

# Unit 3

# Forensic Psychology



- **Offender profiling:**
  - The top-down approach, including organised and disorganised types of offender
  - The bottom-up approach including investigative Psychology; geographical profiling.
- **Biological explanations of offending behaviour:**
  - An historical approach (atavistic form)
  - Genetics and neural explanations.
- **Psychological explanations of offending behaviour:**
  - Eysenck's theory of the criminal personality
  - Cognitive explanations - level of moral reasoning and cognitive distortions, including hostile attribution bias and minimalisation.
  - Differential association theory
  - Psychodynamic explanations.
- **Dealing with offending behaviour:**
  - The aims of custodial sentencing and the psychological effects of custodial sentencing
  - Recidivism
  - Behaviour modification in custody
  - Anger management
  - Restorative justice programmes.

# Offender profiling

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Offender profiling is based on the idea that the characteristics of an offender can be deduced from the characteristics of the offence and the particulars of the crime scene.

**The main aim of offender profiling is to narrow the field of enquiry and the list of likely suspects.**

Methods vary, but the compiling of a profile will usually involve careful scrutiny of the crime scene and analysis of the evidence (including witness reports) in order to generate hypotheses about the probable characteristics of the offender (their age, background, occupation, etc)

There are two main types of offender profiling: **Top-down approach** and **Bottom-up approach**.

## Top-down approach (also known as Top-down typology)



The top-down approach to offender profiling originated in the United States as a result of work carried out by the **FBI** in the 1970's. More specifically, the FBI's Behavioural Science Unit drew upon **data gathered from in-depth interviews** with 36 sexually motivated serial killers including Ted Bundy and Charles Manson.

Profilers who use this method will match what is known about the crime and the offender to a pre-existing template that the FBI developed using the data they gathered from the interviews they conducted. **Murderers or rapists are classified in one of two categories** (organised or disorganised) on the basis of the evidence, and this classification informs the subsequent police investigation.

## **Organised and disorganised types of offender**

The distinction between organised and disorganised offenders is based on the idea that serious offenders have a particular way of 'working' (this is referred to as *modus operandi* – MO) and that these generally correlate with a particular set of social and psychological characteristics that relate to the individual. See table on the next page.



Ted Bundy – organized offender

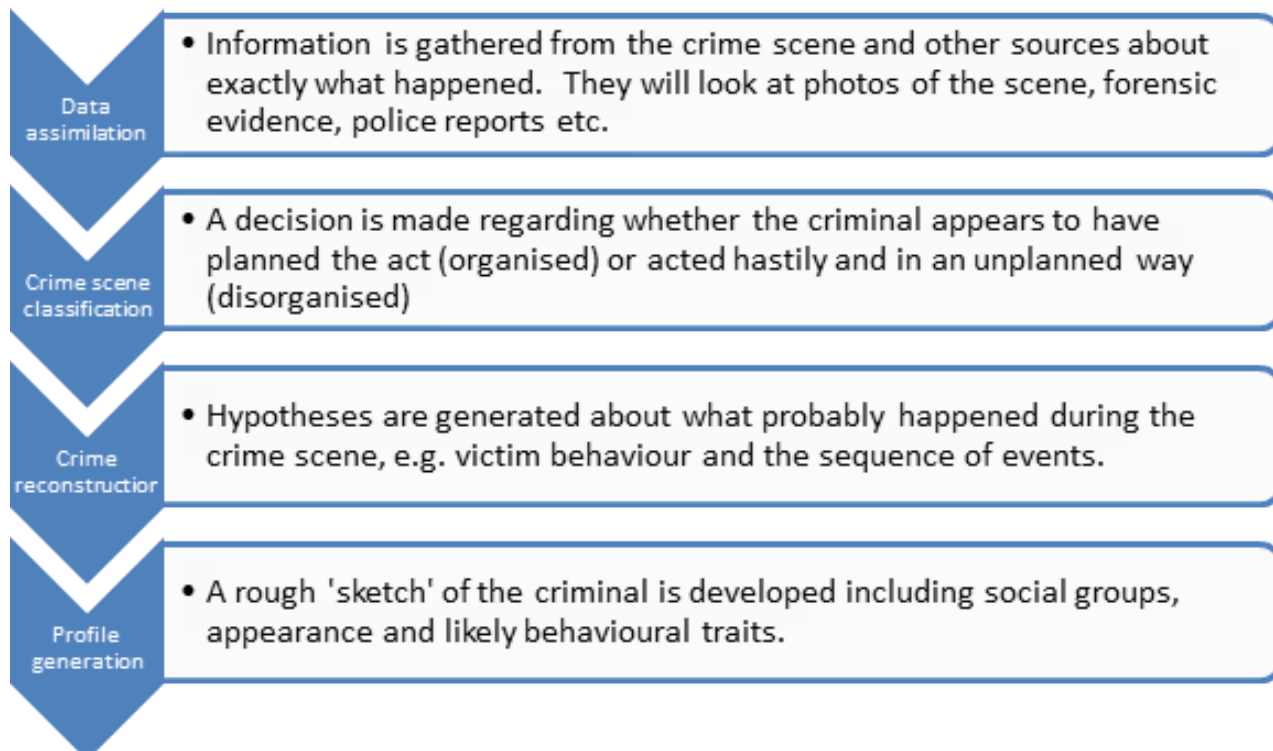


Richard Ramirez – Disorganised offender

Organised offenders	Disorganised offenders
<ul style="list-style-type: none"> <li>• Shows evidence of having planned the crime in advance</li> <li>• The victim is deliberately targeted and will often reflect the fact that the killer or rapist has a 'type'.</li> <li>• They maintain a high level of control during the crime and may operate with almost detached surgical precision.</li> <li>• There is little evidence or clues left behind at the scene.</li> <li>• They tend to be of above-average intelligence, in a skilled, professional occupation and are socially and sexually competent.</li> <li>• They are usually married and may even have children.</li> </ul>	<ul style="list-style-type: none"> <li>• Shows little evidence of planning suggesting the offence may have been a spontaneous, spur of the moment act.</li> <li>• The crime scene tends to reflect the impulsive nature of the attack – the body is usually still at the scene and there appears to have been very little control on the part of the offender.</li> <li>• They tend to have a lower than average IQ, be in unskilled work or unemployed, and often have a history of sexual dysfunction and failed relationships.</li> <li>• They tend to live alone and often relatively close to where the offence took place.</li> </ul>

### Constructing a profile:

There are four main stages in the construction of an FBI profile:



## Bottom-up approach

Unlike the American Top-down approach, this model builds a picture of the potential criminal from facts and figures collected from previous crimes of the same type. This removes the intuition element of profiling. Thus it is a **data driven** approach to profiling.

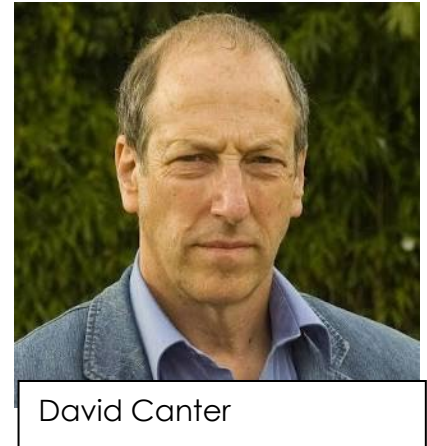


## Investigative Psychology

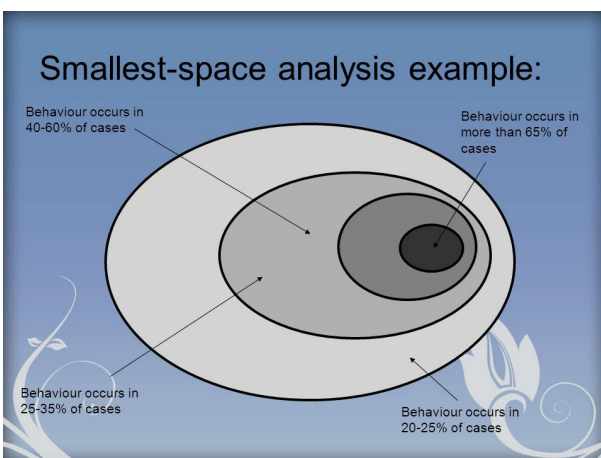
Bottom-up profiling is much more **grounded in psychological theory** than the Top-down approach. We call this investigative psychology which is the term used to describe an approach fine tuned by David Canter in the UK.

There are some key assumptions of investigative psychology that underpin the crime, specifically what occurs between the victim and the offender:

- **interpersonal coherence** – that the way an offender behaves at the scene, including how they 'interact' with the victim, may reflect their behaviour in more everyday situations. For example, an aggressive person is more likely to commit an aggressive crime.
- The **significance of time and place** these are similar to the time and location factors in the top-down approach where the positioning and timing of crimes gives clues as to where the perpetrator might live or work. However statistical techniques are used – see below for geographic profiling.
- **forensic awareness** describes those individuals who have been the subject of police interrogation before; their behaviour may denote how mindful they are of 'covering their tracks'.



## Smallest space analysis

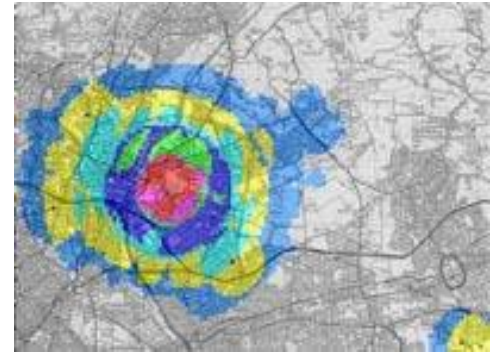


With these assumptions in place, investigative psychologists can work on a profile using statistical techniques. One such statistical technique is called '**smallest space analysis**' (or **multi-dimensional scaling**) which is a computer program that identifies correlations across patterns of behaviour. Which can establish patterns of behaviour that are likely to occur or co-occur across crime scenes. This is in order to develop a statistical 'database' which then acts as a baseline for comparison.

Specific details of an offence, or related offences, can then be matched against this database to reveal important details about the offender, their personal history, family background, etc. This may also determine whether a series of offences are linked in that they are likely to have been committed by the same person

## Geographic profiling

Bottom up profiling also uses geographic profiling. Canter proposed that people do not just reveal themselves through the crimes they commit but also through the locations they choose.

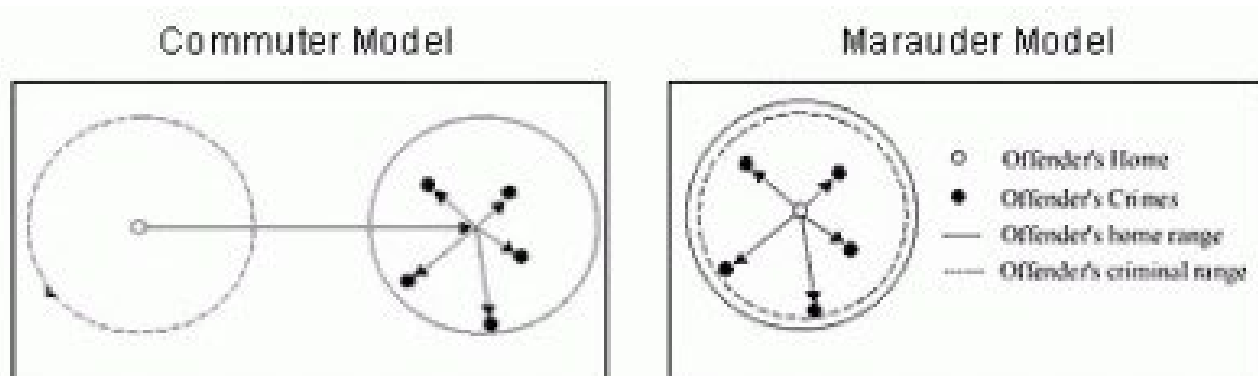


The assumption is that serial offenders will restrict their 'work' to geographical areas they are familiar with, and so understanding the spatial pattern of their behaviour provides investigators with a '**centre of gravity**' which is likely to include the offender's base (often in the middle of the spatial pattern).

### Circle theory

It may also help investigators make educated guesses about where the offender is likely to strike next -called the '**jeopardy surface**'. Canter's circle theory (**Canter and Larkin, 1993**) proposed the two models of offender behaviour:

- The **marauder** – The offenders home is within the geographical area in which crimes are committed.
- The **commuter** – The offender travels to another geographical area (often familiar to them) and commits crime within a define space around which a circle can be drawn.



**Crucially, though, the pattern of offending is likely to form a circle around their usual residence,** and this becomes more apparent the more offences there are. Such spatial decision making can offer the investigative team important insight into the nature of the offence, i.e. whether it was planned or opportunistic, as well as revealing other important factors about the offender, such as their 'mental maps'(\*), mode of transport, employment status, approximate age, etc.

(\* ) Mental maps are people's internal representations of the external world and are unique to each individual.

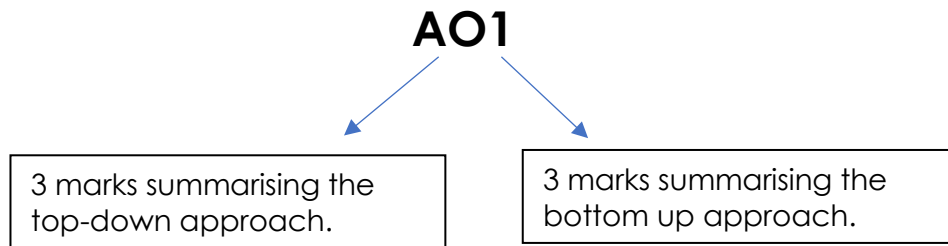


## Evaluation of the top down and bottom up approach

Top down	Bottom up
<b>Origins</b>	
<p>An issue with the top-down approach to offender profiling is the <b>unscientific</b> way it was developed.</p> <p>It developed using interviews with 36, male, sexually motivated murderers in the US. It could be argued that the sample is too small and unrepresentative to base the typology system on. Also, this classification system was constructed based on self-report data from convicted killers who may lie or exaggerate in interviews.</p> <p>This questions the validity of the data gathered on which the top down is based on and so questions the whole approach.</p>	<p>A strength of the bottom up, approach to offender profiling is the <b>scientific</b> way that a profile is developed.</p> <p>Profiles are data driven, using psychological theory and statistical analysis such as geographical profiling.</p> <p>Research supports this scientific approach as Canter and Goodwin (1997) found for example that 85% of offenders did indeed live within the circle encompassing their offenses.</p> <p>This means that the bottom up approach is a more objective way of developing a profile, not having to rely on intuition rather than science like the top-down approach.</p>
<b>Range</b>	
<p>An issue with this method of profiling is the <b>limited range</b> of crimes that the profile can be applied to.</p> <p>As the sample it is based on were males convicted of violent, sexual crimes it can only really be used in violent crimes like murder. More common offences such as burglary then do not lend themselves to top-down profiling also the resulting crime reveals very little about the offender.</p> <p>This restricts the applicability of the top-down approach and means it is a limited approach for identifying all criminals and crimes.</p>	<p>The strength of the Bottom-up approach is that it can be applied to a <b>wide range</b> of offences.</p> <p>Techniques such as smallest space analysis and the principle of spatial consistency can be used in the investigation of crimes such as burglary and theft as well as more serious offences such as murder.</p> <p>However, Koscis (1997) found that only 50% of burglars lived in the circle defined by their offenses. This suggests that although the bottom-up does apply to a wide variety of offenses which is a definite strength, some crimes such as theft may be harder to profile successfully.</p>
<b>Success/usefulness</b>	
<p>An issue with top-down profiling is that the notion of having an organised OR a disorganised criminal is just <b>too simplistic</b>.</p> <p>Canter (2004) when analysing 100 serial killers in the US who had been classified as organised or disorganised found there was no distinction between the two and concluded that all such crimes will have an organised element to them.</p> <p>Canter suggests that it would be better to study the individual personality differences between offenders than the organised and disorganised elements to their crimes.</p> <p>This reduces support for top-down profiling as the distinction of just two types is too restrictive. This ultimately affects the accuracy of the top-down profiling system.</p>	<p>Psychological profiles based on this approach have assisted the police in catching offenders on numerous high-profile cases such as <b>John Duffy</b>.</p> <p>Copson (1995) carried out a survey of detectives who had worked with offender profiling and found that the advice given in the profile was useful in <b>83%</b> of the cases where it had been used <b>HOWEVER</b> it had only helped to catch the offender in <b>3%</b> of the cases.</p> <p>One of the problems seems to come from a <b>lack of consistency</b> in the British approach. There are a number of individuals in the UK providing psychological profiles for the police with different backgrounds in psychology and psychiatry, each using their own approach with success also depending on accurate and detailed records on crime databases.</p>

**Compare and contrast the bottom-up and top approaches to offender profiling (16 marks)**

You could get a comparison question on any paper and this is an obvious place. So how would you answer it?



**AO3**

3 comparison PEEL's

- P-** State what it is you are comparing or contrasting them both on.
- E-** Explain Top down
- E-** Explain bottom-up
- L-** Now link back to both approaches- if contrasting which one is better and why? If comparing what is good or not so good about the way they both approach it.

**e.g.**

One way in which the top down and bottom approaches differ is the science on which they are based on.

The top-down approach was developed using interviews with 36, male, sexually motivated murderers in the US; a sample that is too small and unrepresentative to base the typology system on and the generation of the profile relies heavily on the experience and intuition of the profiler. Whereas with the bottom-up approach profiles are data driven, using psychological theory and statistical analysis such as geographical profiling and using the smallest space analysis. This means that the bottom-up approach to profiling is much more objective as relies on science and statistics rather than intuition and makes the bottom-up approach a much more credible method of profiling offenders than the bottom up.

- P-** Application to crime (range)
- E-** Top-down- violent crimes e.g. murder only
- E-** Bottom-up- applies to all crimes
- L-** Bottom up more useful method as can be used to profile a much wider range of crimes.

- P-** Top down over simplistic in how they classify crimes compared to bottom up
- E-** Organised Vs disorganized but Canter (2004) showed that there was no distinction between the two.
- E-** Geographical profiling looks at the pattern of crime rather than the crime itself.
- L-** Makes bottom-up a more versatile approach to offender profiling.

# Biological explanations of offending behaviour:

Historical approach, genetic and neural explanations

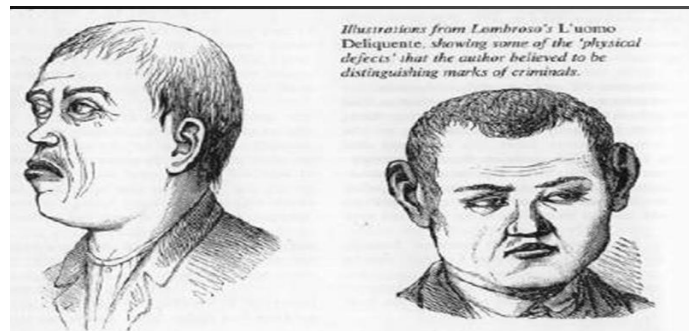
## An historical approach (atavistic form)

Atavistic form was an **early biological explanation** for criminal behaviour which was proposed by **Cesare Lombroso in 1870's**.

Lombroso suggested that **criminals were 'genetic throwbacks'** – a primitive sub-species who were biologically different from non-criminals. Offenders were seen by Lombroso as lacking evolutionary development, their savage and untamed nature meant that they would find it impossible to adjust to the demands of a civilised society and would inevitably turn to crime. Therefore, he argued that criminals were not to blame for their activities as their behaviour was determined by their physiology.

His work centred on the idea that **criminals had distinguishing physical features** which originated from a more primitive stage of development. These biologically determined 'atavistic' characteristics, mainly **features of the face and head made criminals physically different to non-criminals**.

The atavistic form included a **narrow sloping brow, a strong prominent jaw, high cheekbones and facial asymmetry**. Other physical features included **dark skin and the existence of extra toes, nipples or fingers**.



Lombroso went on to categorise particular types of criminal in terms of their physical and facial characteristics:

- Murderers were describes as having bloodshot eyes, curly hair and long ears
- Sexual deviants - glinting eyes, swollen fleshy lips and projecting ears
- Fraudsters – thin lips and 'reedy'.



### Exam tip



If asked to outline this explanation your key focus should be on **WHY** a person becomes a criminal, i.e. they have no choice as can't adjust to civilized society. Too many students just write out the atavistic features, but this is less important and should only be included in a description once you've explained the **why!**



## Evaluation of the atavistic form



<p><b>Research</b></p>	<p><b>Supporting-</b>  <b>Lombroso</b> examined the facial and cranial features of Italian convicts, both living (3839) and dead (383) and concluded that 40% of criminal acts could be accounted for by atavistic characteristics. However, Lombroso did not compare his criminal sample with a non-criminal control group, if he had the significant differences in atavistic form that Lombroso reported may have disappeared. This significantly reduces the extent to which Lombroso's research supports his atavistic form theory.</p> <p><b>Contradictory-</b>  <b>Goring (1913)</b> conducted a comparison between 3000 criminals and 3000 non-criminals and concluded that there was no evidence that offenders are a distinct group with unusual facial and cranial characteristics. This challenges Lombroso's theory that criminals have distinct physical characteristics demonstrating that Lombroso's research lacks reliability as his findings are not replicated.</p>
<p><b>Issues and debates-determinism</b></p>	<p>One issue with Lombroso's atavistic theory is that it is <b>biologically determinist</b>. He believed that criminals were biologically different to non-criminals and so criminality was innate and inherited.</p> <p>This is an issue because it <b>removes blame</b> and responsibility for criminal behaviour which isn't compatible with the criminal justice system in the UK. A bigger issue though is the <b>ethical implications</b> of this determinism, i.e its eugenic implications. Believing in this theory introduces the possibility of irradiating criminality by only allowing particular people without atavistic features to produce children.</p>
<p><b>Issues and debates-social sensitivity</b></p>	<p>One issue with the atavistic theory is that it is socially sensitive. This is because there are racial undertones within Lombroso's work. Many of the atavistic features <b>that are linked to offenders</b> and this "sub-species" (e.g. dark skin, curly hair) are most likely found among people of African descent.</p> <p>This theory then can have <b>negative implications</b> on this group of people and could lead to discrimination and inaccurate and negative stereotypes that certain racial groups are more likely to be criminals. This is one of the reasons why this theory is not used within criminology today.</p>
<p><b>Application-contribution to society.</b></p>	<p>Despite the issues with Lombroso's research, it helped to shift the emphasis in crime research away from a simple form of moral explanation (offenders judged as wicked and weak-minded) to a more scientific and credible view (evolutionary and genetic).</p> <p>Also, in trying to describe how particular types of people are likely to commit particular crimes, Lombroso's theory, could be seen as the beginning of criminal profiling. In this way he made a major contribution to the science of criminal psychology and can be seen as a forerunner of more scientific biological explanations of offending.</p>

## Genetics and neural explanations

Genetic explanations of offending suggest that offenders inherit a gene or a combination of genes that predisposes them to commit crime and so the closer a person is genetically to an offender the more at risk they are of becoming an offender themselves. Genetic explanations for offending however, focus on 'criminal' genes such as the MAOA gene.



### **MAOA Gene**

The candidate gene MAOA has been linked to offending. A fault/variation on this gene leads to **lower levels** of monoamine oxidase being released, an enzyme that breaks down serotonin and so this means that there are **higher levels of serotonin** than usual. This has been linked to increased levels of aggression and violence as individuals with these increased levels of serotonin are hypersensitive, so are affected by more negative experiences and thus react more aggressively leading to an increased risk of offending. This variation is also known as the warrior gene.

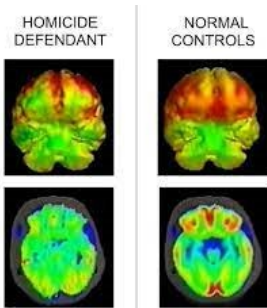


### Exam tip

If a question asks for "genetic explanations" then you can only talk about twin studies or the MAOA gene but if a question asks for "neural explanations" then you can use the MAOA gene **AS LONG AS** your focus is on the high levels of serotonin, which is neural.

## Neural explanations

**Neural explanations** suggest there may be neural differences in the brains of criminals and non-criminals. Much of the evidence in this area has investigated individuals diagnosed with anti-social personality disorder (formerly known as psychopathy) – APD. APD is associated with reduced emotional responses and a lack of empathy. It is a condition that characterises many convicted criminals.



**Prefrontal cortex:** Brain imaging studies have found that individuals with antisocial personalities have **less brain matter** in the prefrontal cortex than control groups and had **lower activation or activity** of the pre-frontal cortex. The role of the prefrontal cortex includes regulation of emotional behaviour, and so lower activation or a dysfunction can lead to impulsiveness and lack of self-control which makes a person at increased risk of offending.

**Amygdala:** The amygdala, found in the limbic system, is a part of the brain involved in fear, aggression and social interactions and has been implicated in offending. The activation of the amygdala has been linked to offending with **lower levels of serotonin** thought to **inhibit the amygdala** activity. This **lower activation** of the amygdala means a person may recognize a person is afraid but may not feel concern or empathy or really care that they are. These lower levels of serotonin are also linked to aggression so the combination of lack of empathy and aggression again increases the risk of offending.

# Evaluation of the biological explanations



<p><b>Research-genetic</b></p>	<p>Evidence from twin and adoption studies partially supports genetic explanations of offending.</p> <p><b>Twin-</b> Raine (1993) for example found higher rates of concordance for criminality for MZ twins as 52% and 21% for DZ twins. However, these concordance rates are not high and leave plenty of room for non-genetic environmental factors.</p> <p><b>Adoption-</b> Crowe (1972) found that adopted children who had a biological parent with a criminal record had a 50% risk of having a criminal record by the age of 18, whereas adopted children whose mother didn't have a criminal record only had a 5% risk. This suggests that regardless of the changed environment, the children seemed biologically predisposed to criminality.</p>
<p><b>Research-Maoa</b></p>	<p>Tiihonen (2014) studied two independent cohorts of Finnish prisoners and found that the variation on the MAOA gene was associated with extremely violent behavior (at least 10 committed homicides, attempted homicides or batteries). No substantial signal was observed for MAOA among non-violent offenders, indicating that findings were specific for violent offending, and not largely attributable to substance abuse or antisocial personality disorder. These results indicate low monoamine metabolism as plausible factors in the cause of extreme criminal violent behavior.</p>
<p><b>Research-neural</b></p>	<p><b>Prefrontal cortex</b></p> <p>Raine(2000) found an 11% reduction in brain matter in the pre-frontal cortex of those with APD compared to a control group and <b>Raine (2004)</b> cited 71 brain imaging studies showing that murderers, psychopaths and violent individuals have reduced functioning in the prefrontal cortex.</p> <p><b>Amygdala</b></p> <p>Kent (2001) compared with criminal non-psychopaths and non-criminal control participants, criminal psychopaths showed significantly less affect-related activity in the amygdala as well as other areas in the limbic system.</p>
<p><b>Issues and debates- Determinism</b></p> <p><b>Tip- can be used for each of the explanations separately but make sure to tailor it to the specific question asked.</b></p>	<p>One limitation of biological explanations of offending behaviour is that they are <b>biologically determinist</b>.</p> <p>They suggest that those who inherit the genetic mutation, have lower activation in the pre-frontal cortex or amygdala when under stress are <b>predisposed</b> to become aggressive or lose control and therefore are very likely to engage in criminal behaviour.</p> <p>The issue here is it is effectively saying that these people <b>will</b> be aggressive and commit crime and when they do, it is not their <b>responsibility</b> or in fact their fault.</p> <p>This is clearly not a totally <b>logical</b> explanation to use at it has been shown that people with the warrior gene or who have lower activation in the amygdala or pre-frontal cortex <b>don't display</b> this criminal behaviour and vice versa.</p> <p>The biological explanations also don't fit with our <b>justice system</b> as if a person with this gene did commit a criminal act, they would still be held responsible which also reduces the <b>usefulness</b> of the explanation.</p>

<p><b>Biological reductionism</b>  <b>Tip- can be used for each of the explanations separately but make sure to tailor it to the specific question asked.</b></p>	<p>One limitation of biological explanations of offending is that they are <b>biologically reductionist</b>.  They are the <b>lowest level of explanation</b> as believe offending is down to purely <b>biological</b> factors such as a fault on the maoa gene or lower activation in the prefrontal cortex or amygdala.  However to reduce something as complex as criminality down to just biology is <b>oversimplistic and inappropriate</b>.  <b>Wider factors</b> need to be looked at when explain offending such as social context, substance abuse, mental illness, upbringing as crime does appear to run in families but so do emotional instability, mental illness, social deprivation and poverty. This means it is difficult to separate the effects of genes and neural influences from other possible factors.</p>
<p><b>Alternative-causation</b>  <b>Tip- can be used for each of the explanations separately but make sure to tailor it to the specific question asked.</b></p>	<p>An issue with biological explanations of offending is that <b>cause and effect</b> cannot be established in any human studies.  All the research support (used above) relies on <b>correlation</b> so other variables could be responsible for the offending behaviour.  For example, brain scanning studies show pathology in brains of criminal psychopaths but cannot conclude whether these abnormalities are genetic or signs of early abuse problems.  Altered biological function may be a <b>consequence</b> of offending behaviour or upbringing <b>rather than a cause</b>.</p>
<p><b>Alternative-diathesis-stress model of crime rather than genes?</b></p>	<p>Evidence suggest that an <b>interactionalist explanation</b> of offending may be most appropriate.  A longitudinal study following 1000's of new Zealanders over decades found that the variation of the MAOA gene on its own was not enough to predict violent behaviour.  They found that those with a history of violence had the faulty maoa gene <b>AND</b> difficulty childhood experiences.  Suggesting that environmental factors are needed alongside the biological factors to trigger violence and offending behaviours so on their own biological explanations aren't enough.</p>

## But I only need 3 PEEL's for a 16 marker so why are there so many here?

1. It allows you to pick the points that you feel comfortable with (not everybody likes issues and debates for example).
2. It gives you scope to answer ALL of the different types of questions asked e.g.

### Outline one strength of genetic explanations of offending (3 marks)

For this you'd have to use research support as the other points are weaknesses

### Discuss neural explanations for offending behaviour (16 marks)

For this essay you may just focus on the pre-frontal cortex and amygdala so this allows You a choice in the points you pick e.g

Essay a). bio-reductionist  
Bio-determinist  
Causation

Essay b) Research support Raine (2000)  
research support Kent (2001)  
Causation

# Psychological explanations of offending behaviour

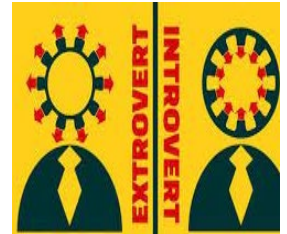
Eysenck's theory of the criminal personality. Cognitive explanations - level of moral reasoning and cognitive distortions, including hostile attribution bias and minimalisation, Differential association theory, Psychodynamic explanations.



## Eysenck's theory of the criminal personality (1964)

According to Eysenck all personality types - including the **criminal personality** - are innate; have a **biological basis**. Offenders, he claimed, inherit a type of nervous system that predisposes them to offending. The personality types he believed were linked to offending were **neurotic-extravert** (with psychoticism added later).

**Extraversion**- Extraversion is determined by the overall level of arousal in the person's **CNS and ANS**. High Extraversion scorers have a chronically **underactive nervous system** (low level of arousal) and therefore need more stimulation, excitement and engagement. High extraverts are **sensation seekers** and often engage in **risk-taking behaviour**, the 'thrill' of committing a crime might draw them to offending behaviour. Extraverts do not classically condition easily (see section below).



**Neuroticism**- Neuroticism is determined by **high levels of reactivity in the ANS** (specifically the SNS) which means they respond quickly and strongly to threats. Their general instability means their behaviour is unpredictable. High neurotics experience **high levels of emotion**, meaning they are **more likely to commit a crime in an emotionally charged situation**. Like extraverts, neurotics do not condition easily.

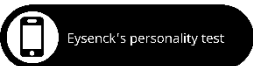
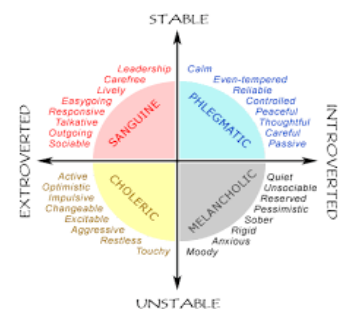
## Conditioning

Eysenck linked personality to criminal behaviour via socialization processes which refers to how children are taught, via conditioning, to become better able to delay gratification and be more socially orientated. For example, when children act in immature ways they are punished and so come to associate anxiety with antisocial behaviour. Eysenck saw criminal behaviour then as developmentally immature as it was selfish and still concerned with immediate gratification. He believed that people with **high Extraversion and Neuroticism scores (but especially E)** do not easily learn from mistakes and had nervous systems that made them **difficult to condition** which would mean they do not easily learn to respond to antisocial impulses with anxiety. Therefore, they would be more likely to act antisocially in a situation where the opportunity presented itself.

**Psychoticism**-Eysenck added this later in 1976. Eysenck suggested that psychoticism was influenced by biological factors, and was correlated with levels of hormones such as testosterone. Individuals with higher psychoticism scores are more likely to engage in irresponsible or miscalculated behavior and are cold and have a reduced sensitivity to guilt so **concern for others will not prevent them from committing a crime**.



**How did Eysenck measure personality?**  
He used Eysenck's Personality Questionnaire (EPQ) (*This is also referred to as Eysenck's Personality Inventory or EPI*). Scan the Qr code to try it yourself.





# Evaluation of Eysenck's theory



<p><b>Research-</b></p>	<p><b>Supporting</b>  <b>Eysenck (1977)</b> compared 2070 male prisoners' scores on the EPQ with 2422 male controls. Groups were subdivided into age groups, ranging from 16 – 69 years. On measures of psychoticism, extroversion and neuroticism – across all age groups – prisoners recorded higher scores than the control group thus supporting the link between personality types and criminal behaviour.</p> <p><b>Contradictory</b>  <b>Farrington et al (1982)</b> reviewed several studies and reported that offenders tended to score high on P and N measures but not Extraversion. <b>Hollin (1989)</b> notes a similar pattern of findings with offenders generally showing higher P and N scores but not necessarily higher E scores. Therefore, do not fully support Eysenck's theory for all three traits. It is not clear why the relationship between E and offending is so inconsistent. One possibility is that E scales measure two things, sociability and impulsiveness and that criminality is associated with the latter but not the former.</p>
<p><b>Issues and debates- interaction of nature and nurture.</b></p>	<p>One strength of Eysenck's theory is that it looks at both <b>nature and nurture</b> when explaining offending. Eysenck believed that personality had a biological basis and that a consequence of certain personality types was certain social behaviours one of which was crime. Eysenck, however, didn't believe that criminality was biologically inevitable, as it actually depended on the quality of conditioning in childhood (nurture). Even though a child's biology may make it harder to condition them, it didn't mean that they couldn't be conditioned to be socially orientated thus avoiding criminality.</p> <p>This consideration of the interaction between nature and nurture can be seen as a strength of the theory in comparison to other explanations, such as the genetic and neural explanations and the differential association theory, as they only attempt to explain offending behaviour from one perspective.</p>
<p><b>Application - crime prevention?</b></p>	<p>One potential strength of Eysenck's theory is it's potential to reduce crime. His theory suggests that the underlying tendencies that eventually manifest themselves as criminal behaviour are detectable in childhood and also linked to the quality of conditioning and socialization that a child receives.</p> <p>This means that it may be possible to modify the socialization experiences of high-risk individuals for e.g. by ensuring they receive high quality socialisation so that they do not develop into offenders.</p> <p>This could lead to interventions based on parenting or early treatment for delinquency and hence may be of great practical benefit in reducing criminal behaviour.</p>

## Extending your learning

**The controversy of Hans Eysenck**- linking to **ethical implications** (issues and deb)

Hans Eysenck at the time of his death was the most frequently cited psychologist in the peer-reviewed scientific journal literature however since then 14 of his papers have been retracted and 61 flagged as dubious. Perhaps the most controversial though, with wide ranging ethical implications was his research on intelligence. His studies of separately reared twins led him to the controversial conclusion that hereditary factors were the main cause of differences in intelligence tests between children with working class backgrounds and those with upper class backgrounds. Citing his theory, Colman, 2016 concluded that IQ is 80% heritable, therefore, the Black-White IQ gap in the US is due predominantly to genetic factors and demonstrates the negative implications of Eysenck's research.



## Cognitive explanations of offending behaviour.

There are **two** cognitive explanations of offending behaviour-

1. level of moral reasoning (Kohlberg)
2. cognitive distortions



### 1. Kohlberg's Level of moral reasoning theory

Kohlberg proposed a stage theory of moral development (see table below of all of his levels but you do **NOT** need to know this just how it is linked to offending).



In relation to offending behaviour, research has shown that **criminals are more likely to reason at the pre-conventional level** of Kohlberg's model whereas non-criminals have generally progressed to the conventional level and beyond.

The **preconventional level** is associated with less mature, childlike reasoning. Adults and adolescents who reason at stage 1. punishment orientation – have reasoning based on whether or not the act will lead to punishment and so may commit crime if they believe they can “get away with it”

Those at stage 2. Reward orientation- reason based on what it to be gained and so at this level may commit crime if they gain rewards in the form of money, possessions, respect, etc.

Level	Description
<b>Level 1</b> Pre-conventional morality	Morality is externally controlled. Rules imposed by authority figures are conformed to in order to avoid punishment or receive rewards. This level involves the idea that what is right is what an individual can get away with or what is personally satisfying.  <u>Stage 1</u> – Obedience & punishment orientation  <b>Reasoning linked to offending behaviour:</b> Will I be punished? If punishment is not definite, a crime is likely to be committed.  <u>Stage 2</u> – Instrumental orientation or personal gain  <b>Reasoning linked to offending behaviour:</b> What is there to gain from criminal behaviour? If the potential gains are good then the crime is more likely to occur.
<b>Level 2</b> Conventional morality	<u>Stage 3</u> – 'Good boy/girl' orientation  <u>Stage 4</u> – Law and Order orientation
<b>Level 3</b> Post-conventional morality	Individuals develop their own set of ethical and moral principles.  <u>Stage 5</u> – Social contract legalistic orientation  <u>Stage 6</u> – Universal ethical principles orientation  Kohlberg suggested that some individuals never reach this stage.

## 2. Cognitive distortions (hostile attribution bias and minimalisation)

Cognitive distortions are **errors or biases in people's information processing system** characterised by faulty thinking, so this theory suggests that criminal behaviour is the result of **faulty information processing** in the minds of offenders. This fault centers around how criminals **interpret other people's behaviour** and **justify their own actions**.

**Hostile attribution bias:** misinterpretation / misreading of other people's actions/words/expressions as aggressive/provocative which may trigger a disproportionate and often violent response. Hostile attribution bias **LEADS TO OFFENDING** because the offender places the "blame" for their actions onto external factors e.g. "he was asking for a punch the dirty looks he was giving me" or "she deserved to get robbed flashing her money about and showing off". This also **LEADS TO OFFENDING** as gives an excuse for offending and helps to remove guilt.



**Minimalisation:** This refers to an offender **downplaying or denying the seriousness of the offence committed**. This can include downplaying the effects of the crime, rationalising why they have committed the crime or trivialising the acts they committed. Minimisation **LEADS TO OFFENDING** as it enables the criminal to justify the offending act to themselves thus avoiding feelings of guilt. For example, **individuals who commit sexual offences are particularly prone to minimalization**- "I was only being affectionate" as it allows them to avoid feeling guilty for the very serious crime they have committed.

## Evaluation of cognitive explanations



<p><b>Research-1. Moral reasoning</b></p>	<p>Ashkar and Kenny (2007) compared the moral reasoning of juvenile sex and non sex offenders in a maximum-security prison in Australia using hypothetical offending situations (sexual and non).They found they all had used a <b>pre-conventional level</b> of offending when it was in a <b>context related</b> to the types of crimes they had committed. This supports Kohlberg's theory that offenders are operating on a <b>lower level of moral reasoning</b>. <b>However</b>, they did find that when asked about a non-related crime (e.g. sexual to non-sexual offenders and vice versa) they were able to use a conventional level of moral reasoning so they were capable of higher levels just not for their own offenses.</p>
<p><b>Research-2. hostile attribution bias</b></p>	<p>Schonenberg and Justye (2014) presented 55 violent offenders with images of emotionally ambiguous facial expressions. When compared with a matched control group of non-aggressive participants, the violent offenders were significantly more likely to perceive the images as angry and hostile. This supports hostile attribution bias as the violent offenders <b>were misinterpreting the neutral expressions</b> as aggressive which allows them to externalise any blame for their violence, reducing feeling of guilt for their violence.</p>
<p><b>Research-2. minimalisation</b></p>	<p>Barberee (1991) studied a sample of offenders in custody and found that 98% exhibited degrees of partial or complete denial of their crime; with 54% of those convicted of rape and 66% of child offenders being in complete denial at the time of the study. This supports the use of minimisation by offenders (especially sexual offenders) as it allows them to downplay the seriousness of their crimes thus reducing any feelings of guilt for such serious crimes.</p>

<p><b>Issues and debates for both- nature or nurture? Causation?</b></p>	<p>One issue with cognitive explanations of offending is <b>causation</b>. According to the explanations offending is caused by faulty thinking- lower levels of moral reasoning and/or distorted thinking, however it doesn't explain the primary source of this thinking and therefore the offending itself. It could be caused by <b>nature</b>- dysfunctions in the pre-frontal cortex or limbic system or <b>nurture</b>- the social and cultural context of an offender's life and childhood. Either way the cognitive explanations of offending do not offer a complete understanding of why offending occurs and so <b>reduces the support</b> for the explanation.</p>
<p><b>Issues and debates- for 1. Moral reasoning only.</b></p>	<p>One issue with Kohlberg's levels of moral reasoning is that they are <b>beta bias</b> and only explain offending in males. Kohlberg's levels were based on interviews every 3 years for 20 years with 58 boys from Chicago but he claimed <b>universality</b>; that they applied to females also. Gilligan (1977) redid the research on females and argued that there are gender differences in moral development, she suggested that women focus on how actions affect other people and men consider fairness and justice. Given, the varying rates of crime between men and women it may be the case that men and women differ in terms of their moral development which Kohlberg fails to take into account and means the stages reflect a male definition of morality only (it is androcentric).</p>
<p><b>Applications</b></p>	<p>One strength of the cognitive explanations of offending is the implications for treatment. If faulty/disordered thinking leads to offending, then by changing this thinking using CBT it should reduce crime. The police use cognitive restructuring-a process of learning that guides offenders to see their behaviours as a direct result of the choices they make thus avoiding minimalisation and treatment programmes in prisons could incorporate ways to increase offenders' level of moral reasoning which may help to reduce reoffending. The fact that these ways of reducing offending use the cognitive explanations further support the explanations.</p>

### Do I need to learn both cognitive explanations?

Levels of moral reasoning **and** cognitive distortions are named separately on the specification so you could be asked about them separately. For example...

1. Outline **one** cognitive distortion shown by offenders who attempt to justify their crime (2 marks)

You could get a question that looks at both of them together, for example...

2. Describe and evaluate cognitive explanations for offending. **(Total 16 marks)**

**A01-** as it says explanations so you need to include moral reasoning and cognitive distortions

**A03-** Here you can use the evaluations that cover both explanations for a more coherent and effective essay-

1. **Causation?** Primary source of faulty cognition nature or nurture?
2. **Application**-cognitive restructuring, increasing moral reasoning.
3. Here you could choose a piece of **supporting research** or a combination of research or gender bias for Kohlberg.

## Sutherland's Differential association theory (DAT)



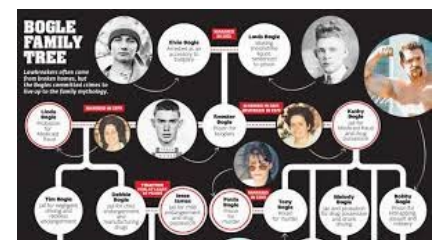
Differential association theory (Sutherland 1939) proposes that offending is learnt through **socialisation**.

Pro-criminal attitudes/behaviours occur through association and relationships with other people (family, friends etc.) who we learn our social norms and values from, even deviant ones.



Sutherland believes that offending is more likely to occur where an individual's social group values deviant/pro-criminal behaviour in the same way that a person who has a social group who values anti-crime behaviour will be less likely to offend. Everybody's associations are different, hence differential association.

One reason for this is that the expectations/attitudes of those around us (family, friends) act to reinforce our behaviours (criminals or otherwise) through acceptance/social approval etc. If somebody is praised by their family for committing a criminal act, then this social approval is reinforcing and makes repeat offending more likely. Reinforcement also affects offending behaviour- if rewards for offending are greater than the rewards for not offending.



Offending behaviours/techniques are also passed on from one generation to the next/from peer to peer, for example learning how to shop lift or fence stolen goods.



### **Evaluation of Differential association theory**

<p><b>Research</b></p>	<p>Osbourne and West (1982) found that 40% of the sons of convicted criminals also had convictions by the age of 18, whereas only 13% of sons of non-criminal fathers had a conviction.</p> <p>This is supporting evidence because DAT predicts that offenders will come from families and groups who have pro-crime norms and are socialised to <b>offend</b> which explains the higher rate of offending in the sons of convicted criminals.</p> <p>* the rate is only 40% so not full support but you can use this to link to the next evaluation on environmental determinism*</p>
<p><b>Issues and debates- determinism</b></p>	<p>One issue with DAT is that it is environmentally determinist. It suggests that offending occurs because of socialisation, so an offender is surrounded by more pro-crime attitudes and their criminal behaviour is reinforced and approved of by family/friends/peers.</p> <p>However, the research by Osbourne and West found that 60% of sons of convicted criminals did not have a conviction by the age of 18 years old despite presumably also being socialised in a similar way.</p> <p>Therefore, the differential association theory ignores freewill and that some people, like the sons of the convicted criminal, choose not to commit crimes despite being exposed to these pro-crime influences.</p>



<p><b>Alternative</b></p>	<p>One strength of DAT is that it can explain most of the different types of crime that occur within different sectors of society whereas alternative explanations such as the biological can't.</p> <p>For example, DAT can explain why white-collar crime like corporate fraud and tax evasion may occur whilst the biological explanations tend to focus more on crimes involving aggression and violence.</p> <p>An act of public corruption or "cooking the books" requires a very high level of skill and very specific techniques that can only be learnt by others and if this is the social norm and a person is reinforced by the encouragement of workmates or by financial benefits then DAT can explain this offending as being learnt through socialisation rather than biological.</p> <p>This along with being able to explain why crime may be prolific amongst social groups and communities is a strength of differential association theory and increases support for it as an explanation of offending.</p>
<p><b>Application</b></p>	<p>One strength of DAT is its potential use in crime prevention strategies particularly with the young.</p> <p>Youth mentors in schools, particularly in high crime areas for example, are designed to provide positive role models with anti-crime messages. Also programmes such as sporting elite funded by the governments youth justice sports fund seek to divert young people away from crime by providing mentors in the form of coaches, anti-crime messages and positive reinforcement from taking part in sport and from teammates and mentors.</p> <p>The fact that the theory can be applied to reducing crime is a strength and further supports the differential association theory.</p>

## Psychodynamic explanations



### **Superego revision** (not needed as part of the explanation)

The superego is the **morality principle** and acts as an individual's conscience. **A healthy superego is like a kind but firm internal parent; it has rules but is also forgiving of transgressions.** An individual with a healthy superego will feel guilt for behaving badly meaning they are unlikely to act in a way that would affect others in an adverse way.

Freud also believed that as females didn't go through the Oedipus complex female identification was weaker than men and so they would have weaker superegos.

### 1. Superego explanation

**Blackburn (1993)** argued that the superego was one of the main reasons for offending. Offending occurs because the ID is insufficiently controlled/moderated because of problems with the development of the superego in the phallic stage. This could occur in 3 different ways-



**Deviant superego-** deviant/criminal same sex parent so deviant superego has been internalised and identification with the deviant parent at the phallic stage can lead to offending as the person will not feel guilty about crime.

**Weak superego-** absence of same sex parents at the phallic stage means that a child fails to internalise a fully formed superego. This underdeveloped superego leaves the individual to be dominated by ID impulses leading to offending.



**Over-harsh superego**-an individual has internalised a superego from the same sex parents that is excessively harsh and punitive, so crimes are committed to fulfil this unconscious desire for punishment.



**Defence mechanism revision** (not needed as part of the explanation)

Defence mechanisms are used by the unconscious mind to **reduce anxiety**. This is because psychodynamic theories believe anxiety will weaken the ego therefore leading to a dominant ID or Superego. One way defence mechanisms can reduce this anxiety is by allowing a person to justify their bad behaviour.

## 2. Defence mechanisms

Defence mechanisms can lead to crime as they allow offenders to **unconsciously** justify their criminal behaviour removing the anxiety from committing the crime, increasing the chances of reoffending. There are several defence mechanisms that could be used to explain offending.

**Displacement**- This is when the focus of a strong emotion is shifted from its actual target to a neutral target which might explain why innocent victims are targeted as substitutes for real objects of anger/frustration such as lashing out at a stranger on a night out instead of your boss.

**Rationalisation**- This is explaining behaviour in a rational and acceptable way when it is actually very negative. If unconsciously you believe that "rich people deserve to be burgled because they have much more than everybody else" then this will reduce the anxiety of breaking into somebody's house and make it more likely.

**Sublimation**- This is when a strong ID impulse is expressed in a more socially acceptable way so the desire to commit a heinous crime is diluted, e.g. vandalizing a person's car instead of physically attacking them.

## Evaluation of psychodynamic explanations



<p><b>Research- or lack of it (falsifiability)</b></p>	<p>One issue with psychodynamic explanations of offending is the inability to provide any empirical evidence to support them.          For instance, there is no research to suggest that children without a same sex parent during the phallic stage offend more which according to the weak superego explanation should be the case.          The lack of falsifiability of the psychodynamic explanations is one reason for this as it would be impossible to empirically test if the reason for somebody attacking a stranger was really the unconscious desire to hurt their boss!          This means we can only judge the explanations on its face value rather than its scientific worth therefore it may contribute little to our understanding of crime or how to prevent it.</p>
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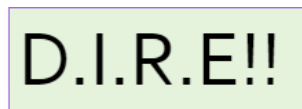
<p><b>Issues and debates- psychic determinism.</b></p>	<p>One issue with the psychodynamic explanations is that they are <b>psychic determinist</b>.</p> <p>It states that all behaviour, offending included, is pre-determined by the unconscious so is outside of a person's control, for example offending is determined in the phallic stage by how a person's superego is internalised.</p> <p>This suggests that a person cannot be held responsible for their crimes as rooted in childhood experiences determined before adulthood and so removes blame and responsibility for a person's crime which is not compatible with our legal system.</p> <p>A final issue with this psychic determinism is that it suggests that an offender can't change as offending is determined by the age of 6 so questions the point of rehabilitation for offenders.</p>
<p><b>Issues and debates- gender bias.</b></p>	<p>An issue with psychodynamic explanations of offending is that they are Alpha bias.</p> <p>That is, they exaggerate differences between males and females as Freud claimed that females were morally inferior to men as they didn't go through the Oedipus complex and so have weaker superego's than males.</p> <p>However, if you look at official crime statistics only 5% of the UK prison population are female.</p> <p>Therefore, the explanations of offending can be criticised for being gender bias which reduces the support for the explanations.</p>
<p><b>Application/alternative</b></p>	<p>Psychodynamic explanations of offending don't lead to any practical solutions for reducing offending.</p> <p>This is firstly because it believes that offending is rooted in childhood experiences in the phallic stage and so cannot be changed.</p> <p>Secondly it sees the problem as within the person which neglects the complexity of the social conditions of offending, eg deprivation, lack of education, poverty etc.</p> <p>Here alternative explanations such as differential association that looks at these social factors and believes in a person's ability to be rehabilitated may be a better explanation of offending.</p>

# Dealing with offending behaviour

The aims of custodial sentencing and the psychological effects of custodial sentencing, recidivism, Behaviour modification in custody, Anger management, Restorative justice programmes.

## The aims of custodial sentencing

Custodial sentencing involves a convicted offender spending time in prison or another closed institution such as a young offender's institute or a psychiatric hospital. There are four main reasons for doing this:



**1. Deterrence-** This works on two levels: **general deterrence-** aims to send a broad message to society that criminal behaviour will not be tolerated and **individual deterrence-** aims to stop the individual from repeating the same (or other) crimes to avoid going back to prison. So puts the offender off offending again, and also puts off other potential offenders.

**2. Incapacitation-** To deprive an individual of their freedom so they are **taken out of society** to prevent them from reoffending as, so they are no longer a threat to the public. Putting offenders such as violent offenders or sex offenders into prison for example means they no longer pose a threat to society.

**3. Rehabilitation-** To make the offender into a better person in order to reduce the chance of reoffending. Prison should provide opportunities to develop skills and training or to access treatment programmes for problems such as drug addiction. as well as giving the offender a chance to reflect on their offending behaviour. Offenders should leave prison better adjusted and ready to be effective members of society.

**4. (Eye for an eye) Retribution-** This is the notion that offenders should pay for their actions and is a way for society to seek revenge/get their own back. Putting them in prison means that they are suffering the consequences of their criminal behaviour which ultimately is the loss of their freedom.

## Evaluation of custodial sentencing



To reduce the amount of evaluation points you need to learn for custodial sentencing it is best to choose evaluation points that you could use for more than one of these aims, otherwise, you'd need to learn 8 or 9 separate points! In the evaluation table it shows you how you can use each point for more than one of the aims above.

<p><b>Recidivism rates- against</b></p>	<p>One of the arguments against using custodial sentencing as a <b>deterrent</b> and as <b>rehabilitation</b> is the <b>recidivism rates</b>.</p> <p>The UK has some of the highest recidivism rates in the world with 2014 figures showing 45.5% of offenders will reoffending within one year of release and this is even higher at 69.9% for juvenile offenders suggesting prison is only an <b>individual deterrent</b> for some and does not <b>rehabilitate</b> a large proportion of prisoners.</p> <p>If you look at reoffending rates for those serving less than 12 months (57.7% re-offend within a year in 2020) it also questions the use of custodial sentencing as <b>retribution</b> and <b>incapacitation</b> for shorter sentences. Shorter sentences are for crimes such as drunken disorderly and minor drug offences, so <b>retribution</b> and <b>incapacitation</b> doesn't seem relevant here as they are neither dangerous criminal who are a threat to society or crimes that the public need to "seek revenge" for. This suggest that for minor crimes like these a different approach is needed than custodial sentencing.</p>
<p><b>Effectiveness of Rehabilitation</b></p>	<p>One of the main arguments for the use of custodial sentencing is <b>rehabilitation</b>. Some skills-based training such as anger management, reducing drug addiction and social skills training are successful. However, the House of Commons Education Committee's inquiry (2020) found a long-term decline in both the quality of education and the number of prisoners participating in learning or training. Evidence for this is that in 2020 OFSTED reported that 2/3's of institutions showed poor management of education and skills and 14/23 institutions visited were deemed as inadequate or requiring improvement suggesting rehabilitation is becoming less likely when in prison.</p> <p>This decline can be blamed on the nearly 25% cuts to prison services since 2011 but with governments promising to invest 550 million over the next 3 years to specifically rehabilitate offenders maybe this is set to improve.</p>
<p><b>Psychological effects</b></p>	<p>Another argument against custodial sentencing is the negative psychology effects.</p> <p>Rather than rehabilitating people, the figures suggest that prison causes psychological problems such as depression, anxiety and self-harm and that these may continue when the person leaves prison.</p> <p>Suicide rates are considerably higher in prison (3.7 times for men in 2019) than in the general population, as are incidents of self-mutilation and self-harm. Furthermore, the risk of suicide is greater in the first 30 days suggesting that adjusting to prison life is evidently too psychologically distressing for some inmates (Crighton &amp; Towl, 2008)</p> <p>Some may see this as <b>retribution</b> for the crimes committed but if these effects last after prison, then custodial sentencing does not <b>rehabilitate</b> and may contribute to reoffending and recidivism rates so reduce <b>individual deterrent</b>.</p>
<p><b>For some prisoners but not all</b></p>	<p>Custodial sentencing does provide a method of punishment that the legal system can administer and for violent and dangerous criminals that do pose a threat to the public then it serves the purpose of <b>incapacitating</b> them.</p> <p>Ministry of Justice figures (2022) show that 61% of current prisoners had committed a non-violent offence however and most women in prison do not need to be there with over half of the receptions into prison are of women on remand and a third are of women serving short sentences (appg 2019) so when evaluating the aims of custodial sentencing the individual person, background and crime they committed needs to be considered first.</p>



## The psychological effects of custodial sentencing

Research has revealed several psychological effects associated with serving time in prison:

**Brutalisation** – prison acts as school for crime, reinforces a criminal lifestyle and criminal norms, leads to high recidivism rates, approx 70% of young offenders re-offend within 2 years.

**Psychological problems/disorders** are higher in prison populations, eg Suicide rates are considerably higher in prison than in the general population (3.7 times higher for men) as are incidents of self-mutilation and self-harm. Furthermore, the risk of suicide is greater in the first 30 days suggesting that adjusting to prison life is evidently too psychologically distressing for some inmates (**Crighton 2008**)

**Labelling** -leads to loss of social contacts, reduced employability, all affecting recidivism rates.

**Institutionalisation** – leads to lack of autonomy, conformity to roles and a dependency culture, it also leads to recidivism. Inmates may have become so used to the norms and routines of the prison that they are no longer able to function in the outside world.

-BUT **positive psychological** resulting from treatment, rehabilitation, remorse.

## Evaluation of the psychological effects of custodial sentencing



<p><b>Causation</b></p>	<p>One of the issues with looking at the psychological effect of custodial sentencing in <b>causation</b>.</p> <p>It is difficult to show that the psychological problems are due to effects of imprisonment as the psychiatric problems may have been there before being institutionalised. The chief inspector of prisons report 2020 supports this as when looking at 469 male and female prisoners found that 42% of them had been previously diagnosed with a mental illness such as anxiety (27%), PTSD (20%). However, even if psychological issues were pre-existing, custodial sentencing will surely only make these worse and the fact that suicide in men is 3.7 more times higher in prison than in the community supports this fact and allows the ability to say that custodial sentencing can cause negative psychological effects in some and exacerbate them in others.</p>
<p><b>Alternatives</b></p>	<p><b>Alternatives</b> to custodial sentencing then may be better for <b>low-risk offenders</b> if all of these negative psychological effects are a possibility.</p> <p>Community sentencing would avoid the psychological problems associated with prison all together and avoid labelling by allowing the offender to maintain their employment and social contacts. It also (when necessary) involves drug/alcohol treatment and therapy so allows rehabilitation but in the community. Ministry of Justice figures (2022) show that 61% of current prisoners had committed a non-violent offence and with such high levels of recidivism (57.7%) for those serving less than 12 months community sentencing may be much more beneficial however would not be suitable for all offenders especially those who have committed violent or sexual criminal acts.</p>
<p><b>Individual differences</b></p>	<p>Although time in prison can be psychologically challenging for many, it cannot be assumed that all offenders react in the same way (<b>individual differences</b>).</p> <p><u>Women</u></p>

	<p>Ministry of Justice data (2019) showed that over half the women in prison reported experiencing emotional, physical, or sexual abuse as a child and 57% reported having been the victims of domestic violence as adults. It is claimed that the prison system which is designed around the needs of a male majority with the rules and policies compounds these problems (appg 2019) evidenced by HMIP (2021) which reported that self-harm rates are five times higher than rates for men. This then shows us that the negative psychological effects of custodial sentencing are greater for women than men.</p> <p><b>Neurodivergence</b></p> <p>For neurodiverse prisoners many elements of the prison environment can cause psychological distress, including busy and noisy wings, cell sharing and changes to the daily routine and Talbot (2008) found that those with learning difficulties were 3x more likely to have clinically significant anxiety and depression than the rest of the prison population.</p> <p>This evidence shows that for vulnerable groups these psychological effects are <b>even more pronounced</b>. However, others may not be as affected; the length of sentence, the reason for incarceration and previous experience of prison may all be important factors. Therefore, it is difficult to make general conclusions that apply to every prison and every prisoner. Different prisons have different regimes so there are likely to be wide variations in experience.</p>
<p><b>Crime prevention</b></p>	<p><b>Crime prevention</b> is seen to be a way of avoiding the psychological effect of custodial sentencing all together.</p> <p>Crime prevention strategies such as community prevention, situational prevention, and early childhood intervention are examples and as 50% of incoming prisoners are being identified as having a neurodiversity then the early identification and support of this along with the other strategies avoids the labelling and negative consequences of prison for these people whilst being better all round for society in general (Harrower 2001).</p>

## Recidivism

Recidivism means the tendency for convicted criminal to reoffend. Recidivism rates in the UK are high at 45.5% for adults reoffending within a year (2014) 69% for juveniles within a year(2014) and 57.7% for those who have served less than 12 months (2020) which suggests that custodial sentencing in neither an individual deterrent for most offenders, particularly for the young that those who have committed minor crimes and suggests it is also not rehabilitating these offenders. However, these figures may not be totally accurate as some reoffences will go undetected or will never reach court. Therefore, although rates are thought to be high, the numbers are inaccurate and will probably be even higher.

Having said that recidivism figures do appear to be falling in the UK with the rate for proven offending in 2021 dropping to 25.6%. but remaining high for more minor sentences.

## Evaluation of recidivism



<p><b>Psychological effects</b></p>	<p>One reason for recidivism is the psychological effects of custodial sentencing. The likelihood of reoffending can be increased if an inmate's mental health is unstable. This could be prompted by the prison situation or research suggests that 42% of prisoners had a mental health condition before entering prison. Poor mental health, especially addiction disorders, is related to crime rates so if the problem is not treated successfully in prison, it could make an offender vulnerable to reoffending. Research by Coid supports that as found that</p>
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	<p>offenders who had treatment for mental health issues were 60% less likely to re-offend.</p> <p>This issue not only highlights the importance of effective rehabilitation programmes in prisons, but it also raises questions as to whether custodial sentencing is the appropriate way of dealing with individuals with mental health issues.</p>
<p><b>Alternatives</b> to custodial sentencing to reduce rates</p>	<p>The high recidivism rates especially for shorter sentences questions the use of custodial sentencing.</p> <p>If poor mental health is made worse in prisons and other effects of prisons such as institutionalisation, make prison seem more appealing to some offenders than the outside world or brutalisation meaning that prison acts as a school for crime making reoffending more likely then to reduce recidivism, alternatives may be needed.</p> <p>61% of people in prison have not committed a violent crime and with Sherman (2007) finding that alternatives like restorative justice actually reducing reoffending (11% reoffending rates for those who had carried out restorative justice compared to 37% of those that didn't). It suggests in order to reduce recidivism we need to reduce custodial sentencing for those who are non-violent.</p>
<p><b>External factors</b></p>	<p>Recidivism rates may be due to the 'outside world' rather than the prison so until societal problems such as poverty and lack of support for mental health are addressed, it is likely recidivism will remain high.</p> <p>There is a significant lack of research into how these factors affect recidivism as most research is centered on the prison rather than the post-release environment. Therefore, in order to truly understand why inmates go on to reoffend and how this can be prevented, more emphasis must be placed on investigating post-release factors.</p>

## Behaviour modification in custody- token economy

Behavioural therapy is based on the principles of operant conditioning. It should **not** be used to control undesirable behaviours as this is incompatible with rehabilitative goals but is for the reinforcement of **desired behaviours only**.

**Token economy** aims to reinforce desirable behaviour in offenders with a token that can be exchanged for some kind of reward. The reward is the **primary reinforcer** and the token acts as a **secondary reinforcer**. This is because the token's value comes from their association with the reward (primary reinforcer).



**Examples of desirable behaviours** in a prison could include – avoiding conflict, following prison rules, keeping one's cell orderly, etc. Prisoners are given a token each time they perform a desirable behaviour.

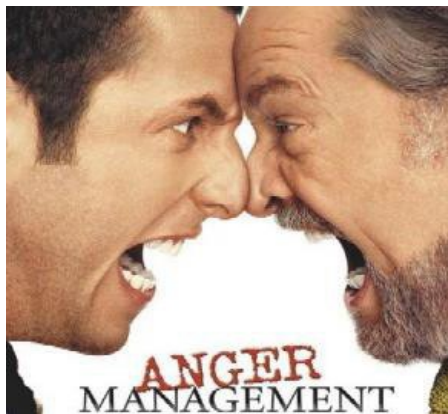
**Examples of rewards** could include – a phone call to a loved one, time in the gym or exercise yard, extra cigarettes or food.

### **How the programme is developed and managed:**



1. **Setting overall goals/aims** in which offenders probable future lifestyle should be taken into account.
2. These goals should be **initially agreed** by prisoners, officers, administrators and reviewed periodically
3. The goals should be objective, measurable and broken down to constitute a chain of progression between the offender's **present behaviour** and the level of **desired behaviour**.
4. Tokens (**secondary reinforcers**) are given for agreed desirable behaviour. Tokens are exchanged for **primary reinforcers**, mostly being consumable-tobacco, sweets, food.

## Anger management



The aim of anger management is not to prevent anger but to **recognise it and manage it**.

It has been suggested that **cognitive factors trigger the emotional arousal which generally precedes aggressive acts** therefore anger management programmes consist of the individual being taught how to recognise when they are getting angry/losing control and then they are encouraged to develop techniques which bring about conflict resolution without the need for violence. Anger management is a form of CBT.

## Three stages in anger management:

### 1. Cognitive preparation

A trained therapist would help a person to reflect on past experiences in order to understand the specific triggers/cues that precipitate their anger, such as somebody looking at them or their partner. They would then learn to interpret these triggers/events as irrational as responding with violence would be if somebody was to just look at you. So, by redefining the situation as non-threatening, the therapist is attempting to break what may well be an automatic response for the offender.



### 2. Skills acquisition

Offenders are introduced to a range of techniques and skills to help them deal with anger- provoking situations more rationally and effectively.

**Cognitive-** such as positive self-talk to encourage calmness e.g., teaching a mantra or positive self-statements such as "I am calm and relaxed."

**Behavioural-** for example assertiveness training to help a person communicate more effectively to avoid violence.

**Physiological-** methods of relaxation and/or meditation (e.g., breathing deeply and counting to 10) to promote the idea that it is possible to control their emotions.

### 3. Application practice

Offenders are given the opportunity to **practice** their skills and techniques using **role play** within a carefully controlled environment so they can get used to using self-control and not get provoked by their triggers. It is likely to involve the offender and therapist re-enacting scenarios from the offender's past which have involved escalated feelings of anger and acts of violence.

The therapist would give constructive feedback on the person's performance. The offender may also practice these skills through the week and keep a diary of how they have acted in anger provoking situations.



#### Exam tip

Exam Tips

You could be asked to compare anger management and token economy or have an essay that covers them both-

e.g., "Discuss **one or more** ways of dealing with offending behaviour (16 marks)"

To make it easier to answer these questions the evaluation points (where relevant) combine anger management and token economy to increase the effectiveness of your evaluation.



## Evaluation of behaviour modification (token economy) and anger management



<p><b>Research-behaviour modification</b></p>	<p><b>Hobbs and Holt (1976)</b> introduced a token economy programme with groups of young delinquents across three behavioural units. They found a significant difference in positive behaviour compared to the non-token economy group. <b>Allyon et al (1979)</b> found a similar effect with offenders in an adult prison. This demonstrates the effectiveness of behaviour modification as a way of dealing with offending behaviour and so adds support for token economy as a way of modifying behaviour in prisons.</p>
<p><b>Research-anger management</b></p>	<p><b>Hughes (1993)</b> evaluation of an anger management program with a group of violent males in a Canadian Federal Prison who received weekly two hour cognitive-behavioural approach anger management sessions compared with 27 offenders who received no treatment. Findings revealed that although overall recidivism was relatively high (61 percent), completion of the program was associated with significantly lower recidivism involving violent crime. In addition, the length of time in the community before rearrest was significantly lower for those who completed the program than for those who did not. Findings provide support for anger management.</p>
<p><b>Cost and ease</b></p>	<p>One strength of behaviour modification over Anger management is cost and ease of delivery which is an important factor considering the large budget cuts and cuts in prison staff over the last 10 years. Anger management requires a trained CBT therapist to carry out which has been an issue in terms of not just the cost but the availability in prisons. Whereas Token economy is relatively easy to carry out and administer. It can be set and is carried out by everybody that comes into contact with the offender and so requires no specialist therapist. So, in terms of ease to carry out and costs incurred behaviour modification is a better option for prisons and is a reasonably easy way of dealing with offending behaviour.</p>
<p><b>Effectiveness</b></p>	<p>One strength of Anger management over token economy is overall effectiveness of the programmes. Anger management takes into consideration the complexity of offending behaviour as it attempts to address the cognitive, behavioural, physiological, and social factors involved so addresses and changes the thoughts associated with the behaviour and so offers skills that can be used outside of the prison setting. Whereas token economy is only tackling the superficial surface behaviour in a controlled environment and so is likely that any positive changes in behaviour occurring whilst the offender is in prison may be lost when they are released as the 'outside' desirable or law-abiding behaviour is not always reinforced. Therefore, anger management is overall a more effective and life enhancing way of dealing with offending behaviour than TEP which only changes behaviour and not the thinking behind it.</p>

## Restorative justice programmes.

An overview:

Restorative justice programmes switch the emphasis from the needs of the state (to enforce the law and punish) to the **needs of the victim or victims** (to come to terms with the crime and move on). It typically involves offenders coming face-to-face with the victim or victims.

**Restorative justice programmes can function as an alternative to custodial sentencing (especially if the offender is young), as an 'add-on' to community service or in addition to a custodial sentence.**

The restorative justice process:

Restorative justice programmes can be quite diverse but generally include:

- Offender meeting survivor for several supervised sessions with a trained mediator.
- Survivor explaining the impact of the crime on them.
- This allows the offender to see the consequences of their actions.
- It encourages empathy for the survivor from the offender.
- It empowers the survivor and promotes healing.
- Offender provides some kind of retribution to victim/survivor.
- Rehabilitation through collaboration and reconciliation

### Evaluation of restorative justice programmes



<b>Reduces recidivism</b>	Sherman & Strang (2007) reviewed 20 studies, involving 142 men convicted of violence and property offences, who had taken part in restorative justice, only <b>11%</b> reoffended, compared to <b>37%</b> of a matched control group so is a strength of restorative justice as is evidence it may positively impact on reoffending. Therefore, it could be used as an alternative to custodial sentencing.
<b>Cost-effective?</b>	Shapland (2007) concluded that every <b>£1</b> spent on restorative justice would save the government <b>£8</b> through reduced re-offending as demonstrated by Sherman and Strang (2007) However, there are costs involved in training mediators and high dropout rates from offenders unable to face their victims, so it may not always be cost effective.
<b>Suitability to all criminal</b>	Offenders must feel genuine remorse and actively engage in the process; therefore, restorative justice is not suitable for all criminals or indeed all crimes. It only works where there is an obvious victim whereas corporate fraud or money laundering for example do not have one and so restorative justice would not be appropriate. Women's Aid have called for a ban on the use of restorative justice in cases of domestic abuse for example as they believe it is inappropriate. Therefore, the fact that restorative justice isn't suitable for all offenders is a weakness.

<b>Individual differences in effectiveness</b>	Restorative justice is most effective for young, first-time offenders. It provides a short, sharp shock and forces them to face up to the consequences of their actions so there may be individual differences in the effectiveness of it.
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## Exam practice

### Examples of short-answer exam questions

1. Outline **one** cognitive distortion shown by offenders who attempt to justify their crime. **(2 marks)**
  
2. One method of offender profiling involves categorising offenders as either organised or disorganised offenders. Briefly explain **one** limitation of this method of offender profiling. **(2)**
  
3. **a)** Briefly outline differential association theory as an explanation for offending. **(2)**  
**b)** Briefly explain **one** limitation of this theory. **(2)**
  
4. **a)** Following a series of riots in cities all over England, a politician was interviewed on the radio. He said, 'Rioters and looters should be sent to prison. We must send a clear message that this sort of behaviour is not acceptable. Society expects such behaviour to be severely punished.' *Briefly discuss **two** roles of custodial sentencing identified in the politician's statement. (4)*  
**b)** Another politician also took part in the radio interview. She argued, 'The people were rioting for a reason. They were angry with the police and lost control.' *Outline and briefly discuss **one** treatment programme for people who offend because they are angry. (4)*
  
1. Outline **one** biological explanation for offending. **(2)**
  
8. Outline psychodynamic explanations of offending **(6)**
  
9. Outline **one** cognitive explanation of offending **(4)**
  
- 10 Outline Eysenck's theory of the criminal personality **(4)**
  
11. Explain what is meant by 'recidivism' **(2)**
  
12. Explain one strength and one limitation of behaviour modification for offenders **(6)**

## **Possible essay questions**

1. Discuss the bottom-up approach to offender profiling. (16 marks)
2. Discuss biological explanations of offending behaviour. (Total 16 marks)
3. Discuss the historical approach to explaining offending behaviour. Include research on the atavistic form in your answer. (8 marks)
4. Discuss Eysenck's theory of the criminal personality. Refer to evidence in your answer. (Total 16 marks)
5. Discuss one or more cognitive explanations of offending behaviour. (16 marks)
6. Discuss one or more psychological explanations of offending behaviour. (16 marks)
7. Describe and evaluate the psychodynamic explanations of offending behaviour. (16 marks)
8. Outline and compare two explanations for offending. Refer to evidence in your answer. (16 marks)
9. Discuss the psychological effects of custodial sentencing. (Total 8 marks)
10. Describe and evaluate research on custodial sentencing and its effects on recidivism. (16 marks)
11. Describe and evaluate the use of behaviour modification in custody as a means of dealing with offender behaviour. (16 marks)
12. Describe and evaluate anger management as a method for dealing with offending behaviour. (16 marks)
13. Describe and evaluate restorative justice programmes. (16 marks)
14. Experts have different views about how to deal with recidivism. Some believe that custodial sentencing is the best way of reducing re-offending; others think that prison may not be the solution and that there are better alternatives. There is also much debate about whether treatment programmes reduce re-offending.

Discuss ways of dealing with the problem of recidivism. Refer to the views outlined above in your answer. (16 marks)