# Criminology X of X.

Using ‘crime & punishment’ as the means of reviewing the course.

We began trying to say what ‘crime’ might be – the answer is that it is largely defined by society.

Societies have to protect their laws and customs - hence we expect those who break laws and breach customs to be punished - but why?

* Deterrence; internal & external.
* Rehabilitation; and recidivism.
* Incapacitation; prison, amputation and death.
* Retribution;
* Restoration;
* Denunciation;

But is it JUST? Not ‘who decides?’ but ‘how do I decide?’.

Note s241 of the CJA 2003 – so it’s clear now!

Although the relationship twixt policing and legislation is a bit complicated, the sad case of Victor Nealon provides some insights;

* The need for and use of conviction rates. Is society better served if the police have targets to fulfil?
* Trial by jury is supposed to be the ’last little light of democracy’ [Lord Denning] – is it actually still flickering?
* Can our society be said to be more subject to trial by tabloid than trial by jury?

Now consider what is meant by ‘life sentence’, and if it is ‘just’.

**Operant conditioning.**

Behaviourism & crime. Nealon could never have been paroled because he always denied guilt.

The assumption behind that is that, one tried by jury, almost always the conviction is ‘safe’. So, the prison regime can use behaviour modification on the repentant to modify behaviour and reduce the possibility of recidivism.

* Behaviourism definitely works!
* It assumes that the trainer is morally ‘right’.
* It has worked really well, using positive punishment mostly, in places like Soviet Russia – to ‘cure’ political dissent.

Remember – the current assumptions about crime & punishment mean that Nealon spent 17 years in prison, and, the assailant has not been identified. {so, the perpetrator is not on the DNA data base}.

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