Indicative Content – Summary Version (Results)

January 2019

Pearson BTEC Level 3 Nationals in Forensic and Criminal Investigation

Unit 5: Applications of Criminology (20149K)

Edexcel and BTEC Qualifications

Edexcel and BTEC qualifications come from Pearson, the world's leading learning company. We provide a wide range of qualifications including academic, vocational, occupational and specific programmes for employers. For further information visit our qualifications websites at www.edexcel.com or www.btec.co.uk for our BTEC qualifications.
Alternatively, you can get in touch with us using the details on our contact us page at www.edexcel.com/contactus.

If you have any subject specific questions about this specification that require the help of a subject specialist, you can speak directly to the subject team at Pearson.
Their contact details can be found on this link: www.edexcel.com/teachingservices.

You can also use our online Ask the Expert service at www.edexcel.com/ask. You will need an Edexcel username and password to access this service.

Pearson: helping people progress, everywhere
Our aim is to help everyone progress in their lives through education. We believe in every kind of learning, for all kinds of people, wherever they are in the world. We've been involved in education for over 150 years, and by working across 70 countries, in 100 languages, we have built an international reputation for our commitment to high standards and raising achievement through innovation in education. Find out more about how we can help you and your students at: www.pearson.com/uk

Unit 5: Applications of Criminology

General marking guidance

- All learners must receive the same treatment. Examiners must mark the first learner in exactly the same way as they mark the last.
- Marking grids should be applied positively. Learners must be rewarded for what they have shown they can do, rather than be penalised for omissions.
- Examiners should mark according to the marking grid, not according to their perception of where the grade boundaries may lie.
- All marks on the marking grid should be used appropriately.
- All the marks on the marking grid are designed to be awarded. Examiners should always award full marks if deserved. Examiners should also be prepared to award zero marks, if the learner's response is not rewardable according to the marking grid.
- Where judgement is required, a marking grid will provide the principles by which marks will be awarded.
- When examiners are in doubt regarding the application of the marking grid to a learner's response, a senior examiner should be consulted.

Specific marking guidance

The marking grids have been designed to assess learner work holistically.
Rows in the grids identify the assessment focus/outcome being targeted. When using a marking grid, the 'best fit' approach should be used.

- Examiners should first make a holistic judgement on which band most closely matches the learner's response and place it within that band. Learners will be placed in the band that best describes their answer.

- The mark awarded within the band will be decided based on the quality of the answer, in response to the assessment focus/outcome and will be modified according to how securely all bullet points are displayed at that band.

- Marks will be awarded towards the top or bottom of that band, depending on how they have evidenced each of the descriptor bullet points.

Indicative Content Summary (to be used alongside the set mark scheme)

Please note that the set Mark Scheme for Unit 5 Applications of Criminology, which contains the marking grid, can be found separately in the Content Support section on the website here. This document remains the same throughout the lifetime of the qualification and is to be used in conjunction with the indicative content released per series.

<u>Activity 1</u>

Summary Indicative Content
Activity 1 requires learners to use the case study and data to discuss the type of crime committed, interpret and discuss the usefulness of crime statistics, a general theoretical explanation of the crime committed and two specific theoretical theories (ethnicity as defined in the Activity 1 question and gender, which is implicit within the case study and Figure 3).   Learners are likely to use a variety of theoretical knowledge and understanding of general and specific theories. They should be credited for supporting their argument with appropriate evidence and marked holistically.   **A1 Types of crime and statistics**   A1.1 Crimes against property   • The crime in the case study is theft (pick pocketing), which is a crime against property. A person is guilty of theft if they "dishonestly appropriate property belonging to another with the intention of permanently depriving the other of it" (The Theft Act, 1968). In the case study Davina and Hayley stole Samuel's wallet and were also found with four other wallets.   A1.1 Triable either way   • Offences that can be tried either in Magistrates' or Crown Court.   • If a defendant is charged with an either way offence and pleads not guilty, the magistrate decides where the trial should be held. Court considers if the potential sentence for the offence exceeds the magistrate's maximum sentencing powers of six months for (one offence) or 12 months (for more than one offence).   • If the potential sentence exceeds the maximum for a magistrate they will 'decline jurisdiction', the case will be sent to the Crown Court for trial. In the case study Davina has already served a six-month sentence and has been caught with five wallets. The magistrate would probably refer this to the Crown Court.   • If the court decides that its sentencing powers are sufficient, then the defendant has the decision. The case can be heard in the Magistrates' Court or the Crown Court. It is unclear if Hayley has previous offences, so she may be able to choose where her trial

takes place.

A1.2.1 Home Office statistics

- Home Office statistics are official statistics. These are a record of crimes that have been both reported and recorded. HM Inspectorate of Constabulary (2014) reported that 20% of reported crime is not recorded.
- Official statistics can be useful as they can show patterns and trends in offending behaviour. Figure 3 shows that males are arrested more, and commit more crime on average than females, but females are 15% more likely than males to be arrested for theft, such as the females in the case study.
- Home Office statistics can demonstrate how police practices can impact the level of crime or individuals.
- Official statistics can be misleading as they only show crime that is reported and recorded. The dark figure of crime (the true crime rate) may be significantly different. Figure 2 shows that females are more likely than males to commit theft, but they may simply be arrested more for this offence because they are targeted. Males may commit more theft but may not be targeted and therefore arrested more for other crimes.
- Police trends and practices can skew data. Police may spend more resources in stopping and searching females in theft cases, or BAME groups for all crimes as shown in Figure 3. These types of practice affect the arrest rate which is higher, skewing the official data.
- Figure 1 shows that although stop and search techniques have reduced for all groups between 2016-17 the reduction in stop and search for black individuals has reduced less than for Asian ethnic groups. This data indicates that the police are still targeting BAME groups and particularly black individuals, which will result in a higher proportion of people from black backgrounds in the CJS, which will, in turn, further influence police practices to target this minority group.

A2 General theoretical explanations

A2.1 Functionalism

- Durkheim (1897) believed that crime was inevitable in society as not everyone will always commit to the collective conscious. The females in the case study are not living by the same morals as the rest of society as they are not committed.
- Crime is a response to anomie, where people become confused about the norms and values of society and so become vulnerable to rule breaking behaviour. The pickpockets in the case study may feel the norms and values of society, such as getting a job, working together, do not apply to them. This "normlessness" leads them to break the rules as they don't see that they apply to them.

- Crime is a functional part of society, and only becomes dysfunctional when there is too little (change is not able to happen), or too much (resulting in a breakdown in society).
- Crimes such as theft in the case study strengthen social cohesion. Crimes like this unite people/society, who band together in a reaction against such acts, which maintains and strengthens the value consensus in society.
- Durkheim fails to explain why certain crimes are committed. His theory of anomie is vague and does not explain why certain groups commit more crimes than others.
- Strain theory (Merton, 1938) states that the media socialises individuals into believing that material success is a realistic goal. This is untrue.
- Merton's strain theory suggests that there are different types of deviance; which are a response to social strain.
- Most people fall into the conformity category accepting the goals of society and accepted ways of achieving them, such as employment.
- The offenders in the case study could be described as innovators; acceptance of societal goals, such as having expensive phones or a lot of money; but rejecting traditional means of getting them.
- Therefore, these females want money but turn to criminal activity like pickpocketing to achieve this rather than acceptable means such as work.
- Merton's theory, like Durkheim's, cannot explain all types of crime, such as those not motivated by material gain, or why some people become innovators while others are conformists or ritualists.

A3 Specific theoretical explanations

A3.4 Ethnicity

- Official statistics show that BAME groups are more likely to commit a crime than a white person. Despite making up 14% of the population, BAME men and women make up 25% of prisoners (Ministry of Justice, 2016).
- Left realists Lea and Young argue that crime is the result of marginalisation, relative deprivation and status frustration caused by racism, which makes ethnic minorities feel marginalised. Figure 1 show that BAME groups, specifically people from black backgrounds, are significantly more likely to be stopped and searched than white people. The gap is also increasing with the black and black British stop and search data increasing year on year since 2013 (Figure 1).
- Figures 1 support Lea and Young's concepts of BAME groups (specifically black individuals) being marginalised. The victim in the case study has also been stopped and searched four times due to his ethnicity.
- Bowling and Phillips found that the police had ingrained negative stereotypes about ethnic minorities known as canteen culture, which is still present in society.
- BAME individuals are three times as likely to be stopped and searched. Those who are black were over six times more likely to be stopped and searched (Home Office, 2016).
- Another reason for the high number of BAME in the prison population and the statistics shown in Figure 1, is that BAME defendants are more likely than white defendants to plead not guilty in court.
- Admitting guilt can result in community punishment rather than custody, or custodial

sentences can be reduced by up to a third. This could account for why Davina has recently been released from a custodial sentence if she is from a BAME background.

- Gilroy suggests that black criminality is a myth created by racial stereotyping.
- Police base their strategies on such stereotypes as in the case study where out of six suspects stopped and searched only one was white. This leads to BAME groups being criminalised, which is reflected in the official statistics, and goes on to further influence police strategies.

A3.1 Gender

- ONS (2013) report that females account for only 18% of crime, mainly for theft. This is shown in Figure 2 where female arrests are around 10% higher for theft than males.
- Official figures may be misleading for several reasons.
- Pollack's chivalry thesis explains gender differences in conviction rates. Men are naturally protective of women, and male officers are less willing to arrest female suspects.
- Box suggested that women are less likely to be convicted of serious crimes as they are more likely to show remorse than men. Figure 3 shows for more serious crimes against property a higher arrest rate for males than females supporting this point.
- Hood (1992) found that women are a third less likely than men to be sent to prison for similar crimes.
- Heidensohn (2000) suggested that females commit less crime as they are protected and controlled by men.
- Adler argues that liberation from patriarchy will lead to an increase in female crime, so these trends and statistics may change dramatically in the future. Figure 2 shows that women are being arrested more for theft than males, so there are some areas where the commit more crime.

Summary Indicative Content

Activity 2 requires learners to discuss theories of crime prevention and punishment; and suggest the most appropriate aim and sentence type related to the crime in the case study.

B1 methods of crime prevention

B1.1 Right realist

- Situational crime prevention focuses on reducing opportunities to commit crime. It is based on the view that criminals act rationally, by weighing cost and benefit before committing a crime.
- This can include increasing surveillance of the population through CCTV. Installing surveillance systems in the marketplace in Kilbourne and shops in the area could reduce the amount of pickpocketing, as thieves will be aware that they are on camera.
- This may not reduce crime in Kilbourne rather than displacing it, it could simply move the pickpockets to another area of the town where there is no CCTV (spatial), use a different method such as diversion thefts rather than pickpocketing (tactical) or use a different method of crime all together (functional).
- Environmental crime prevention such as Wilson and Kelling's Broken Window's theory suggests that disorder and the absence of controls lead to crime.
- Zero tolerance policing involves strictly enforcing penalties for relatively minor crimes, so instead of fining or giving a caution for a first offence of theft, the females in the case study are sentenced.
- Zero tolerance policing has proven to be effective in New York in the 1980s. In the case study, zero tolerance policing and stop and search techniques have reduced the amount of theft in Kilbourne significantly.

B2 Punishment

B2.1.2 Marxist

- Marxists suggest that both the workplace and prison are a way of disciplining workers into following capitalist society.
- Enforcing laws made by the elite, for the protection of the elite, is often used to control unemployment in society, which is why prison is used when it may not be the most cost-effective way of punishing crime. In the case study Davina has been in prison for six months. This may be because she did not have a job when she was arrested previously.
- Crime against the assets of capitalism, such as theft of property in the case study, is punished more harshly than crimes against the person such as assault.
- Neo-Marxist Box suggests that criminal sub-classes are used as a deterrent to keep the working class in line and in employment, as criminals are less deserving of help. Although prison can be used as a capitalist tool to instil discipline within the working class. This has not worked in the case study as Davina has reoffended.
- Marxists would argue that a prison sentence would not be in the best interests of

Davina or Hayley.

B2.2.1 Aims of adult sentencing

- The aims of sentencing in this case study could be incapacitation and deterrence. Davina has already served a prison sentence, which has not stopped her from committing the same crime again.
- It is important to incapacitate Davina, so she can no longer commit crime.
- Rehabilitation, such as education, will also be beneficial to prevent Davina from reoffending again on release.
- Deterrent sentences are aimed at deterring not only the current thief from reoffending, but also other potential offenders from committing the same crime. The level of pickpocketing in Kilbourne has been a problem for a number of years so deterrence is important.

B2.3.1 Types of sentence: Adult sentences

- Zero tolerance (right realist) approaches such as those in the case study means that a custodial sentence is the most effective type of sentencing for Davina who has previous offences.
- However, Matthews (1997) argues that prison has little effect on crime. Prisons are a school for criminals and they learn new ways to commit crime and not get caught, so it might not be the best option for Hayley.
- It is not clear if Hayley has a criminal record, so a community order might be appropriate for her. This may include regular meetings to monitor her behaviour, community pay back in the form of unpaid work and exclusion from the marketplace in Kilbourne as this is where the theft took place.

Learners may present other aims and types of sentencing, which can be credited if given with a justification.

Activity 3

9

Summary Indicative Content

Learners are expected to explain victimisation in relation to Samuel Archer in the case study and article.

C2 Victims of crime

Patterns of victimisation C2.1

- Samuel is likely to become a victim of crime because of age, ethnicity and his gender.
- Younger people are more at risk of victimisation. CSEW (2015) found that people aged 18-34 were more than twice as likely to be the victim of theft from the person as people in higher age brackets. Samuel is 32 so he is in the age range that is most likely to be a victim of the crime in the case study.
- Gender may have been a factor as Samuel is male. Males are statistically more likely to be a victim of crime than females. But ONS (2017) found that females are more likely to be a victim of theft from the person crimes than males.
- Ethnicity is a factor. Member of BAME groups such as Samuel are more likely to be a victim of crime than those from a white background.
- Samuel says in the interview that he has had his wallet and phone stolen before so has previously been a victim of crime. Most victims become repeat victims; around 4% of the population account for victims of 44% of all crime.

C2.2.1 Positive victimology

- Positivist victimologists identify patterns that make people more prone to becoming victims.
- Von Hentig (1948) two factors that increase the chance of becoming a victim. Victim proneness focusing on 13 characteristics that increase this chance.
- Two of the characteristics that apply to Samuel would be age as he is 32 and a minority as he describes himself as black in the case study.
- Victim precipitation is where a person contributes to becoming a victim. Samuel kept his wallet in his back pocket, which was an easy target for pick pockets, so he contributed to becoming a victim.
- Mendlesohn classified victims be their degree of blame for a crime. He would classify Samuel as a victim with minor guilt. This is someone who becomes a victim because they have placed themselves in harm's way due to ignorance, such as leaving a wallet in a back pocket rather than securing it away from thieves.

Impact of victimisation C2.3

- The impact of crime can lead to feelings of anxiety. Samuel reports feeling paranoid when he is in a crowd.
- It can result in an increase in precautions and problems in socialising. Samuel is constantly checking that his wallet and phone are still there and being in a crowd causes anxiety. His partner no longer wants to be in the town and wants to go home causing problems in them socialising and going out in the area as they do not feel safe.
- Victimisation can spread further afield than the individual to secondary victimisation, where individuals who have not been victims themselves become worried that they will be targeted. Samuel's partner, Tom, is anxious about becoming a victim, and wants to cut their holiday short.

Activity 4

Summary Indicative Content

Learners should assess the news values relevant to the article with Samuel and the representation labelling of the offenders.

C1 The media and crime

News values: C1.1.1

- Journalists use a set criteria called news values. They use this to decide if a story is newsworthy or whether people will be interested in it.
  - Personalisation means whether the article has human interest. The thieves have been targeting lots of people over several years Samuel has also lost money and been emotionally affected by the crime.
  - Immediacy talks about whether the crime is close enough geographically to the readers of the article and if it is happening now. In the case study, although Samuel is not from the area the crime will affect shoppers and tourists that visit the area. These crimes have been ongoing for several years but are still happening.
  - Risk refers to the likelihood of the reader becoming victims. There has been an ongoing problem with pickpockets in Kilbourne so there is a high risk of many readers being affected by the crime.
  - Unexpectedness is whether the crime is out of the ordinary. Having a wallet taken is not a routine situation.
  - Simplification is whether the crime is easily understood. Pickpocketing or theft is a common crime that is easily understood and does not require background details so would be used by the media.

C1.1.2 Labelling, C1.2 Media as a contribution to the fear of crime

- Social constructs of both criminal and victim produce stereotypes and myths by the media in their reporting. This exaggerated picture of individuals being labelled and ostracised leads to focus by the police and a self-fulfilling prophecy. The police in the case study stopped and searched five black and one white women. This could lead to the media reporting and labelling this minority ethnic group as criminals because they are stopped more.
- Becker (1963) states that the same behaviour can be criminal at one point, but not another, and when committed by one person but not another. It is not the act that is deviant, but how people view it. People in Kilbourne may be far more likely to report 'suspicious' behaviour by someone who is black than white. Police in Kilbourne are more likely to see black women's behaviour as suspect.
- Goode and Ben-Yehuda (2009) found that the media create "crime waves" with their reporting, such as the increase in reporting of sexual abuse found by project Yewtree after the reporting of Jimmy Saville's crimes. Samuel points out that the media campaigns lead to you suspect 'certain' types of people. He thinks this is aimed at labelling black people as thieves.
- Reporting of the "crime wave" of pickpocketing in Kilbourne may have led to the police zero tolerance strategy that seems to have labelled and targeted BAME groups more than white.
- Moral panic is when the media increase the level of public concern about a problem out of all proportion. Media reporting of businesses closing in Kilbourne was possibly out of proportion.
- Goode and Ben-Yehuda (2009) identify five key features of a moral panic.
- Concern: a media event generates anxiety, such as the reporting of pickpocketing.
- Hostility: the condition or event is condemned and, individuals who can be blamed are labelled as 'folk devils'. Davina has previously served a sentence for pickpocketing, so she could be labelled as a folk devil.
- Consensus: most of society agree that the behaviour is negative.
- Disproportionality: the media exaggerate the problem and the threat.
- Volatility: media attention is sudden and exaggerated causing an upsurge in panic. The media/poster campaign and reporting of victimisation could cause panic.
- Moral panics can lead to deviancy amplification. When a social group, such as BAME groups are labelled as offenders, they are stigmatised.
- Media reporting is negative, exaggerated and stereotypical. Follow-up articles, such as those around Davina's first prison sentence and her subsequent arrest, demonise and further label the offender, making them more visible to the public.
- The media also report on the reactions of influential groups, such as the local police, to labelled group. This is also often negative.
-
- This leads to police changing their tactics due to media pressure and exerting more influence over the labelled group or individual. In this case they stop and

search Davina and Hayley more because they have been labelled.
- This leads to a self-fulfilling prophecy where labelled individuals such as Hayley and Davina are targeted and arrested, leading to negative media reporting and further stop and searches in the future.
- Moral panics and deviancy amplification are deliberately created by the media to increase sales.