may increase levels of testosterone rather than the reverse. More recently, behavioural studies have found links between increased testosterone levels and both aggressive and violent behaviour (Archer, 1991; Dabbs, 1992; Harris, 1999; Mazur & Booth, 1999; Raine, 2002a).

Brain injuries and other neural abnormalities may also play a contributory role in the onset of criminal behaviour. Raine (2002b) suggests that there is a link between

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social and biological variables, in that, “. . . *head injuries leading to brain dysfunction are caused by the environment*” (p. 312). For example, damage may be caused to the brain at birth, through accident, disease or exposure to toxic chemicals. However, there is the frequently raised issue of the temporal sequence of the emergence of offending behaviour. For example, a person engaging in criminal behaviour may sustain brain injuries as a direct result of this, or the person may sustain damage to the frontal lobe through an accident, lowering their inhibitions resulting in criminal behaviour (Gorenstein, 1982).

In addition to biological factors, parents and siblings can also impact on the likelihood of criminal behaviour and this will be explored next, together with empirical studies on heredity and environment in shaping criminal behaviour.

Twin, Adoption, and Sibling Studies

As in other areas where the balance of heredity and environment is at issue, the significance of inheritance for criminal behaviour has been investigated by conducting research on sets of **monozygotic** and **dizygotic** twins. The results of studies conflict over the degree of **concordance** between monozygotic and dizygotic twins regarding their engagement in criminal activities. Overall, research studies suggest that the likelihood of monozygotic twins both engaging in criminal behaviour is higher than that regarding dizygotic twins (Christiansen, 1977; Lange, 1931). However, genetics alone are not responsible for the development of criminal behaviour. Sibling relationships also play a part (Rowe & Rodgers, 1989). Thus, a combination of genetics and familial relationships contributes to the development of criminal behaviour. Research on factors such as personality, intelligence and interest shows that monozygotic twins reared apart do not differ markedly from identical twins reared together (Bouchard *et al.*, 1990). Walters (1992) in his review of family, twin, and adoption studies found that there was a limited correlation between genetics and the onset of criminal behaviour. However, he emphasized the interplay between genetic, social, and environmental factors.

Research in this area has been criticized for its limited sample sizes, absence of control groups, and focus on institutionalized populations (Moffitt, 1988). In a review of studies regarding the impact of biological and social factors, Raine (2002b) found that “*to date the best replicated bio-social effect appears to consist of birth complications interacting with negative home environments in predisposing to adult violence, and there is also evidence that this effect particularly characterizes life-course persistent anti-social behaviour*” (p. 322).

Family Factors

Several studies, irrespective of their international origins and cultural differences, have found that parental criminal histories predict criminal behaviour in their offspring when they are older (Farrington *et al.*, 2001; Fergusson, Horwood & Nagin, 2000; Smith, 1991; West & Farrington, 1977). Murray, Gunnar-Janson and Farrington (2007) conducted a cross-national comparison of two longitudinal studies in Sweden and England. They found that parental incarceration resulting in a prolonged absence

from the home may have a positive effect on the development of criminal behaviour in their children. Firstly, due to the absence of a role model to define socially and morally acceptable behaviour (Bandura & Walters, 1963). Secondly, negative effects as a result of poor parental attachment may contribute to offending behaviour due to an inability to trust and seek support from parents. Murray *et al.*'s (2007) study has limitations including differential penal policies, crime definitions and cultural disparities. However, they emphasized that their study made a valuable contribution to (the dearth of) available literature. It is not just criminal parents who can have a positive effect on the development of criminal behaviour but criminal siblings were found to be more influential than family size (Robins, West & Herjanic, 1975). Thus there are a number of familial factors such as parental and sibling criminality, and family size which contribute to the onset of criminal behaviour.

Developmental Criminology

A criminological perspective called **developmental criminology** examines the differing forms of deviant behaviour exhibited by offenders as their criminal career evolves. However, it recognizes that the underlying motivations for the commission of crimes remain constant. Le Blanc and Loeber (1998) define three developmental stages of offending behaviour, which are:

- activation (stability over time, increased frequency and variety of crimes committed)
- aggression (the augmentation in severity and seriousness of the criminal behaviour)
- desistance (the reduction in the seriousness of the crime but the evolution of more specialized offending).

Their approach may be used to clarify patterns that are identified in longitudinal studies, thus differentiating between the type and frequency of offending behaviours (see self-reports referred to above). There are a number of influences that contribute to the development of criminal behaviour in juveniles. It is suggested that the central tenet of the theories explaining criminal behaviour involves an interaction of three factors: *individual attributes* (e.g. age, and socialization) (Moffitt, 1993), *situational factors* (e.g. routine activities facilitating opportunities for commission of crime) (Felson, 2002) and *contextual influences* (such as protective factors like employment) (Sampson & Laub, 1993). Furthermore, criminal behaviour develops and varies with age, a pattern exemplifying the 'criminal career'.

Criminal Careers

The longevity of criminal careers can be age-limited and it is this aspect that will be considered here. The Cambridge study of juvenile criminal offending into middle adulthood found that brothers had similar criminal careers to the offenders studied but wives and sisters had shorter careers (Farrington, Lambert & West, 1998). Moffitt (2003) proposes a theoretical perspective based on a developmental taxonomic scale.

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Type 1 offenders are “adolescence-limited”. This type become involved in criminal offending through their adolescent peer group, which provides the social support network when attaining autonomy from parental control. However, once they reach an age when they are required to adopt adult roles with inherent responsibilities these conflict with their criminal behaviour and result in its gradual decline. This rejection of the criminal lifestyle may only occur if social skills (such as the ability to communicate well with others) and cognitive skills (e.g. reading) were successfully developed prior to the onset of criminal behaviour. Otherwise, they may not have the **psycho-social** capabilities to desist from criminal behaviour.

Type 2 offenders are described by Moffitt (2003) as “life-course-persistent” offenders whose varied criminality may involve the commission of violent offences; they are also not dependent on their peer group and act independently. They have a history of cognitive deficits (e.g. behavioural problems such as hyperactivity). Environmental factors such as socio-economic deprivation and poor attachment bonds with parents may also play a contributing role in life-course-persistent offending patterns. Their criminal behaviour advances into adulthood and the severity of their crimes may also increase. The reason suggested for this is that the adolescence-limited offender reaches adult maturity and develops legitimate resources to access material goods (and status) in accordance with socially ascribed goals. However, life-course-persistent offenders can only access these goals through illegal means. Ethnicity is also incorporated into this perspective. In the US, for instance, where social and political marginalization of African Americans results in poor healthcare and restricted employment opportunities, this can negatively affect access to legitimate resources and lead to a higher prevalence of persistent offending within this group.

Farrington (1986) suggested the increase in offending was one of differential prevalence not frequency. Moffitt’s (1993) model of differential patterns of criminal offending considers their evolution to continue over the life-course of the offender. There has been much research carried out on the relationship between age and the onset of criminal behaviour. As the adolescent matures, their criminal behaviour increases till it peaks in the late teens and early twenties and then usually decreases as age increases (Adler, 2004). This is commonly referred to as the **age-crime curve**. However, critical consideration is required regarding the validity of claims made about the nature of individual criminal careers derived from such cumulative data, which focus solely on the relationship between age and criminal behaviour (Piquero, Farrington & Blumstein, 2003). The difficulty lies in interpreting the prevalence of criminal behaviour from the age-crime curve, as the peak may indicate a gradual increase in the committal of criminal offences by individual prolific offenders or alternatively, that more offenders are collectively committing offences during this period (Piquero & Moffitt, 2004). Studies evaluating Moffitt’s hypotheses regarding adolescence-limited offenders are scarcer with some exceptions (Aguilar *et al.*, 2000; Piquero & Brezina, 2001) than those assessing life-course-persistent offending. However, initial findings are supportive of the progression of less serious offending in late adolescence, which then declines during adulthood development.

A number of studies (Arseneault *et al.*, 2002; Gibson, Piquero & Tibbets, 2001; Kratzer & Hodgins, 1999; Piquero, 2001) have been conducted to assess the validity of developmental predictors (neuropsychological correlates and **bio-social** interaction

factors) of life-course persistent offending. They confirmed that these predictors remained stable, despite cultural differences and diverse samples. Research findings are less clear regarding the influence of ethnicity within Moffitt's taxonomy. Donnellan, Ge & Wenk (2000) found that differential cognitive abilities discriminated between adolescent-limited and life-course-persistent criminal careers in Caucasian and Hispanic offenders. However, there was no such differentiation regarding cognitive abilities and the adolescent-limited and life-course-persistent criminal careers in African Americans. However, Donnellan *et al.* (2000) did not control for socio-economic status and thus the findings are limited because they only focused on one factor. Piquero, Moffitt & Lawton (2003) found that the developmental stages (such as low birth weight together with dysfunctional family backgrounds) which may act as precursors to serious criminal offending into adulthood did not differ according to ethnicity. However, risk factors did differentiate between ethnicities; Black participants showed higher levels of risk than White participants. Thus, the causality remained constant, irrespective of the ethnicity of offenders, unlike risk factors which differentiated between ethnicities, where level of risk was higher for other ethnic groups as opposed to Caucasians.

The influence of the criminal justice system on offending behaviour is not negligible. Johnson, Simons & Conger's (2004) study controversially found that involvement with the criminal justice system *increased* juveniles' criminal behaviour. Furthermore, Piquero, Brame & Lynam (2004) in their study of criminal careers found that incapacitation had a detrimental impact on criminal careers (long periods in prison and higher cognitive ability scores were associated with shorter criminal careers). Thus, Piquero *et al.* (2004) suggest that policy-making decisions should consider the criminal career literature more seriously, as incarcerating juvenile offenders for shorter periods would conserve resources and reduce offending in early adulthood. They also advocate programmes that provide assistance to offenders to improve their cognitive abilities. The importance of supporting offenders on release is also emphasized by Haapenen, Britton and Croisdale (2007) who found that offenders were 'arrested less' while on parole than those released without such assistance.

Gender may also influence the pattern of criminal careers. Research supports Moffitt's (2003) gender-based hypothesis, in that females were likely to be involved in less serious offending than males and were rarely found to engage in life-course persistent offending (Fergusson & Horwood, 2002; Fergusson, Horwood & Nagin, 2000). However, Mazerolle *et al.* (2000) found the early onset of criminal behaviour in females produced a similar pattern of development to males regarding their life-course-persistent offending. Moffitt also suggests fewer females than males will become delinquent. The focus of the next section is the phenomenon that is the female offender.

Female Offenders

Similar to male offenders, the biological and psychological functioning of female offenders has also been subject to extensive scrutiny. However, females' agency and the likelihood of their engagement in acts of violence is often denied by these approaches (Morrissey, 2003). The subject of gender and crime cannot be understood without reference to social, class and racial influences (Kruttschnitt & Carbone-Lopez, 2006), but some of these factors lie outside the scope of this chapter.

CASE STUDY

'The Moors Murderers'

Myra Hindley and Ian Brady's crimes were nicknamed by the mass media "The Moors Murders". They abducted, tortured and killed several children but were only convicted of the murder of two children. They buried the children on the Saddleworth Moors in Yorkshire. A fact which was also highlighted was that they taped the physical abuse of their victims. Myra Hindley was jailed for life in 1966, and her infamy resulted in her being incarcerated for 36 years. She died in prison and is recorded as being the "longest serving" female offender in Britain. Ian Brady was deemed criminally insane and incarcerated in a secure psychiatric institution. In the first instance, there appears to be a gender differential relating to how these co-offenders were treated with regard to sentencing provisions. What is interesting about this case is again the dichotomous representation of Myra Hindley as intrinsically "bad"—a stark contrast with the implication that Ahluwalia was "mad" and thus not directly responsible for her actions. Therefore, the suggestion regarding Myra Hindley was that she was accountable for her actions. Also, there was much more media coverage focused on Myra Hindley than Ian Brady despite the fact that they committed the crimes jointly. White Hindley was demonized and portrayed as the personification of "evil", the same vilification was not directed at Brady. Thus, again one must query the disparity in the public reaction regarding the defendants based on their respective gender. It was implied that somehow because of Hindley's gender her actions were even more grievous than Brady's. This discriminatory portrayal of Hindley was reinforced by her initial stark black and white police photograph taken on arrest being constantly used when referring to her, even years later. This photograph appeared to embody her malevolent nature. What also needs to be remembered is that the media coverage, especially the tabloid press, chose to depict Hindley as this caricature devoid of humanity. One must consider why Brady did not receive the same level of negative press attention as Hindley. Might it be because the committal of such crimes against children by a female refutes the basic social stereotype of the female gender with her inherent characteristics of emotionality and maternal instincts? Again it is highlighted that the power of labelling, i.e. "mad" or "bad" can significantly affect the treatment of female offenders within the judicial system. Furthermore, what type of effect might these labels have on the psychology of the female offender? They may result in a self-fulfilling prophecy. The female offender may thus come to internalize this representation of self. A final point for consideration is that if blind justice is supposedly meted out then instead of being partial and reinforcing gender constructs should that justice also be gender neutral? Female offenders would then not be forced into the "choice" of the medicalization of their actions or the moralization of their behaviour.

The '*mad or bad*' dichotomy is integral to the discussion of female offenders. Female offenders assigned 'bad' or even 'evil' status include demonized offender Myra Hindley who, with co-offender Ian Brady, tortured and murdered three children between 1963 and 1965. Both were convicted and imprisoned for life, and Myra Hindley's sentence was originally indeterminate. However, in accordance with sentencing practice, it was expected that she would receive a lesser sentence than her male co-offender. This was not the case, possibly due to her consistent iconic portrayal as a figure of evil. Murphy and Whitty (2006) provide a thought-provoking consideration of Myra Hindley and her 'evil' status, alongside two other recent female murderers: Beverley Allitt (a nurse who was convicted in 1993 of murdering four children in her care and attempted murder of three others), and Rose West (convicted in 1995 for allegedly murdering ten young females with her husband). Females are infrequently convicted of murder in the UK; as a consequence these three women were linked by the media and subsequently in the public consciousness. Murphy & Whitty (2006) criticize those feminists taking a legal perspective for overlooking such female offenders due to their incompatibility with an ideological stereotype of male violence. They argue that feminist critiques fail to recognize a woman's ability to commit violence in the absence of explanations in terms of self-defence or provocation which privilege the female victim.

The pathologizing and the medicalization of female offenders are challenging issues. Offenders who accept such labels ('mad' or 'bad') may receive a lesser sentence but may distort perceptions of female offenders. In order for women to benefit from a reduction in sentence, they must first accept the female gender stereotype, that they are the weaker sex and victims of their biology (menstruation, pregnancy, childbirth, menopause-related hormonal imbalances). According to this view, the normal woman's natural state is 'sickly' and medicalized as such (Carlen & Worrall, 1987). Furthermore, this permits women's criminal behaviour to be explained as being subject to uncontrollable impulses according to Tilt (as cited in Edwards, 1984). However, Loucks suggests offences committed by female offenders tend to be non-violent, such as shoplifting, soliciting and white-collar crimes such as fraud, forgery or embezzlement (as cited in Adler, 2004). Shoplifting may fit with the perception of women's uncontrollable impulses unlike the other offences, but they have one factor in common. These offences adhere to the gender stereotypes of what are considered to be female crimes.

Defence counsels frequently portray women as having an unstable psychology, which leaves them at the mercy of their emotions: they are 'mad', and thus not responsible for their crimes. The aim of this approach is to elicit a sympathetic and chivalrous response from the court and to reinforce social control (Armstrong, 1999). Alternatively, those female criminals whose behaviour is considered inherently bad or reminiscent of masculine criminal actions receive a more punitive response for their gender-deviant behaviour. Such severe sentences are consistent with the view that the crime is an affront to gender normative behaviour and a more serious infringement than the illegality of the action.

Armstrong (1999) discusses the ramifications of medicalizing women's criminal behaviour especially with regard to gender differential sentencing. Her study focused on 29 female and 29 male homicide offenders in Victoria, Australia. She found gender-discrepant sentencing was particularly evident in domestic homicide. For example,

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female offenders were pathologized more commonly than male offenders, and they received a more sympathetic response from the courts, increasing the probability of a lesser sentence than their male counterparts, with a custodial sentence a remote possibility. However, there was a marked contrast with those female offenders who committed non-domestic homicides. They did not receive a chivalrous, protective response from the courts, because their crimes appeared to be unprovoked and of a more masculine nature. However, the judicial response, while more punitive, was still less so compared with that received by male offenders. The majority received shorter sentences and more often the reduction of the charge from murder to manslaughter compared to their male counterparts.

In England and Wales, of the total offender population, 20% of those sentenced were females (Home Office, 2007). Hollin and Palmer (2006), in their critical review of the literature regarding **criminogenic need** in relation to female offenders, found some overlap between male and female offenders. However, there was also evidence of gender-specific needs, with females more likely to have experienced more adverse life events than male offenders.

Differential responses by the courts may also be due to the attractiveness and age of the victim, and the type of crime committed. For example, if the female is young and attractive, it is suggested by Heidensohn (1985) that the judge may behave chivalrously and hand down a more lenient sentence (for more on the possible role of attractiveness see Wheatcroft, Chapter 7). However, if the female is older and in an authoritative role or has engaged in a more masculine type of offence (motivated by revenge or the result of confrontation) then the response will be more punitive. According to Heidensohn, if the female is working class she is more likely to receive a custodial sentence, as social control of behaviour is required whereas a middle-class woman's control may be deflected to her 'husband'. It appears that in some countries, female offenders are treated paternalistically by the criminal justice system and subject to more pervasive social controls for their non-adherence to their assigned gender role.

The judicial response to female offenders may therefore be influenced by a number of factors including their attractiveness, age, type of offence committed and social position. Thus, the biological, social and environmental influences need to be considered cumulatively rather than independently when explaining the criminal behaviour of offenders. Next the impact of criminal victimization is considered in relation to financial, physiological, and psychological aspects.

WHAT HAPPENS TO VICTIMS?

Victims have been traditionally perceived by criminal justice systems as simply providing evidence to secure the prosecution and conviction of an offender. Thus, the psychological impact on victims may result in the perception that they are not valued as individuals but just another link in the chain of evidence. In contrast, the focus on offenders is considered of key importance having led to the development of criminology and forensic psychology. The neglect of the victim was the impetus for the 'victim movement': numerous groups lobbying for the government to redirect attention to victims. Feminists also played a role in placing the victim centre stage through highlighting male violence

against women, such as domestic violence and rape (Barry, 1979; Brownmiller, 1971; Russell, 1984). Victim Support and the Criminal Injuries Compensation Board were products of this pressure.

The Criminal Injuries Compensation Board (CICB) in England and Wales evolved as a response to the lack of compensation for crime victims. The CICB was composed of a tariff-based system (originating in common law); for example, loss of a limb was allocated a nominal sum. It is the oldest compensation scheme in the world with 25 levels of compensation and awards ranging from £1000 to £250 000. The financial award recognizes the psychological, physiological and economic harm resultant from criminal victimization. This system has been replicated in other countries. The CICB has since been superseded by the Criminal Injuries Compensation Authority (CICA) (CICA, n.d.). Offenders who become crime victims, however, are not eligible for the Criminal Injuries Compensation Scheme. This suggests that once an individual engages in criminal behaviour, is charged and consequently labelled an '*offender*' they automatically lose the right to be recognized as a '*victim*' by the CICA, emphasizing the pervasiveness of labelling and its possible negative effects. Only '*innocent*' victims may be considered for compensation. Thus eligibility is implicitly based on the culpability of the victim in their own criminal victimization. The psychological impact of this on victims could reinforce any self-blame already experienced and could delay their recovery.

The pioneering Bristol Victim Support Scheme was established by the National Association for the Care and Resettlement of Offenders (NACRO) in the UK (Mawby & Walklate, 1995). This scheme provided support to victims of burglary rather than victims of sexual violence (who required more specialist care, which was beyond the level of expertise offered by their volunteers). In 1977, the National Association of Victim Support Schemes (NAVSS) (now known as Victim Support) developed branches countrywide. By 1986, Victim Support extended their generic service to rape victims, implying that rape no longer required the specialized response provided by rape crisis and similar dedicated agencies. According to Mawby and Walklate (1995) this move could be construed as the "*normalization of rape*": the underlying message being that rape was no longer considered a serious offence but just another type of criminal victimization with a similar recovery period. One psychological implication of this move could be that rape victims might blame themselves for not being able to 'get on with their lives' in the aftermath of sexual violence. Expecting rape victims 'to get over it' without understanding the psychological and physiological complexities of this particular type of victimization will be considered later (see Westcott, Chapter 8, for information on how victims can be better supported by the criminal justice system).

Physiological And Psychological Impact of Crime on Victims

The impact of victimization can be all pervasive in that it can affect the person's self-assurance, self-confidence, self-perceptions and their world view. The rape victim in particular may also be subjected to secondary victimization experienced should their case progress through the criminal justice system as a result of the extremity of responses by agents such as the police or the courts, which can exacerbate the victim's social and psychological trauma (Campbell & Wasco, 2005). Intimate partners and family members may also experience indirect victimization. This may take several

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forms such as feelings of guilt by the victim's partner for not protecting them or alternatively anger, powerlessness or vulnerability may be felt (Schneider, 2001).

The physical, and psychological traumata that result from criminal victimization, include *post-traumatic stress disorder* (PTSD), defined as an anxious reaction to a situation which is outside of a person's normal range of trauma experienced, and characterized by anxiety, depression and the repeated experiencing of the traumatic incident (through flashbacks) according to the DSM IV (APA, 1994). Kilpatrick and Acierno (2003) suggest that ". . . proportionately rape was most strongly associated with PTSD in men and women" (p. 126). In addition, women develop PTSD symptoms irrespective of whether the crime is a physical or sexual assault, whereas males experience PTSD symptomology differentially: routinely in cases of rape but infrequently for physical assault (Kilpatrick & Acierno, 2003).

The coping strategies employed by victims of crime vary according to the severity of the violence experienced and the situational factors involved (e.g. location, victim-offender relationship). For example, the level of control victims felt they had over the incident will influence their coping strategy. If they felt they could have prevented the incident, such as a burglary, they may take a problem-focused approach and increase their security measures. However, if the incident was a physical or sexual assault (which they felt was beyond their control) then an emotional or avoidance coping strategy may be employed (Folkman *et al.*, 1986). Thus, victims of violent crime tend to use emotion-focused coping whereas victims of non-violent crimes tend to use problem-focused strategies. The underlying reason for these differential coping strategies was suggested as being the result of the loss of control experienced by victims of violent crimes. Therefore, they may be less able to employ a problem-solving coping style in these circumstances whereas in non-violent victimization incidents, there are sequential steps to be followed, for example, insurance claims to be filed (Green & Pomeroy, 2007).

Victims of sexual violence may suffer from *rape trauma syndrome* (RTS), this consists of two stages: *acute* and *long-term*. The *acute stage* is characterized as disorganized: an immediate reaction, which can be expressive screaming, crying or angry responses – or controlled – a more stoic response with little if any show of emotion. The *long-term* stage involves a reorganized approach and lifestyle changes, which can include avoidance of crowds, being home alone, change, of address or employment (Burgess, 1974; Burgess & Holmstrom, 1985). The situational context of criminal victimization can have psychological affects, for example, rape if perpetrated in the victim's house may lead to the victim no longer feeling safe in their home alone. The impact on burglary victims may also be considerable: they may have thought of their home as their 'castle' and find this invasion of their privacy and the sacredness of their possessions hard to bear.

If the crime took place outside, the person may fear being followed and even become agoraphobic (experiencing a fear of open spaces). Their entire lifestyle may be disrupted by their sense of vulnerability. The avoidance of situations similar to that in which the assault took place results in a reduction of fear, however, the person never 'learns' to address these fears (Kilpatrick & Acierno, 2003) thus perpetuating the RTS symptoms. Thus, a once outgoing person may become introverted and no longer able to go out after dark unaccompanied. There may also be a reverse effect on the victim's

behaviour whereby they may engage in promiscuity as a coping mechanism to conquer their physical and psychological insecurities concerning physical boundaries and intimacy issues. If victims are repeatedly victimized, they may self-identify as a 'victim' and thus this becomes a defining part of their identity, which may reinforce this sense of *learned helplessness* in that 'traumatization appears as uncontrollable and inevitable' (Schneider, 2001, p. 543). This conceptualization may particularly apply to victims of domestic violence and child abuse (which may place them at a higher risk of victimization in adulthood) (Wiehe & Richards, 1995). It is therefore suggested that a crucial step in recovery for some rape victims is to address their cognitive distortions of themselves and their world view. This may be achieved by cognitive re-structuring so that they can recognize their distorted thought processes and how they may be inhibiting their recovery process. Psychological strategies need to be developed to address such factors as 'victim neutralizations' (Agnew, 1985), which increase victim proneness to anxiety and depression (Schneider, 2001).

Gender homogenization of the terms '*victim*' and '*offender*' persists whereby males are primarily perceived as 'offenders' and females as 'victims'. This can also affect the victim's psychological recovery from criminal victimization, despite official statistics reporting that young males are more likely to be subject to criminal victimization than females (Home Office, 2006b). This gender bias in the conceptualization of 'offender' and 'victim' is even more evident when it comes to sexual victimization and access to services. Male rape victims also suffer from symptoms of Rape Trauma Syndrome (Burgess & Holmstrom, 1979). The psychological impact of the attack may be further exacerbated by their lack of recognition as 'victims' and limited access to support services. They may also question their sexual orientation, irrespective of whether they previously self-identified as homosexual or heterosexual (Mezey & King, 1992; Scarce, 1997; Walker, Archer & Davies, 2005). Thus, the cumulative effects of these psychological and behavioural factors are highly influential in prolonging the victim's recovery period. The legacy of the victimological approach to criminal victimization regarding the inherent culpability of 'male victims' results in their ineligibility for needs-directed services because of the perception of their invulnerability and incompatibility with the notion of the '*blame-free*' and '*worthy*' victim (Goodey, 2005). Thus, they are often overlooked as '*victims*' by the judicial system and support organizations; considering the importance of social support in facilitating the recovery of the traumatized victim (Cobb, 1976), this further debilitates the victim. Thus, the traditional gender stereotyped approach of the agents of the criminal justice system continues to reinforce the gender homogenization of '*offenders*' and '*victims*' and impedes the recovery period for male victims of sexual violence.

SUMMARY

This chapter has provided an introduction to key areas pivotal to the understanding of crime including:

- the problems of definition and the inherent difficulties regarding crime measurement, using contrasting examples from England and Wales, and the US

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- the possible explanations for the development of an offending, including whether it may be biologically determined or socially facilitated through agencies such as the family
- research on criminal careers and whether the concept of the offender is gender specific
- the consequences of criminal victimization and the psychological difficulties experienced by the victim and the problems of secondary victimization
- the power of labelling in relation to offenders and victims and resulting differential access to services, underlining the importance of understanding the development of criminal behaviour and its consequences.

ESSAY/DISCUSSION QUESTIONS

1. Discuss some of the problems of defining crime, using examples drawn from the UK and abroad.
2. Consider the relative contribution of heredity and environment to the creation of an offender.
3. Female offenders are fundamentally no different in their nature to male offenders. Discuss.
4. Discuss some of the psychological consequences of crime for victims.

WEB RESOURCES

Further information regarding the Criminal Injuries Compensation Authority can be accessed via the following link:

<http://www.cica.gov.uk>

Other useful resources to keep you updated regarding current research and prevalence statistics may be found here:

Centre for Crime and Justice Studies

<http://www.kcl.ac.uk/depsta/rel/ccjs/home.htm>

Home Office website is a crucial resource.

<http://www.homeoffice.gov.uk>

For Home Office research publications regarding offenders and victims as well as providing links to crime statistics.

<http://www.homeoffice.gov.uk/rds/index.htm>

National Crime Victimization Surveys entitled 'Criminal Victimization in the United States' can be accessed via:

<http://www.ojp.usdoj.gov/bjs>

American Society of Criminology

<http://www.asc41.com>

Sentencing Advisory Panel

<http://www.sentencing-guidelines.gov.uk/about/sap/>

American Psychological Society

<http://www.apa.org>

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ANNOTATED READING LIST

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- These texts provide a good introduction and overview of victimological, criminological and psychological conceptions of crime respectively.*