

MARKING SCHEME

LEVEL 3 AWARD IN CRIMINOLOGY - UNIT 2 4543UB0-1

SUMMER 2019

INTRODUCTION

This marking scheme was used by WJEC for the 2019 examination. It was finalised after detailed discussion at examiners' conferences by all the examiners involved in the assessment. The conference was held shortly after the paper was taken so that reference could be made to the full range of candidates' responses, with photocopied scripts forming the basis of discussion. The aim of the conference was to ensure that the marking scheme was interpreted and applied in the same way by all examiners.

It is hoped that this information will be of assistance to centres but it is recognised at the same time that, without the benefit of participation in the examiners' conference, teachers may have different views on certain matters of detail or interpretation.

WJEC regrets that it cannot enter into any discussion or correspondence about this marking scheme.

LEVEL 3 AWARD IN CRIMINOLOGY - UNIT 2

MARK SCHEME - SUMMER 2019

Question		on	Answer	Mark	LO
1.	(a)	(i)	0 marks: Nothing worthy of any marks.	4	LO2
			1-2 marks: Answer describes some aspects of one sociological theory of criminality. Answer conveys meaning but lacks detail. Little or no use of specialist vocabulary.		
			3-4 marks : Answer describes in detail one sociological theory of criminality. Answer communicates meaning with some use of specialist vocabulary.		
			Likely answers may include:		
			Social structure theory of criminality:		
			 society might influence a person to become criminal Marxism sees crime as something that the ruling class use as a means of social control the criminal justice system, including the police and prisons, encourages conformity it assumes that the disadvantaged social class is a primary cause of crime and that criminal behaviour begins in youth it suggests that crime is largely a result of unfavourable conditions in a community e.g. high dropout rate, unemployment, single parent families etc. 		
			Strain theory of criminality:		
			 the work of Robert K Merton society encourages people to subscribe to the goals of material success however, society is unable to provide the legitimate means for all to achieve success people's opportunities are blocked, and consequently they experience feelings of anomie various responses to the strain, such as conformity and innovation Response may lead to criminality to reach goals. 		
			Credit any other relevant response.		

Question		on	Answer	Mark	LO
1.	(a)	(ii)	0 marks: Nothing worthy of any marks.	6	LO3
			1-3 marks: Answer analyses in limited detail how the sociological theory described above can be applied to Tony's situation. Answer conveys meaning but lacks detail. Little or no use of specialist vocabulary.		
			4-6 marks : Answer analyses in detail how the sociological theory described above can be applied to Tony's situation. Answer communicates meaning with some use of specialist vocabulary.		
			Likely answers may include:		
			Social structure theory of criminality:		
			 Tony would argue that society has forced him into crime. His lack of opportunity to succeed is not his fault but the position he has been forced into as a result of a capitalist society producing unequal opportunities, Tony has been forced to turn to crime Tony could be classed as a member of the working class or proletariat he has not been able to secure employment for some time there is a lack of money in the family and a low standard of living the above factors are forced upon him by the structure of society and he feels he has no option but to steal to provide a better standard of living for Martha and himself. 		
			Strain theory of criminality:		
			 society has set goals for Tony to try to achieve as a member of the working class it could be argued that Tony was more likely than others to be denied material benefits his opportunities are blocked and, consequently, he has experienced feelings of strain and anomie, as he strives for material success however, Tony does not have the opportunities to reach the goals through legitimate means Tony may be an innovator by adopting non-conventional or criminal ways to gain material success. 		
			Credit any other relevant response.		

1-3 i deta special		Mark	LO
deta spec	marks: Nothing worthy of any marks.	6	LO3
Answ voca Like Soci	3 marks: Answer evaluates the theory described above in limited etail. Answer conveys meaning but lacks detail. Little or no use of pecialist vocabulary.		
Soci	6 marks: Answer evaluates the theory described above in detail. nswer communicates meaning with some use of specialist ocabulary.		
	kely answers may include:		
	ocial structure theory of criminality:		
Stra	 the theory provides an explanation for crime that covers all social classes and a variety of offences it highlights the impact of selective law enforcement and how white-collar crime is under policed the theory demonstrates how the law reflects differences in power between the social classes. Also, how inequality in society can lead to criminal behaviour the theory largely ignores other non-class inequalities such as gender or ethnicity it overstates the amount of crime in working-class communities. For instance, not all working-class people commit crime. In addition, not all capitalist societies have high crime rates (consider Japan and Switzerland) there are many prosecutions for white-collar crimes or corporate crime. For example Bernard Madoff and 'The Wolf of Wall Street'. 		
	train theory of criminality:		
Cred	 explains why working class crime rates may be higher than other classes provides an explanation for how individuals in different positions in the social structure of society resort to different adaptations (innovations, ritualism, retreatism and rebellion) the theory explains the reasons for crime and deviance as a result of social strain takes an individualistic approach, ignoring group crime it is very deterministic, not all working class individuals resort to crime it ignores the ruling class power to create and enforce laws to prevent the deviant adaptations. 		

Question	Answer	Mark	LO
1. (b)	0 marks: Nothing worthy of any marks.	4	LO1
	1-2 marks: Answer describes in limited detail, reasons (other than sympathy) why victims of domestic abuse may not report the crime. Answer conveys meaning but lacks detail. Little or no use of specialist vocabulary.		
	3-4 marks : Answer describes in detail, reasons (other than sympathy) why victims of domestic abuse may not report the crime. Answer communicates meaning with some use of specialist vocabulary.		
	Likely answers may include:		
	 Fear. There may be fear of further abuse if an abuser discovers that the victim has reported it. The abuser may be angry and retaliate with further abuse. Shame. A victim may be embarrassed that they are in such a situation. Love. The victim may love the abuser and may not want them to face police action. Lack of understanding. The victim may believe it is their fault and not appreciate that domestic abuse can be reported as a 		
	crime.		
	Credit any other relevant response.		
1. (c)	0 marks: Nothing worthy of any marks.	5	LO4
	1-3 marks: Answer explains in limited detail the consequences of unreported crime. Answer conveys meaning but lacks detail. Little or no use of specialist vocabulary.		
	4-5 marks : Answer explains in detail the consequences of unreported crime. Answer communicates meaning with some use of specialist vocabulary.		
	Likely answers may include:		
	 Ripple effect. The impact of the crime spreads beyond the immediate victim. For example, other family members such as children. Cultural. Sometimes there are cultural differences that make actions criminal in one country and not another. Hence the differences mean that crimes are under-reported or not recognised. For example, witchcraft and the Kristy Bamu case. Decriminalisation. Laws may not be reported by the public as they feel the actions should not be illegal. Over time the action can become decriminalised. Certain drug usage for example. Legal change. Crimes that go unreported for a long time can be perceived as a human right, for example attitudes to homosexuality. 		
	Credit any relevant response.		
	Total for Question 1	25	

Question	Answer	Mark	LO
2. (a)	Award a maximum of 2 marks for a clear description of the difference between formal and informal policy making. Likely answers may include: Informal policy is linked to non-official ideas to prevent crime. This could be family rules such as grounding or withholding of pocket money. Formal policy is linked to official ideas to prevent crime such as prison sentences or community orders. Credit any other relevant response.	2	LO4
2. (b)	 0 marks: Nothing worthy of any marks. 1-2 marks: Answer describes in limited detail the crime control policy actions that Alan might propose. Answer conveys meaning but lacks detail. Little or no use of specialist vocabulary. 3-4 marks: Answer describes in detail the crime control policy actions that Alan might propose. Answer communicates meaning with some use of specialist vocabulary. Likely answers may include: Being tough on crime, which may include a reference to Tony Blair's pledge to reduce crime. Penal populism. There may be consensus between the political parties that offenders need to be punished. Harsh policies, which may be out of proportion to the criminal offence. Custodial sentences, which may be lengthy. A zero-tolerance approach, where no crime is accepted. CCTV to provide continuous monitoring. Credit any other relevant response. 	4	LO4

Question	Answer	Mark	LO
2. (c)	0 marks: Nothing worthy of any marks.	6	LO1
	1-3 marks: Answer explains in limited detail the impact of the media's representation of crime on the public perception of crime. Answer conveys meaning but lacks detail. Little or no use of specialist vocabulary.		
	4-6 marks : Answer explains in detail the impact of the media's representation of crime on the public perception of crime. Answer communicates meaning with some use of specialist vocabulary.		
	Likely answers may include:		
	 Moral panic. The media over represents something that has happened, leading to excessive public concern. Moral panic has a tendency to exaggerate crime statistics. Changing public concerns and attitudes. If the media focuses on a particular crime, this could make the public more concerned about it too. Perceptions of crime trends. Often crime trends are viewed as increasing due to the reporting of crime by the media. Stereotyping of criminals. This often occurs due to the media's reporting of crime e.g. young people and crime. Levels of response to crime and types of punishment. This often increases as a result of media reporting e.g. London riots and subsequent levels of punishments. Changing priorities and emphasis. Reporting may see a shift in what is viewed as priority crime e.g. incidents of terrorism. 		
	Credit any other relevant response.		

Question		Answer	Mark	LO
2.	(d)	0 marks: Nothing worthy of any marks.	6	LO4
		1-3 marks: Answer is descriptive or assesses in limited detail one crime control policy developed from individualistic theories of criminality. Answer conveys meaning but lacks detail. Little or no use of specialist vocabulary.		
		4-6 marks : Answer assesses in detail one crime control policy developed from individualistic theories of criminality. Answer communicates meaning with some use of specialist vocabulary.		
		Likely answers may include:		
		 Psychoanalysis: This is arguably the least favoured policy in contemporary approaches to working with offenders. Criticism comes from Blackburn [1993], who points out that there are very few positive evaluations of classic psychoanalysis as a treatment method with offenders. Andrews et al [1990] argue that traditional psychodynamic therapies are to be avoided within general samples of offenders. The nature of psychoanalysis creates a power imbalance between therapist and client that could raise ethical issues. A patient could recover very painful memories that had been deliberately repressed. 		
		 Fo and O'Donnell (1975) devised a 'buddy system' in which adult volunteers were assigned to a young offender to provide consistent reinforcement for socially acceptable ways of acting. While this appears to have improved the behaviour of serious offenders, its impact on those who had committed less serious offences has been mixed. Evidence regarding the effectiveness of token economies suggests that they have short-term effectiveness with both young offenders (Hobbs & Holt, 1976) and adult offenders (Allyon & Milan, 1979). However, the improvements tend not to have an impact beyond the institution in the longer term. 		
		Credit any other relevant response.		

Question	Answer	Mark	LO
Question 2. (e)	 0 marks: Nothing worthy of any marks. 1-3 marks: Answer discusses, using an example or examples, in limited detail how laws have changed over time. Answer conveys meaning but lacks detail. Little or no use of specialist vocabulary. 4-6 marks: Answer discusses using examples and in some detail, how laws have changed over time. Answer communicates meaning with some use of specialist vocabulary. 7 marks: Answer discusses using clear examples and in detail, how laws have changed over time. Answer is well structured and clearly 	7	LO1
	 Expressed. Specialist terms are used with ease and accuracy. Likely answers may include: Prostitution. Once a stigma was attached and linked to people who were perceived as being immoral. Now there more of an issue of how to protect vulnerable people involved in prostitution. There are calls for it to be decriminalised with appropriate regulation. Vagrancy. This is still illegal under the Vagrancy Act 1824. Originally, it was passed to clear the streets of beggars, rogues and vagabonds and prevent further crime from being committed. The Act fell into disuse as society accepted there were legitimate reasons for homelessness. However, over recent times there has been an increase in the number of prosecutions. Homosexuality. Once illegal, in 1967 it was decriminalised in England and Wales and the age of consent placed at 21 years of age. The age of consent was later lowered to 18 years and finally to 16 years. Civil partnerships were permitted in 2004. Finally, the law allowed the first same sex marriage in 2014. Credit any other relevant response. 		
	Total for Question 2	25	

Question		on	Answer	Mark	LO
3.	(a)	(i)	Award a maximum of 3 marks for an outline of one example of how biological theories of criminality have informed policy development. Likely answers may include: Neurochemicals. Research such as Gesch <i>et al</i> (2002), demonstrates that it is possible for diet to positively affect	3	LO4
			aggressive behaviour. Virkkunen <i>et al</i> (1987), found that violent offenders had a lower than average serotonin turnover. This can be treated by a diet with foods that contain serotonin, such as salmon and fresh tuna. • Eugenics. This reinforces the ideas of biological determinism and claims that biology had contributed towards many of the social problems throughout the late 19th century. Reference may be made to the Nazi sterilisation programme. In essence, it advocated higher rates of sexual reproduction for people with desirable traits and higher rates of sterilisation of people with less desired traits. • Death penalty. The most extreme biologically driven policy is that of capital punishment or state execution. Ending someone's life will prevent that person participating in criminality and may provide a deterrent for others. Reference may be made to its abolition in England and Wales or its use in some countries such as China and some states in the US. Credit any other relevant response.		
3.	(a)	(ii)	0 marks: Nothing worthy of any marks.	5	LO2
		, ,	1-3 marks: Answer describes, in limited detail one biological theory of criminality. Answer conveys meaning but lacks detail. Little or no use of specialist vocabulary.		
			4-5 marks : Answer describes in detail one biological theory of criminality. Answer communicates meaning with some use of specialist vocabulary.		
			Likely answers may include:		
			 This theory suggests that the criminal is a separate species, a species that is between modern man and primitive humans. Lombroso argued the physical shape of the head and face determined the "born criminal". He claimed that criminality was heritable. Criminals have 'atavistic' (i.e. primitive) features, which are 'throwbacks' or characteristics from an earlier stage of human development. They manifest as a tendency to commit crimes. Such features include low sloping foreheads, large jaws or forward projection of jaw, receding chin, twisted nose, long arms relative to lower limbs, excessive cheekbones, large ears and excessive wrinkles on the skin. 		

Question	Answer	Mark	LO
	 Sheldon This theory suggests there are physical characteristics linked to criminal behaviour. There are three distinct body shapes: ectomorph (thin & fragile), those who tend to be, introverted and restrained; endomorph (fat & soft), those who tend to be social and relaxed; mesomorph (muscular & hard), those who tend to be aggressive and adventurous. Sheldon, using a correlation study, found that many convicts were mesomorphic and they were least likely to be ectomorphic. Mesomorphs are also likely to have a high pain threshold and be callous and ruthless. 		
	 XYY theory This theory suggests that criminality can be attributed to a chromosomal abnormality. Chromosomes are structures in cell nuclei that contain our genes. Usually, each person has 46 chromosomes. Gender is determined by the pattern of the person's sex chromosomes: XX in a woman and XY in a man. However, there is a genetic condition in which a male has an extra male (Y) chromosome, giving a total of 47 chromosomes. Such a condition occurs once in 1 000 male births. Jacobs et al (1965) suggested that men with the XYY syndrome were more aggressive than 'XY' men. XYY men are overrepresented in the prison population. There are 15 sufferers per 1,000 in prisons. 		
	 Twin & adoption studies These allow researchers to compare the influence of genetic and environmental factors on the likelihood of an individual engaging in crime. Twin studies support the contention that a heritable trait may increase risk for criminal behaviour. Identical twins are monozygotic (MZ) as they are from one fertilised egg. The underlying principle of such studies in explaining criminal behaviour is the comparison of criminals with both their biological and adoptive parents. If, in criminal behaviour, the child is more similar to their biological parents than to their adoptive parents, with whom they share the same environment, a genetic basis of criminality may be suggested. Mednick et al (1987) looked at court convictions in a small European country and found 14 000 adoptees amongst them. The criminal records of their biological and adoptive parents were then investigated. Many of the adoptees had biological parents who were criminals (and there was a particularly strong relationship for sons and fathers). 		
	Credit any other relevant response		

Question		on	Answer	Mark	LO
3.	(a)	(iii)	0 marks: Nothing worthy of any marks.	6	LO3
			1-3 marks: Answer evaluates in limited detail the effectiveness of either one physiological or one genetic theory in explaining the causes of criminality. Answer conveys meaning but lacks detail. Little or no use of specialist vocabulary.		
			4-6 marks : Answer evaluates in detail the effectiveness of either physiological or genetic theories in explaining the causes of criminality. Answer communicates meaning with some use of specialist vocabulary.		
			Likely answers may include:		
			 Physiological - Lombroso The associations given by Lombroso were later shown to be highly inconsistent or non-existent. Lombroso had not used a control group, therefore he had nothing of any substantial nature to which he could compare his results. Physical appearance determining criminality cannot be wholly accurate, as people who have disfigurements to their face could have them because of an accident earlier in their lives years of their life. Not everybody who has an abnormality is a criminal. Not all criminals have abnormalities. Charles Goring (1913) used a non-criminal control group and found no significant differences in terms of behaviour. When criminals are sentenced for crimes, the less attractive individuals are more likely to be considered guilty - 50% more so than attractive people (Bath Spa University, 2007). Goring found that all convicts had the same low-order intelligence, and argued that as this is genetic, there must be a genetic base to criminality Garland (1994) argued that Lombroso was responsible for giving criminology a scientific credibility. 		

Question	Answer	Mark	LO
	 Physiological - Sheldon This considers whether mesomorphs are 'picked upon' or dared to do illegal acts. This may be due to the stereotypes people hold about mesomorphs, who are perceived as being likely to be drawn into delinquent activities by their peer groups. If a mesomorph's shape is considered criminal perhaps the courts think this too. The judicial system may treat them more harshly, increasing the likelihood that they will officially be labelled as criminal. However, it not take into account that people's somatotype is not fixed. People's bodies change throughout their lives, and an individual may be all three types at some point in their lives. Sheldon does not detail whether this would lead to changes in personality and criminal behaviour. A number of other studies have confirmed that there is a small association between body build and criminality (Putwain & Sammons, 2002). A good-sized sample (200) was used and, importantly, Sheldon had a control condition of non-offenders (students) to which he could compare his results. Even though there could be issues surrounding the reliability of Sheldon's study, other researchers have found results that seem to support, at least in part, his initial theory. Glueck & Glueck (1956) found that in a sample of delinquents, 60% were mesomorphs while in a non-delinquent sample only 31% were. 		
	 A study by Jacobs <i>et al</i> (1965) found that a significant number of men in prison had XYY sex chromosomes instead of the usual XY. Adler <i>et al</i> (2007) indicated that it is possible that aggressive and violent behaviour is at least partly determined by genetic factors. However, studies have found that genetic abnormalities are widespread throughout the general population and therefore do not explain aggression. Focusing too heavily on genetics ignores the behaviourist approach. Theilgaard (1984) researched the traits of XYY men compared to XY men. He found the characteristic of aggression was not associated with the XYY men. 		

Question	Answer	Mark	LO
	 Such studies are natural experiments, as the biological relationships between the twins is a naturally occurring variable. Christiansen (1977) supports the view that criminality has a genetic component. The results of twin studies have helped in the prevention of vulnerable disorders. Early twin studies, such as that of Lange (1929), were inadequately controlled and lacked validity as to whether the twins were DZ or MZ, which was based on appearance and not DNA. The small sample involved in twin studies may not be representative of the general population. If twins are brought up in the same environment, criminality could just as easily be related to nurture as to genetics. 		
	 Genetic - Adoption Studies As adopted children are exposed to a different environment to their biological family, it is easier to separate genetic and environmental factors. Studies have concluded that there is a correlation between adopted children and their biological parents. The age of adoption may mean the adopted children have already been influenced by either their natural parents or their foster environment. Information about a biological family is not always available. The adoption process is not always random, as often children are placed with parents similar to their biological families. Credit any other relevant response. 		

Question		on	Answer		LO
3.	(b)	(i)	0 marks: Nothing worthy of any marks.	5	LO2
			1-3 marks: Answer describes in limited detail one individualistic theory of criminality. Answer conveys meaning but lacks detail. Little or no use of specialist vocabulary.		
			4-5 marks : Answer describes in detail one individualistic theory of criminality. Answer clearly communicates meaning with some use of specialist vocabulary.		
			Likely answers may include:		
			Bandura's social learning theory This is based on the assumption that offending is a set of behaviours that are learned in the same way as other behaviours through observational and vicarious reinforcement. Studies have emphasized the family and peer group as a potential source of criminal behaviour. Observational learning has been examined via experiments such as the Bobo doll experiment. Explicit links to criminal behaviour are expected and not just to behaviour in general. Eysenck's personality theory Extroverts need excitement so they are more likely to seek		
			crime in order to gain excitement. The theory of 'criminal personality' conceives criminal behaviour as the outcome of interactions between processes. Levels of extroversion, neuroticism and psychoticism are likely to be explained by this. Explicit links to criminal behaviour expected and not to just behaviour in general.		
			Freudian approach Traumatic experiences in early childhood leave their mark on the individual, despite the fact that the individual was not aware of these experiences. Note the theory of the id, ego and superego. Explicit links to criminal behaviour expected and not to just behaviour in general.		
			Credit any other relevant response.		

Question		on	Answer		LO
3.	(b)	(ii)	0 marks: Nothing worthy of any marks.	6	LO3
			1-3 marks: Answer evaluates in limited detail the effectiveness of the theory described above in explaining criminality. Answer conveys meaning but lacks detail. Little or no use of specialist vocabulary.		
			4-6 marks : Answer evaluates in detail the effectiveness of the theory described above in explaining the causes of criminality. Answer communicates meaning with some use of specialist vocabulary.		
			■ Bandura - there are many studies that support this theory. However, it could be argued there is a lack of ecological validity. It is a snapshot study and no long term effects were discovered. There are potential ethical issues with the Bobo doll study. It ignores the fact that other factors may be influential. It ignores cognitive control over behaviour.		
			Personality theory Eysenck's research in this area relies heavily on the self-report measures of personality. It made heavy use of comparisons between convicted offenders and the general population. It is questionable if personality can be seen as a set of stable traits that cause people to behave consistently across situations.		
			Psychodynamic theory Freud's views are no longer widely accepted. There is difficulty associated with testing some of the concepts. These theories rely heavily on concepts like the unconscious mind, the existence of which is difficult, if not impossible, to prove. It explains behaviour but only after it has happened. Psychodynamic therapies that have attempted to treat offending have not been successful.		
			Credit any other relevant response.		
	Total for Question				

Question Number	LO1	LO2	LO3	LO4	Total
1(a) (i)		4			4
1(a) (ii)			6		6
1(a) (iii)			6		6
1(b)*	4				4
1(c)*				5	5
2(a)				2	2
2(b)				4	4
2(c)*	6				6
2(d)				6	6
2(e)	7				7
3(a) (i)				3	3
3(a) (ii)		5			5
3(a)(iii)			6		6
3(b)(i)		5			5
3(b)(ii)			6		6
Total LO	17	14	24	20	75
% LO	15-25%	15-25%	25-35%	25-35%	100
Marks	11- 19	11 - 19	19 - 26	19 - 26	75

^{*} These questions are synoptic and require the candidate to draw on knowledge and understanding from unit 1.