

Dunfermline High School Modern Studies Department

Our learning
Our future
Our responsibility



SQA National 4&5 Section Two | Option Two **Crime and the Law** Pupil Booklet

Course Specification

What do I need to know?

Within Section 2: Social Issues in the United Kingdom, you will study Option 2: Crime and the Law.

By the end of this unit, you will have gained the knowledge and skills required to answer questions about the following topics. The SQA can only ask you questions relating to this information:

Nature of crime

- Nature and extent of crime in Scotland and/or the UK
- Evidence of crime in Scotland and/or the UK, such as official reports and academic research

Causes of crime

- Social causes and explanations of crime
- Economic causes and explanations of crime
- Biological causes and explanations of crime

Consequences of crime

- On perpetrators
- On victims
- On families
- On communities
- On wider society

Criminal justice system

- role and structure of the criminal courts (including the children's hearing system)
- powers of the criminal courts (including the children's hearing system)
- effectiveness of criminal courts in tackling crime

Responses to crime

- **Government responses**
 - Government responses to crime
 - Effectiveness of government responses
- **Police**
 - Role, structure and powers of police in Scotland
 - Effectiveness of the police in Scotland in tackling crime
- **Prisons**
 - Purpose and effectiveness of prisons
 - Purpose and effectiveness of alternatives to prisons

Contents

Course Specification	2
NATURE OF CRIME	5
What is crime?	5
Types of Crime	7
Who Commits Crime?	8
White Collar Crime	10
Who is Affected by Crime?	11
ENQUIRY SKILL: SUPPORT AND OPPOSE	13
CAUSES OF CRIME	18
Nature (Biological Argument)	18
Nurture (Social Argument)	19
Alcohol and Drugs (Social Cause)	21
Peer Pressure (Social Cause)	22
Poverty (Economic Cause)	23
CONSEQUENCES OF CRIME	24
Consequences on Victims and their Families	24
Consequences on Communities and Society	25
Consequences on Perpetrators	26
CRIMINAL JUSTICE SYSTEM	27
Criminal Courts in Scotland	27
What is it like in court?	28
How a case is tried in Scottish Courts	29
A day in the life of a Justice of the Peace	31
A day in the life of a Sheriff	32
Effectiveness of Criminal Courts at Tackling Crime	33
The Process of Being Taken to Court	34
Case Study: Murder	35
Introduction to the Children's Hearing System	37

How does the Children's Hearing System work?	38
ENQUIRY SKILL: DECISION MAKING	40
RESPONSES TO CRIME	43
Government Responses to Crime	43
Structure of Police Scotland	47
Branches of the Police	48
Role and Powers of the Police	49
Effectiveness of Police Responses to Crime	51
Introduction to Prisons	53
Focus on Prisoner Rehabilitation	54
Focus on Private Prisons	56
Public Perceptions of the Prison System	59
Introduction to Alternatives to Prison	60
Effectiveness of Alternatives to Prison	61

Nature of Crime

What is crime?

Learning Intention:

- To learn what the definition of a crime is.

What is a crime?

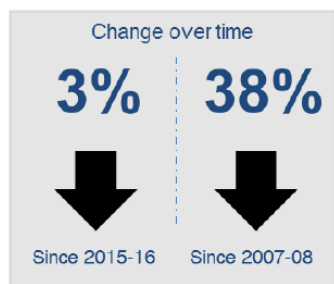
A crime is an offence against the law of the land. Laws are made by Parliament, and over the years the law has changed as Parliament alters the law. What was a law a hundred years ago may not be a law today. For example, it was illegal for someone to be homosexual in Scotland until 1980; and it was illegal to teach about homosexuality in schools until 2000 in Scotland. These things are now legal because of changes in the law.



As well, laws differ from country to country. For example, in Saudi Arabia, it is illegal to buy, possess or consume alcohol – and the punishment is as severe as a prison sentence! Of course, in the UK, it is legal to consume alcohol in a responsible manner once you are over 18.

There are two main types of crime: crimes against people (including: murder, rape and assault); and crimes against property (including: theft, arson, breaking and entering and vandalism.)

How much crime is there?



The amount of crime recorded by police in Scotland has fallen in recent years and is at its lowest level since 1974. The total number of crimes recorded by the police in Scotland in 2016-17 was 238,651 (this includes minor offences and traffic offences.)

Crimes of dishonesty (such as theft) are the most common type of crime and account for nearly half of all record crime (47%). Although there were 7,164 non-sexual violent crimes in 2016-17, the view that violence in Scotland is

common is incorrect. Only 3% of all crimes involved violence.

Around 1 in 7 Scottish adults (14.5%) were a victim of crime in 2014-15.

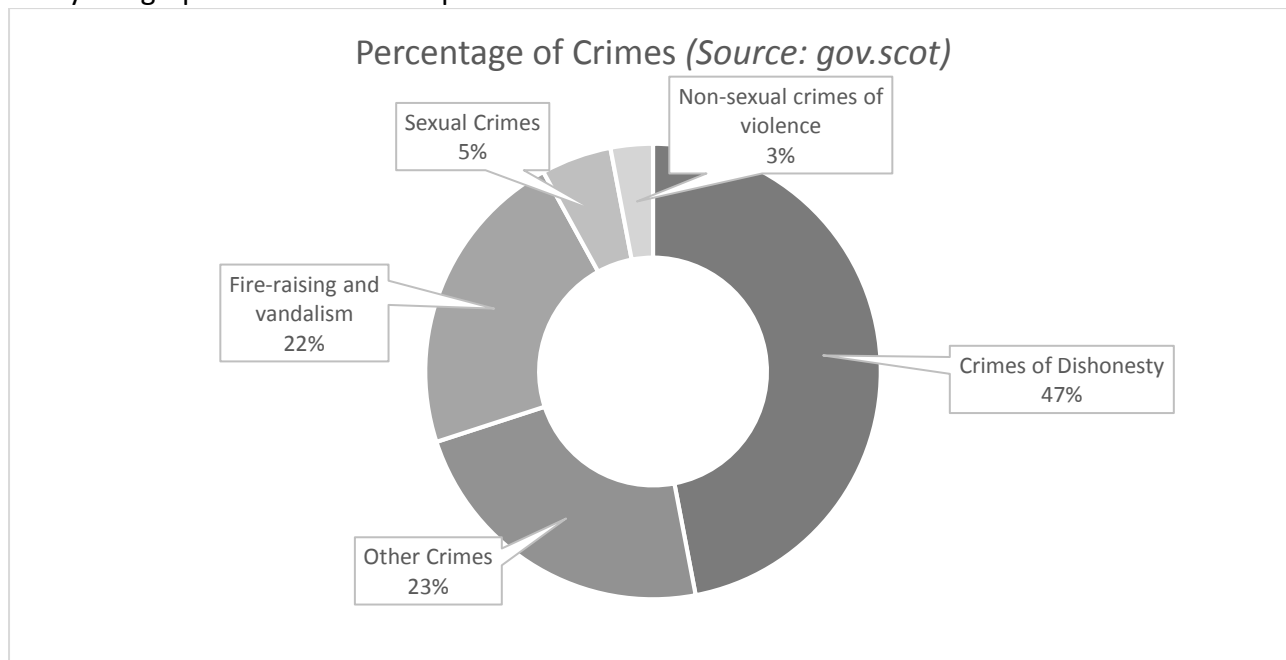
Heading: What is a crime?

1. What is a crime?
2. a) Give an example of a law that has changed over time.
b) Give an example of a crime in another country that is not a crime in the UK.
3. Which type of crime is most common?

Hint:

"in detail," means that the SQA are looking for you to give more information than a simple description. You should give detailed examples for each point you make.

4. Study the graph and answer the question which follows.



Describe, **in detail**, the **two** main causes of crime.

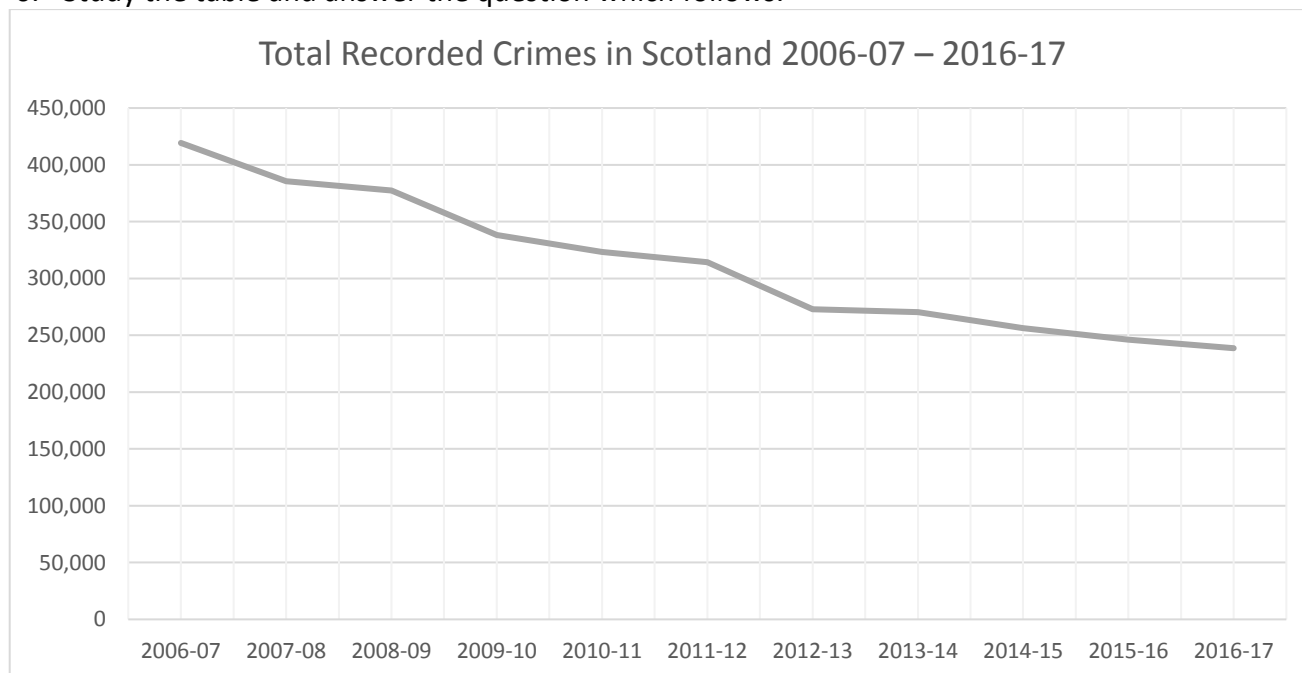
5.

Only a small number of Scottish adults are victims of crime.

View of Cammy Gordon

Give **one** piece of evidence to **support** the view of Cammy.

6. Study the table and answer the question which follows.



Crime is rising in Scotland. In fact, crime is at an all-time high.

View of Conner Young

Give **two** pieces of evidence to **oppose** the view of Conner.

Types of Crime

Crimes can be split into two main categories: crimes against the person and crimes against property.

Crimes Against the Person

Murder and Manslaughter

Murder is arguably the most serious crime that can be committed. In Scotland, there is a distinction in law between murder and manslaughter. Murder is defined as the planned action of killing a person (sometimes called *premeditated homicide*.) Manslaughter is when someone dies as a result of another person's actions but killing was not the motive of their action. For example, where death is caused by dangerous driving, manslaughter may be the crime committed.



Assault

Assault is a crime against a person which involves violence not resulting in murder. There is distinction in law between serious assault and less serious assault. Serious assault is an attack in which the victim must stay in hospital overnight; or any of the following: fractures, internal injury, severe concussion, loss of consciousness, or any injury may lead to disfigurement. Less serious assault is an attack where the victim suffers some harm but is not as serious as the categories above.

Crimes Against Property

Vandalism

Vandalism is one type of crime that is classified as a crime against property. This is when a person causes damage to another person's property, such as breaking windows or spray painting with graffiti. Vandalism accounted for a third of all reported crime in 2012-13 making it a very common crime.

Theft

Theft can include anything from stealing from an individual in the street or on public transport to shoplifting. Theft does not include any act that involves violence or the threat of violence to an individual (this would be classified as a violent crime).

Anyone who commits theft faces various consequences depending on value of the goods stolen and whether the individual is a repeat offender or not. For example, someone who is caught shoplifting for the first time is likely to just be cautioned; but repeating the crime might result in a prison sentence.

Crimes related to theft (often called crimes of dishonesty) decreased by 12% in 2012-13.

Heading: Types of Crime

1. Describe, in detail, the number of murders committed in Scotland over the last ten years.
2. What is the difference between murder and manslaughter?
- 3.

All kinds of assault are the same.

View of Arran Barclay

Give **one** piece of evidence to **oppose** the view of Arran.

4. Are all thefts viewed in the same way? Give examples to support your answer.

Who Commits Crime?

Not every group in society is equally likely to commit crime. Statistics show that some groups are more likely to commit crime than others.

- **Younger:** the peak age for committing crime is 23 years-old for males and 30 years-old for females. For minor crimes (eg. breach of the peace) the peak age is lower for both males and females.\
- **Male:** The vast majority of crime (80%) is committed by men. Almost all violent crime is committed by men.
- **Living in a city (or urban area):** The majority of crime happens in city areas, particularly in city centres at weekends or in areas with poorer quality housing.
 - **Note:** *This does **not** mean every young male living in a city is likely to commit a crime. To stereotype people in this way is wrong. The vast majority of young men do **not** commit crime; and, on the other hand, a few people who are older and wealthier **do** commit crime.*

In Scotland, a total of 107,338 people were taken to court in year 2016-17, a fall of 8% on the previous year. Of those taken to court, 92,334 were found guilty (86% of the total).

Heading: Who Commits Crime?

1. Which of the following people are **most likely** and **least likely** to commit crime? Give a reason for **both** your choices.



Derrin Pride
Age 21
Lives in Edinburgh



Catherine Stubbs
Age 80
Lives in
Auchtermuchty



Beth Hart
Age 28
Lives in Glasgow



Jack Howard
Age 45
Lives in St Andrews

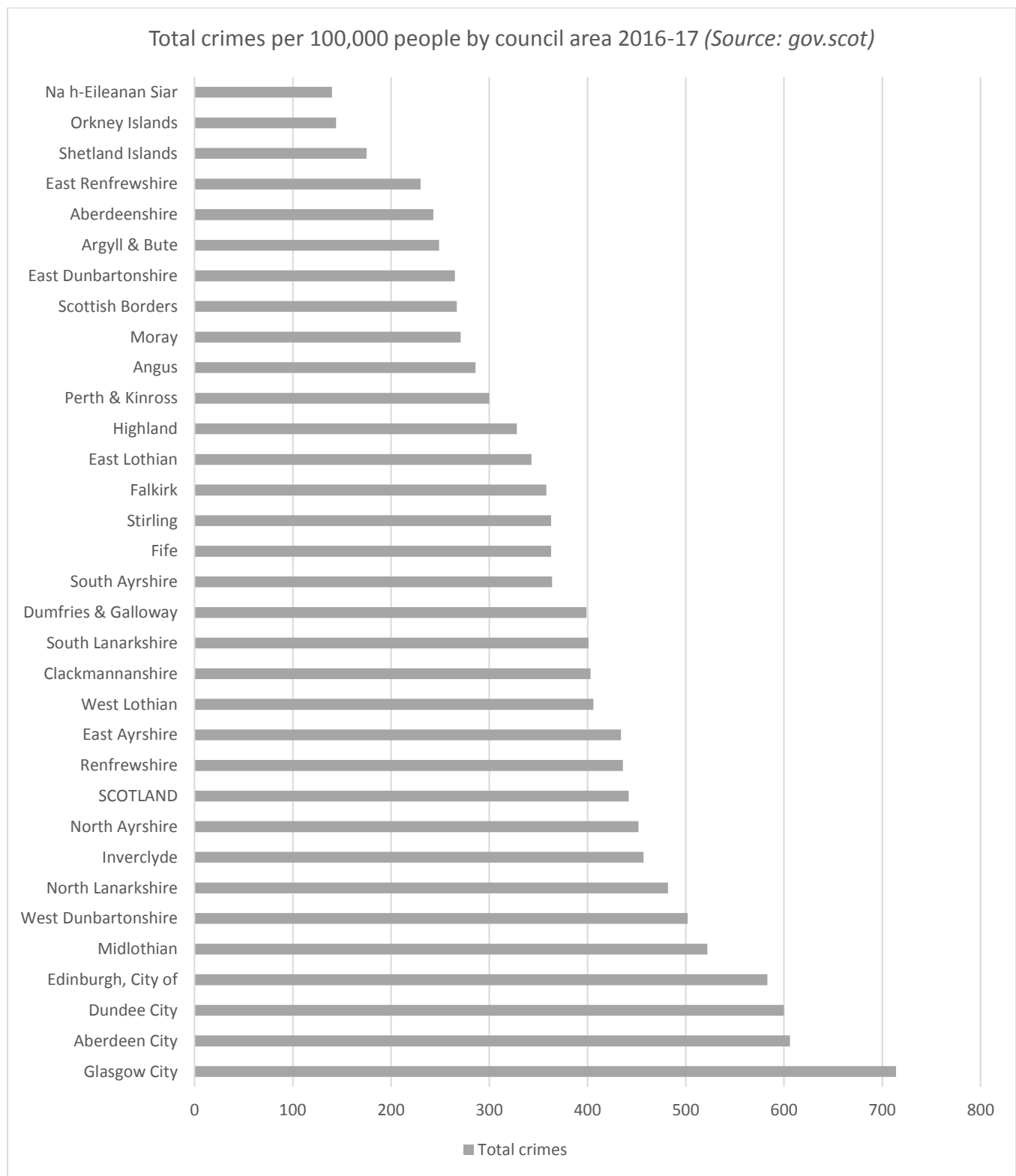
2.

Most people who are taken to court are subsequently found guilty. In 2016/17, the number of people appearing in court was more than the previous year.

View of Dylan Rea

Give evidence to support and oppose the view of Dylan Rea. Use statistics to support your answer.

3. Study the table below and answer the question which follows.



What **conclusions** can be reached about the number of crimes per 100,000 people in **each** of these local authority areas:

- Na h-Eileanan Siar (Western Isles)
- Fife
- Glasgow City?

Use evidence to support your answer.

White Collar Crime

What does the term 'white collar' mean?

The term 'white collar' refers to a person's profession. It is quite a traditional term but is still used today. It refers to the 'white collar' a middle-class professional would wear to work and is juxtaposed with the 'blue collar' of an overall that a working-class person would wear to work.



White collar crime defines a specific type of crime that is more commonly committed by middle class people. This type of crime is usually financially motivated and can be committed 'non-violently.' Examples of white collar crime include fraud, money laundering, identity theft and hacking.

As well, the prosecution level of white collar crime tends to be lower – or the punishments lighter – than for blue collar crime.

FINANCIAL TIMES

(24/07/17)

White collar prosecutions plummet even as crime rises

Data show a 26% fall since 2011, while offences more than quadrupled in the same period

The number of white collar prosecutions has fallen to a six-year low even though the amount of economic crime in the UK has risen over the same period, a development that could bolster arguments that a lack of resources is hampering the fight against crime.

Official statistics show there were 8,304 prosecutions for financial crime in 2016, a 12 per cent drop on 2015. It also represents a 26 per cent fall since 2011, when there were 11,261 prosecutions, according to data gleaned from the Ministry of Justice through a Freedom of Information request.

But the number of reported fraud offences has increased nearly fourfold in the same period. In 2011 the number stood at 142,991 offences while last year it had risen to 641,539, according to the Office for National Statistics. Cyber attacks and online fraud were one of the factors contributing to the spike.

Heading: White Collar Crime

1. In your own words, write a definition of white collar crime. Include a definition of blue collar crime in your answer.
- 2.

White collar crime is not a significant issue. The number of white collar crime cases is falling.

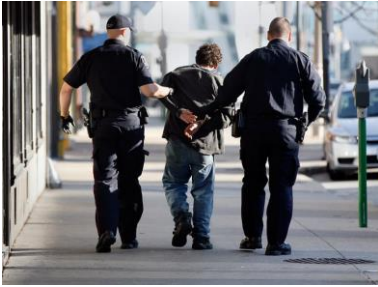
View of Andrew Morris

What statistical evidence is there to **oppose** the view of Andrew?

3. Describe the rate of prosecutions for white collar crime.

Who is Affected by Crime?

The chances of being a victim of a crime are not the same for every group of people. Some groups are more likely to be a victim of a crime than others.



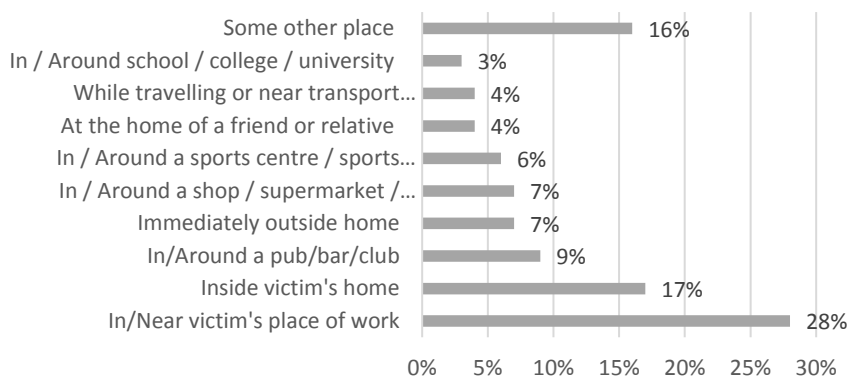
Young people face higher risks of crime than older people. The Scottish Crime and Justice Survey found that around one in ten (13.4%) adults aged 16 or over was the victim of at least one crime in 2016-17. However, 19.5% of 16-24 year olds were victims of crime compared with only 7.2% of those aged 60 or older. This shows that young people 16-24 are more likely to be victims of crime compared to both all adults and adults 60 or older.

The risk of being a victim of violent crime also decreases with age. In 2016-17, 5.3% of adults aged 16-24 were victims of violent crime in comparison to 0.4% of adults aged 60+. People living in deprived areas are also more likely to be a victim of violent crime: 4.8% of people living in the most deprived areas were victims of crime in comparison to 2.5% of the rest of Scotland.



Where and when does crime happen?

Percentage of Victims Experiencing Violent Crime 2016/17 (Source: SCJS)



This table shows that the most common location for a person to experience violent crime is in or near their place of work, followed by inside their own home.

Just over half (54%) of violent crime took place during the week, and 46% of violent crime took place at the weekend. Although the proportion of violent crime is more during the week, due to the number of days, the incidence of violent crime per day is higher at the weekend.

Heading: Who is affected by crime?

1. Explain why younger people are more likely to be victims of crime.
2. Explain why people living in deprived areas are more likely to be victims of crime.
3. Explain why people are most likely to be a victim of violent crime at work.
4. Explain why there is a higher incidence of violent crime at the weekend.

THE LIVERPOOL ECHO

THE NEWS IN YOUR AREA

6 OCTOBER 2012

10 YEARS FOR COWARDLY THUG WHO BEAT 83 YEAR OLD PENSIONER

A robber lay in wait for an elderly man in his own home before brutally attacking and tying him up, a court heard.

On July 4, pensioner Mr Brough came home from an evening out and was confronted by an intruder in his hall who attacked him. Rob Jones, prosecuting, said: "Mr Brough attempted very briefly to fight back but was unable to do so and was punched several times in the face.

George Fairclough had previously done gardening work for his 84-year-old victim. The 21-year-old carefully hid his identity with a balaclava before using his mobile to ring a taxi to flee.



After trial, Fairclough, of Southport, pleaded guilty to robbery, false imprisonment and fraud. Fairclough was remanded in custody for sentencing

Although elderly people are far less likely to be the victim of a crime than younger people, surveys show older people worry more about becoming a victim of crime than younger people.

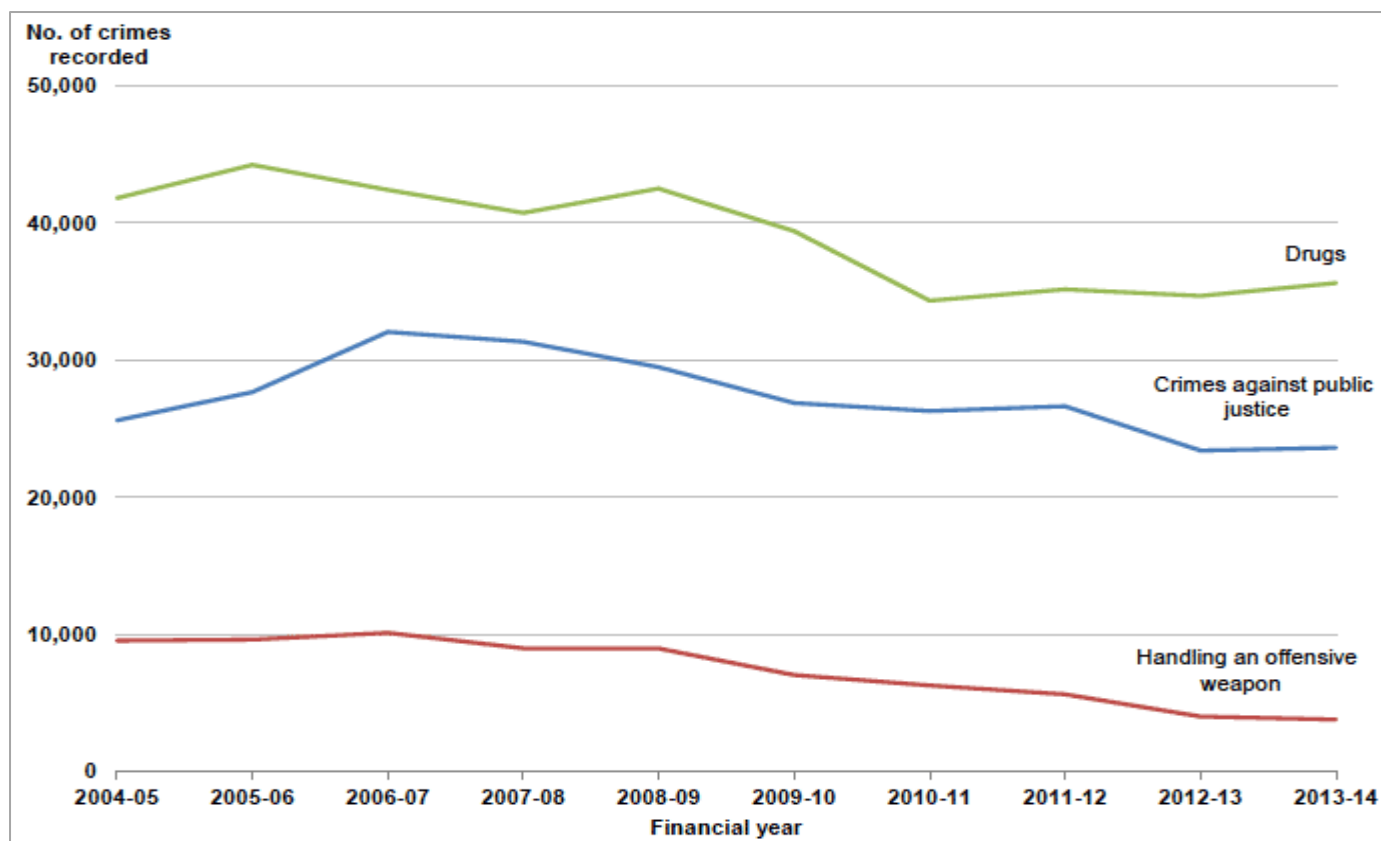
1. If you were a pensioner, in what way might you react to the above newspaper article?
2. For what reasons might older people have a greater fear of crime than young people. Make **two** points.

Enquiry Skill: Support and Oppose

In Modern Studies it is important to look at information carefully. Some information is accurate (true) but on other occasions, the information given is false or only partly correct. Study the examples below then answer each of the questions which follow.

Example 1 – Support and Oppose (N4)

Study the graph below then answer the question which follows.



The most common type of crime given in the table was drug offences. There has been a huge drop in crimes against public justice. Handling an offensive weapon has seen a drop in crime levels since 2004-05.

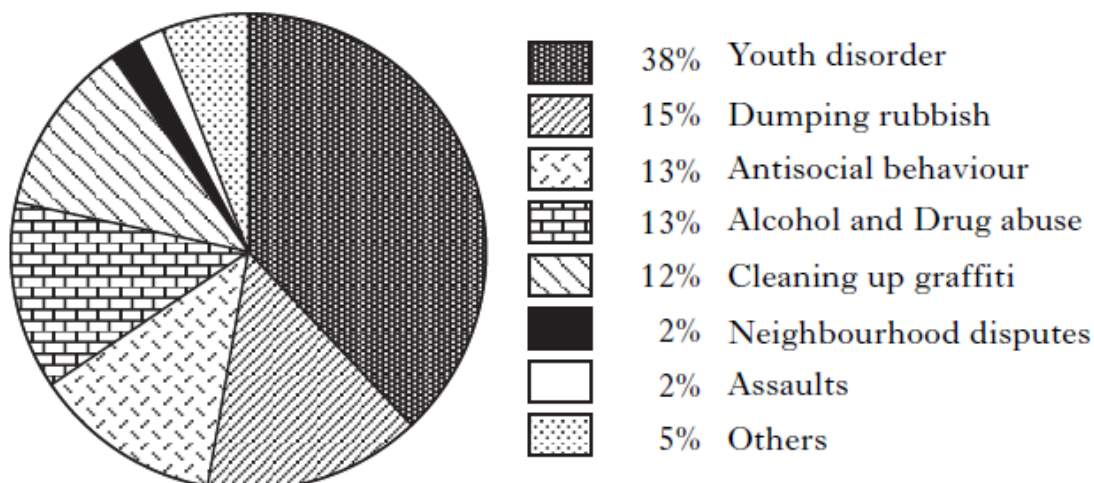
View of Cal Birtley

Choose one sentence that is given by Cal and explain why it is **incorrect**. Give a reason to oppose the sentence you have chosen.

(This is **opposing** the view of Cal)

Example 2 – Support and Oppose (N4)

Source 1 – How community wardens spend their time each week



Source 2 – Facts about Community Wardens

Community wardens were introduced to act as a deterrent to antisocial behaviour and provide reassurance to those whose lives were affected by crime. Most wardens do not have the power to charge or arrest wrongdoers, but they work closely with the police, acting as their “eyes and ears” in the community. Community wardens earn much less than police officers.

Statements about Community Wardens

- Community wardens can reduce the cost of policing an area.
- Community wardens spend a lot of their time dealing with youth disorder.
- Community wardens spend a lot of time dealing with assaults.
- Community wardens have the same powers as the police.

Write down **two** statements about community wardens which are **incorrect**.

For each statement, give one reason from the sources to oppose the statement.

Your reasons must be based entirely on Sources 1 and 2.

(4)

Support and Oppose (N5)

Study the information below then answer the question which follows.

Source 1 – Number of homicide (murder) victims and accused 2002/03 – 2011/12



**Source 2 – Scottish Government Press Release:
Homicide rate reduces 06/11/2012**

The number of homicide cases in Scotland has dropped by 28 per cent in ten years, statistics revealed today. Official figures show 2011-12 as having the second lowest number of homicide cases in 10 years. Justice Secretary Humza Yousaf said: “This Government is working hard to ensure that Scotland is a safe place to live. A drop of 28 per cent in the number of homicide cases in the last a decade shows we are making progress in the battle against violent crime. Following a further decrease of 11 per cent since last year it is reassuring to see these figures are going in the right direction.

There were just under 100 homicides in Scotland in 2011-12. Every year, the number of homicides in Scotland has been dropping. Overall, since 2002-03, the number of homicides in Scotland has fallen by more than a quarter.

View of Cerys Gamble

Give information to **support** and **oppose** the view of Cerys Gamble.

(Take each of Cerys’ sentences, state if it is correct or incorrect and explain why using information from the sources.)

Support and Oppose (N5)

Study Sources 1, 2 and 3 below and on the next page, then answer the question which follows.

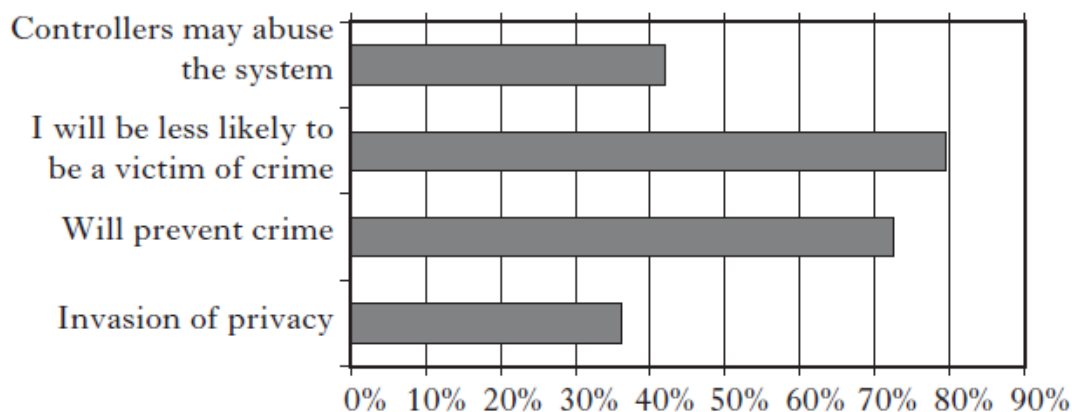
Source 1 - Facts and Viewpoints

- CCTV cameras were introduced to Scotland's streets as a method of tackling crime. There are now approximately 2,335 cameras in Scotland monitoring public spaces such as city centres, parks and shopping centres.
- CCTV is proven to be highly effective in reducing crime in some places e.g. hospitals and car parks.
- Some research indicates where cameras are installed crime increases in nearby areas without CCTV cameras.
- Police believe that criminals are more likely to plead guilty when presented with CCTV evidence. This saves time in court and up to £5,000 of the costs of a trial.
- A case study in the Greater Glasgow area could find no link between the installation of CCTV cameras and a reduction in crime.
- Police officers report that one of their big frustrations is broken and vandalised cameras and CCTV images which do not capture offences clearly enough.
- There were 3,318 recorded incidents in 2008/9 using CCTV cameras which resulted in 587 evidence discs being provided for the Procurator Fiscal Service.
- Many members of the public are concerned that more CCTV means a loss of civil liberties and an invasion of their private lives.
- The majority of the public believe that the installation of more CCTV cameras is a positive thing.
- Scotland's cities already have too many cameras in operation compared to other countries, costing a huge amount of money.
- Strathclyde Police recently claimed a 75% drop in anti-social behaviour following the installation of a £130,000 CCTV system in a town with a history of this type of problem.

Source 2: Statistics

Area	Crimes per year before CCTV installed	Crimes per year after CCTV installed	Percentage change
City	1526	1098	-20%
City car park	794	214	-73%
Hospital	18	12	-33%
Inner City Estate	160	182	+14%

Source 3: Public Opinion on CCTV



Source 4 – Viewpoints

Law abiding citizens have nothing to fear from CCTV; in fact it can help to protect them by deterring criminals from committing unlawful actions. CCTV can save taxpayers money by speeding up court cases. CCTV is of great benefit to police forces around the country especially when dealing with anti-social behaviour. The CCTV operators can direct the police to any possible flashpoints so that they can deal with problems before they arise. In addition, if a crime is committed, the CCTV evidence can be used in court to identify a criminal. We should use more new technology to aid the fight against crime.

View of Morgan Melville

Installing CCTV cameras does not reduce crime rates. CCTV cameras are not effective in solving even straightforward crimes like street robberies. One problem is that some operators have not been trained in using the system properly and as a result, the cameras can be badly positioned and out of focus. CCTV is an invasion of privacy as most ordinary citizens do not commit crime but still have their movements followed and recorded up to 300 times per day. At best, CCTV only makes offenders move away from areas with cameras to commit crimes where there are none. Too much money is wasted on CCTV cameras; this money would be better spent putting more police on the street.

View of Sinead McGregor

CCTV has reduced crime in Scotland. The public think CCTV is always a good thing.

View of Danielle Dow

Using Sources 1, 2, 3 and 4, give evidence to **support** and **oppose** the view of Danielle Dow.

- You should give evidence to support the view of Danielle Dow
- You should give evidence to oppose the view of Danielle Dow
- You must use all four sources

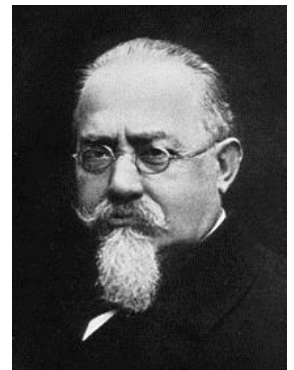
(8)

Causes of Crime

Nature (Biological Argument)

An Introduction to Criminology

Social scientists called 'criminologists' study crime and its causes. There is no one cause of crime but some factors in people's lives can make it more likely that they will commit a crime. Criminologists have spent hundreds of years trying to determine a definitive cause of crime, and many prominent criminologists have put forward their 'theory' of the cause of crime. Some criminologists believe that one of the main causes of crime is a person's nature, that they are 'born bad.'



One of the first criminologists to argue that criminals were in some way biologically different was CESARE LOMBROSSO. Lombroso was a 19th century Italian prison doctor who studied the prisoners he worked with. Lombroso concluded that the prisoners were physically different to 'ordinary' people.



Lombroso believed that you could determine a person's chances of being criminal by measuring the size and shape of their skull and facial features. He explained that features such as large jaws, high cheekbones and large ears were indicators of criminality. Lombroso has been largely discredited today and many have accused his work of being racist, by attributing stereotypical features of black people to criminality.

Psychopathy

Today, however, there is better research to suggest that some people are born with a higher likelihood of committing crime. Psychopathy is a medical condition that changes the way someone interacts with other people, making them believe they are superior to others, manipulative, impulsive, and lacking remorse and empathy (the ability to sympathise with others feelings.) This means psychopaths are more easily able to commit crimes such as murder as they do not understand the consequences or the pain it causes.

The Moors Murderers

The Moors Murderers is the name given to IAN BRADY and MYRA HINDLEY who abducted, abused and murdered

five children in and around Manchester between 1963 and 1965. Their bodies were then disposed of on the Saddleworth Moor. The body of twelve-year-old Keith Bennett was never found. Brady wrote to the boy's mother from prison to taunt her about the whereabouts of her son's remains, but he never revealed the location to the authorities. It is believed that Brady was a psychopath, and that this allowed him to manipulate Hindley into committing the murders. His psychopathy also allowed him to carry out the terrible crimes with such ease and frequency. It is also believed that he wrote the letters to Bennett's mother to assert his supposed higher intelligence. Brady died in Ashworth Secure Hospital in 2017.



Heading: Causes of Crime – The Nature Argument

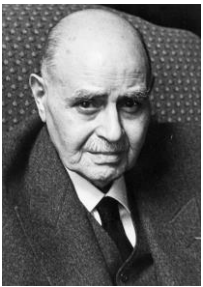
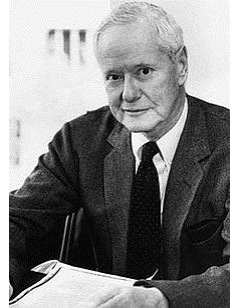
1. What is a criminologist?
2. What is meant by the 'nature' argument to explain crime?
3. Who was Lombroso and what did he conclude about the physical nature of criminals?
4. Why was Lombroso's research largely discredited?
5. Which emotions does research suggest that psychopaths lack? Give **two** examples.
6. Why was Ian Brady described as a psychopath? Give **three** reasons.

Nurture (Social Argument)

Most criminologists agree that not all crime can be explained through natural differences. The other side of the argument is called the 'nurture argument' which attempts to explain criminal behaviour through people's environments and upbringing. The nurture argument suggests that factors in society (the environment people grow up in) including poverty, family, peer pressure, use of alcohol/drugs, etc., will make some people more likely to commit crime.

Robert Merton: Strain Theory

Merton's strain theory argues that poorer people have difficulty achieving society's aims (achieving material wealth) through legitimate means (a well-paying job). Because of this, they might turn to crime to achieve material success – such as burglary or drug dealing.



Albert Cohen: Status Frustration

Cohen's theory focuses less on material factors, and more on cultural factors. Cohen argues that working class boys strive to achieve the aspirations of the middle-classes but lack the means to achieve this success through the normal ways (working hard at school, getting a good job, etc.) This led to '**status frustration**' (a sense of personal failure or inadequacy of one's social position in society.) Because these boys lacked the means to achieve the values of the middle classes, they instead created their own set of 'sub-values' which rewards delinquent behaviour such as acting out in class, truancy and gang involvement.

Critiquing these theories

Both of these theories suggest that you are more likely to be a criminal if you are poorer. As can be seen in previous sections, it is true that people who live in more deprived areas are more likely to experience crime, so this backs up these theories.

However, these theories do not take into consideration criminals who come from wealthier backgrounds – and they certainly do exist!

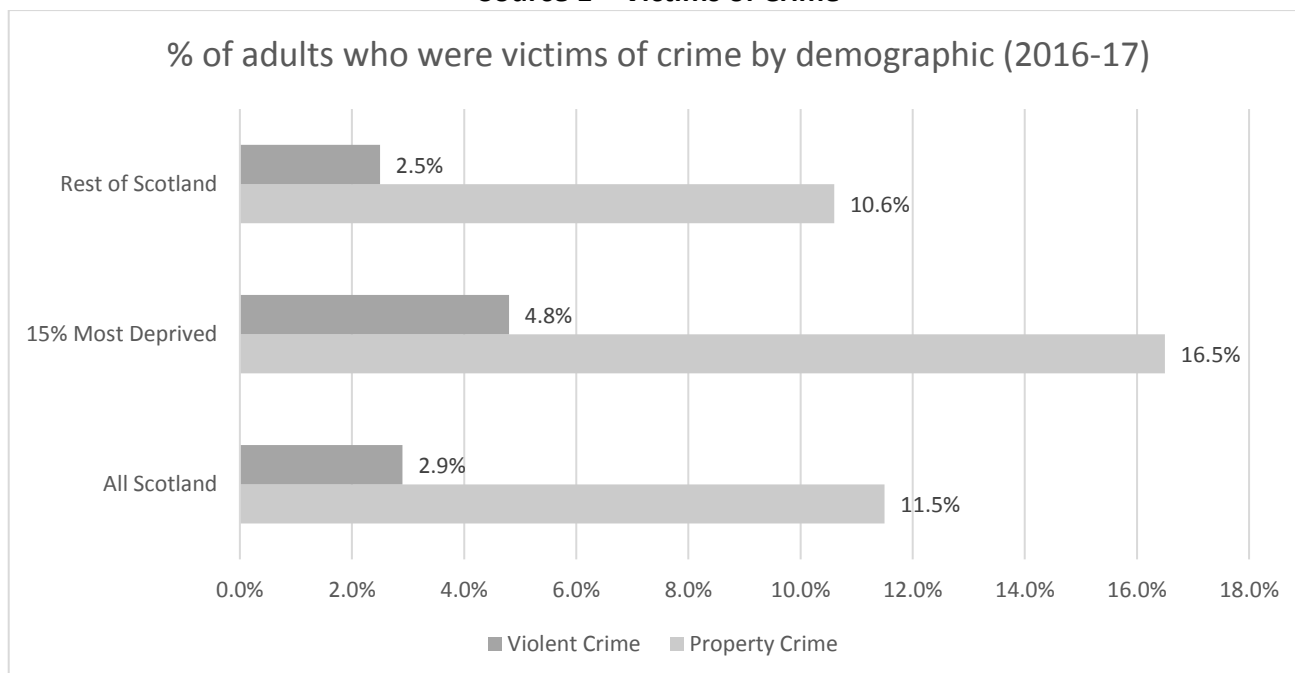
1. What is meant by the 'nurture' argument to explain crime?
2. List four factors which may make someone more likely to commit crime.
3. Who was Robert Merton and what did he argue?
4. Who was Albert Cohen and what did he argue?
- 5.

The nurture argument explains the causes of crime.

View of Dylan Paterson

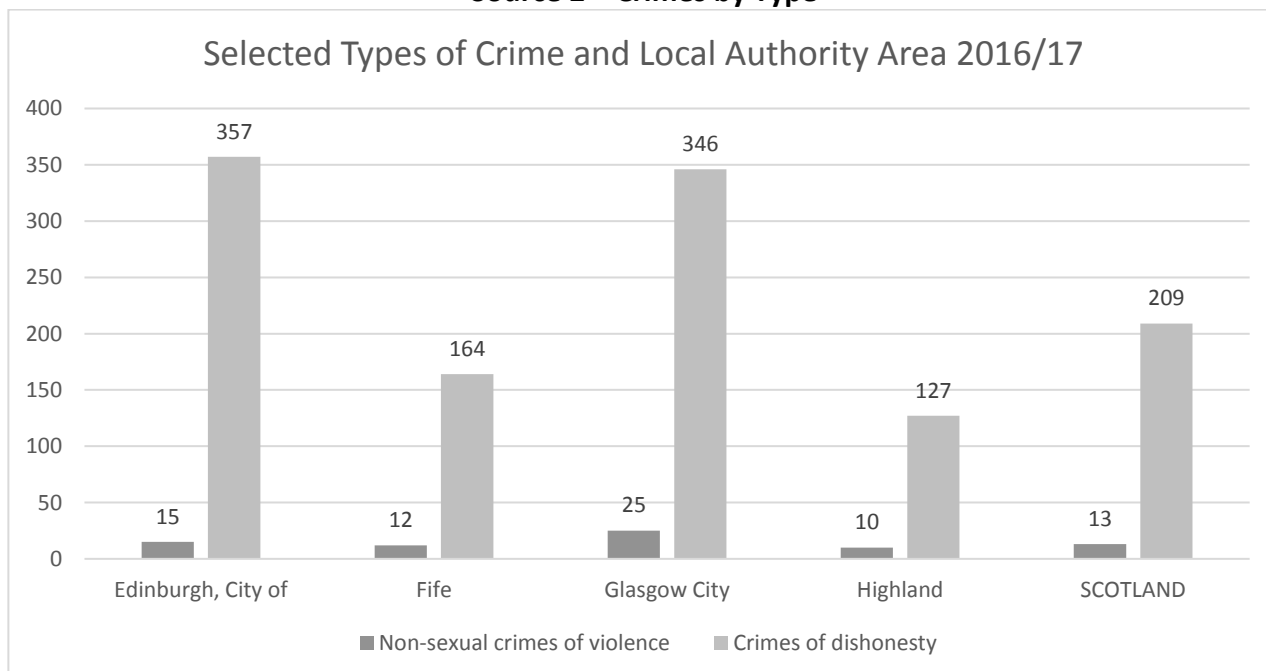
Give **one** reason to **support** and **one** reason to **oppose** the view of Dylan.

Source 1 – Victims of Crime



6. Using only source 1 above, what conclusions can be made about the following?
- The amount of property crime in the 15% most deprived areas compared to the rest of Scotland?
 - The amount of violent crime in the 15% most deprived areas compared to the rest of Scotland?
 - The amount of violent crime in the 15% most deprived areas compared to all Scotland?

Source 2 – Crimes by Type



7.

Crime is higher in some areas of Scotland than in others.

View of Euan McBride

Using only the information in Source 2 above, give two reasons to support the view of Euan McBride.

Alcohol and Drugs (Social Cause)

Increasing Violent Behaviour

Alcohol and drug abuse is strongly linked to violent crime. In 2016/17, nearly half (42%) of violent crimes were committed by offenders who were under the influence of alcohol (although this figure is decreasing – 2008/09: 63%, 2014/15: 56%). This could also be the reason that a higher rate of violent crimes are committed at the weekend, when people are more likely to be heading out to clubs and pubs for a weekend drink.



Man Jailed for Drinks Row Killing in Edinburgh

Paul Beattie, 46, stabbed James Gatti to death outside a house in Gilmerton in 2017. The court heard how Beattie accused Gatti of stealing a bottle of Malibu from the home before stabbing him. The court heard he had spent the evening before the crime drinking large amounts of alcohol and taking drugs.

The reason that alcohol and drugs contribute to causing crime is complex and there is no clear direct link. However, drugs and alcohol do have an effect on a person's behaviour, making consumers more likely to do things they normally would not.

Recently, Ryanair called on the government to restrict alcohol sales at airports because of an increase of alcohol related violence on its flights. Arrests of intoxicated passengers increased 50% between February 2016 – 2017, and a survey of 4000 cabin crew showed that 1 in 5 had experienced physical abuse from drunk passengers.

Leading to Deprivation

Alcohol and drugs can also contribute to a dysfunctional life which can mentally and physically affect users and their families.

The cost of alcohol and drugs is high, and in order to fund their habits, some drug and alcohol users may resort to theft, burglary or shoplifting to fund their addiction. The Centre for Social Justice found in 2013 that 81% of people who used heroin or cocaine at least once per week admitted committing crime to acquire money or property, in comparison to 30% of other people arrested.

As well, in a family where there is an alcohol or drug dependant parent present, this can put increasing strain on children who are subsequently more likely to get involved in gang crime.

Heading: Causes of Crime – Alcohol and Drugs

1.

Alcohol related violent crime is increasing in Scotland.

View of Finlay Yorkston

What evidence is there to **oppose** the view of Finlay? Give **three** pieces of statistical information.

2. What reason is given to explain why the incidence of violent crime higher at the weekends?
3. In what way do alcohol and drugs change someone's behaviour that might make them more likely to commit crime?
4. Why might someone who is addicted to drugs or alcohol turn to theft?
- 5.

There is no reason to think that people who use drugs are more likely to shoplift.

View of Greg Thompson

What statistical evidence is there to oppose the view of Greg?

Peer Pressure (Social Cause)

Gang culture is strongly associated with criminality. Young people especially are susceptible to becoming involved in gangs. Many young people who have committed crime are also excluded from school, meaning they miss out on some of their education which leads to *social exclusion* (feeling like an outsider). They may feel abandoned by family, friends, their teachers etc. Because of this, they may find a 'second family' or a sense of belonging in a gang.

The strong sense of belonging in this gang can make young people feel pressure to do as the other gang members are doing. For example, gangs often impose an initiation to make new members prove they are 'good enough' to be in the gang. These initiations are often illegal, such as shoplifting, fighting with someone from another gang or taking drugs. This is called **peer pressure**, because the person's peers (the other gang members) are pressuring them into committing crime.



Although the police have worked hard to reduce gang violence, and gangs are much less prevalent now than 20-30 years ago, Glasgow still remains an area where gangs operate. **The Observer** recently reported that gangland feuds were fairing up once more in Glasgow, resulting in public killings. There have been daylight shootings outside two primary schools and a driver was shot dead waiting at traffic lights. John Carnochan, the founder of the Violence Reduction Unit, stated that "he has no doubt about the role that poverty and social disintegration plays in young men being attracted to this lifestyle." Glasgow's most deprived communities – Maryhill, Possilpark, Milton, Springburn and Barlanark – are some of crime gangs' main centres of operation.

Heading: Cause of Crime – Peer Pressure

1. Write a definition for 'peer pressure.'
2. Why might a young person join a gang? Write **two** reasons.
3. Why does being part of a gang mean that someone is more likely to commit crime? Give **two** examples of crimes associated with gangs.
- 4.

Glasgow gangs are a thing of the past. They used to cause violence but no longer operate.

View of Hollie Sibbons

Give evidence to oppose the view of Hollie. Write **two** things.

5. Read the newspaper article from *the Scottish Sun* (right). Write down **two** examples of crimes recently committed by gangs in Scotland.
6. Why was the gun murder of Euan Johnston especially significant?

Clashes between six Scottish gangs fuelled by 'feuds, violence and firearms' contributes to Scotland's criminal mob risk (Scottish Sun 14/05/18)

The National Crime Agency claims the gun murder of Euan 'EJ' Johnston sparked "numerous reported and unreported acts of further violence".

The 26-year-old was gunned down in the city's Tradeston area in November 2016, the only shooting murder in police records for 2016/17.

The agency's report says two thirds of gangs are involved in drug trafficking with Spain, Holland and China the main non-UK supply areas for narcotics heading to Scotland.

Poverty (Economic Cause)

Although being in poverty does not automatically make someone a criminal, there is a higher chance of people living in poverty becoming the perpetrator or victim of crime. The relationship between poverty and crime is very complex, there are many reasons why poverty might increase the likelihood someone might be involved with crime.

Location and Crime

Evidence shows that criminal activity is not evenly distributed geographically. Some areas suffer higher crime rates than others. The economic status or wealth of an area is an important factor. Studies have found that robberies are higher than the average in poorer areas with higher levels of social problems. The highest rates of violent crime also occur in the poorer areas. As shown on page 8, areas which experience higher deprivation also tend to experience higher levels of crime. For example, Glasgow has high levels of inequality and also has the highest levels of crime.



Stealing out of necessity

Many people believe that shoplifters are greedy and are stealing so they can have the latest fashion or biggest TV that they cannot afford. However, with a rise in poverty, there is evidence that some people are resorting to shoplifting just to support themselves and their families – such as stealing baby food, nappies and sanitary pads. Read this news article:

Mirror

‘Survival shoplifting’ soars as people battle to cope with brutal cuts in austerity Britain

20 December 2014

There were more than 21,000 extra thefts from stores across England and Wales, a near 7% hike

The all-party Parliamentary group on food poverty and hunger revealed it had heard evidence from police officers about the rise of ‘survival crime’.

Nicky Gyorven, a duty sergeant at Northumbria Police, warned: “It’s now your essentials rather than your alcohol and sweets that were stolen in the past.”

Citizens Advice Bureau spokeswoman Julia Hannaford said: “One of the reasons for shoplifting is levels of unemployment, benefits being cut and coping with the cost of living.

Blackpool foodbank boss Chris Phillips said essentials like food and clothes were stolen.

“We are not saying it is right,” he added. “But sometimes people do not have a choice. They have to feed their families.”

Heading: Causes of Crime – Poverty

1. Is crime distributed equally across Scotland? Use evidence from page 8 to support your answer.
- 2.

People who shoplift are simply lazy. If they want the latest designer clothes, they should work for it.

View of Jack Filsel

Give evidence to oppose the view of Jack. Make **two** points.

Consequences of Crime

Consequences on Victims and their Families

Crime has a significant impact on victims and their families: emotionally, physically and financially. Without doubt, a crime that involves violence will have worse effects. The effects of a crime can be both 'in the moment' and 'long lasting.' For example, if someone were violently attacked, the initial impact could be injury, and the long lasting impact could be fear.

Victim Support Scotland is a charity dedicated to helping victims of crime. They state that the long term impacts of being a victim of crime can include: a fear of leaving the house, flashbacks to the event, nightmares, anger, anxiety, confusion and tearfulness. They also state that some people will recover after a few weeks, but for others, the experience is far more traumatic and long-lasting. Some people will recover after a few weeks, but for others, the experience is far more traumatic and long-lasting.

If the crime has involved theft, the person might suffer the consequences of this for a long time. If, for example, their savings were stolen from their home, they might suffer significant financial difficulty. Some people might be so emotionally traumatised or physically injured that they cannot return to work, meaning their income is affected.

Case study: Distraction Burglary

Distraction burglary occurs when one person 'distracts' the victim, then another person commits a crime, such as robbery. This could happen, for example, by ringing the front door bell and engaging the victim in conversation. While this is going on, a second person will enter the property by another means and perform the robbery. Prevention advice on this crime type is available on the Crimestoppers website. On the website, Lord Ashcroft, KCMG, Founder and Chair of Crimestoppers, said, 'Distraction burglars are clearly hideous



individuals as they tend to prey on elderly, vulnerable people to rob them of life-long treasured possessions by using devious tactics and, in many cases, violence. Some victims suffer a decline in health and even die as a result of the trauma caused by these criminals. If you have any information on these wanted individuals, please contact the charity Crimestoppers anonymously, we guarantee that no one will know your identity.'

Dame Vera Lynn, co-patron of Sussex Crimestoppers branch, said, 'As someone who has been a victim of burglary several times, I can't reinforce enough how frightening it is. Worse than having your possessions taken, is having your confidence stolen as well.'

Heading: Impact of Crime on Victims and Families

1. What three categories of impact might a victim of crime suffer?
2. What emotional effects might crime have on a victim or their family? Write **three** things.
- 3.

Crime is a horrible thing, but victims will soon get over the trauma and get back to their normal lives.

View of Jennifer Gailor

What evidence is there from Victim Support Scotland to oppose the view of Jennifer? Write **one** thing.

4. What financial effects might a crime have on a victim? Write two things.
5. What does Lord Ashcroft say 'distraction burglary' involves?
6. What effects do some victims of distraction burglary

Consequences on Communities and Society

Crime has a significant impact on communities and wider society. As you discovered, crime does not affect all communities equally, rather, crime is higher in some areas than in others.

The Cost of Crime to Businesses

Crimes such as shoplifting and fraud cost businesses in the UK billions of pounds each year. To combat crimes such as shoplifting, companies have increasingly had to employ security officers to patrol the store. Other methods used to prevent shoplifting include attaching anti-theft tags that sound an alarm if a thief attempts to leave the store with the attached item and increased use of CCTV.

If businesses have to spend more money on anti-theft measures, this cost is passed on to the consumer, meaning higher prices for shoppers.

The Impact of Crime on House Prices

Recent research has shown that where crime levels are high, house prices have fallen. This is because these areas are 'less desirable' to live in.

Cost of UK retail crime soars to a record £613m

(The Guardian 01/02/16)

The annual bill for UK retail crime soared to £613m last year – the highest level since records began – driven by sophisticated criminal gangs stealing luxury goods such as designer clothing and hi-tech gadgets to order.

The total number of offences has dropped for the second year running, retailers reported, to 750,144 incidents. But the high value of items stolen compared with the drop in incidents shows that crime against retailers is increasingly being carried out by sophisticated criminals.

Survey respondents – which account for 51% of the retail sector by turnover – pointed to the rise in the use of specialist equipment such as de-taggers and foil-lined bags to avoid detection, with 40% of crimes attributed to gangs, often working in groups.

The Yorkshire Evening Post reports that of the 23 districts that witnessed a fall in house prices, 83% of these districts had experienced a significant rise increase in the number of reported crimes. Similarly, in the 26 districts that saw a fall in crime rates, 85% experienced a rise in house prices from 2017 – 2018. Eden in Cumbria saw the strongest correlation, with a 6% fall in crime coinciding with a 10% increase in house prices.

Heading: The Impact of Crime on Communities and wider Society

1. What three methods of crime prevention have shops invested in recently to combat shoplifting?
2. Why are increased security measures bad for consumers?
- 3.

Shoplifting offences are falling. They are not a significant financial issue for businesses.

View of Cerys Gamble

What evidence is there from the Guardian article to **support** and **oppose** the view of Cerys? Write **two** things.

4. What statistical information is there to support the claim that house prices are affected by crime levels? Write **three** things.

Consequences on Perpetrators

The perpetrator is the person who commits the crime. Although the focus of the consequences is usually on the victims, there are repercussions for the offender too. Having a criminal record can affect you for many years, if not the rest of your life.

Conviction and Punishment

One obvious consequence of committing crime is being punished by the criminal justice system. This may include paying a fine, losing your car licence, having to complete unpaid community service or going to prison.

Travelling Abroad

Many countries will not accept visa applications from convicted criminals. Countries like the USA and Australia have very strict regulations. In Australia, if you have spent over 12 months total in prison, you are likely to have your visa application denied. In the USA, if you have ever been arrested, cautioned or convicted, you may have your application refused; depending on the nature of the crime.



This might mean that a crime committed when you are younger could come back to haunt you later in life if you choose to go travelling but cannot due to visa restrictions.



Employment

When applying for a job, you must disclose any criminal convictions to your employer. For some fields of employment, having a criminal conviction disqualifies you from being allowed to work in that job. For example, teachers must apply for membership to the 'Protecting Vulnerable Groups' scheme, which means their employer will be notified of any criminal convictions they have or acquire. Convictions such as drink driving, drugs offences and criminal damage will often result in someone being ineligible to join the PVG scheme.

Some other occupations will have restrictions too. Often it depends on if you are likely to work closely to young people or vulnerable adults. For example: doctors, electricians working in a school and cleaners working in a care home.

Heading: The Consequences of Crime on the Perpetrator

1. Write down a definition for the term 'perpetrator.'
2. What punishments could an offender face? Write **two** things.
- 3.

A criminal record can make travelling to other countries very difficult.

View of Logan Jones

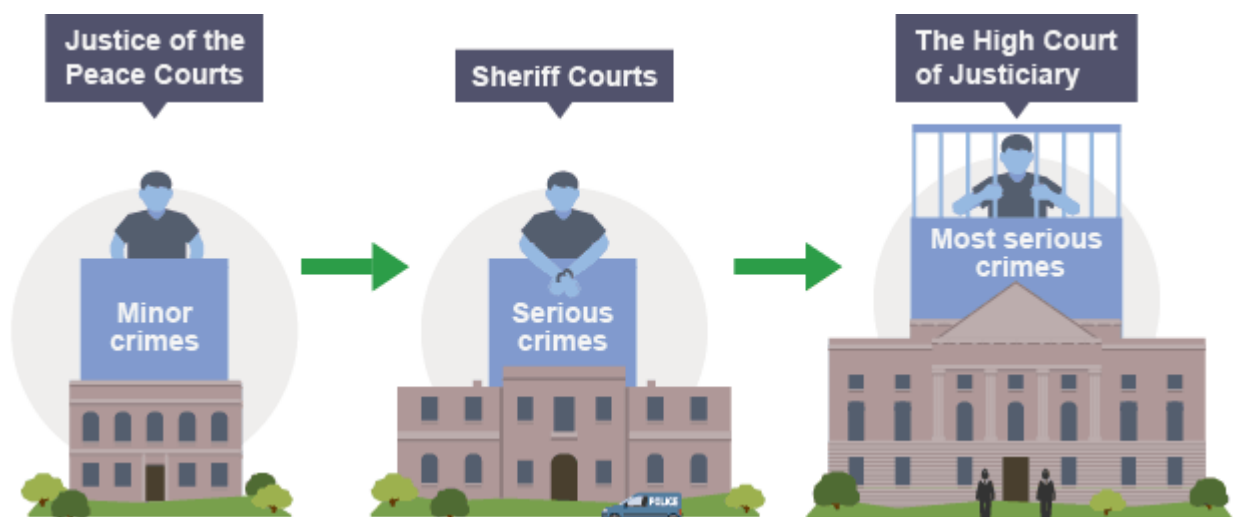
What evidence is there to **support** the view of Logan? Write **two** things.

4. What is the scheme called that all teachers must be a member of?
5. List three occupations (other than teacher) that would require PVG membership and give a reason why for each.

Criminal Justice System Criminal Courts in Scotland

There are four types of criminal court in Scotland. Each court deals with different crimes depending on the seriousness of the crime. Each has different sentencing powers and operates in slightly different ways.

<div style="writing-mode: vertical-rl; transform: rotate(180deg);">Least serious - - - - Most Serious</div>	Court	Examples of crimes dealt with	Maximum punishment	Who decides?
	High Court (Judge and jury)	Murder Rape Attempted murder Importation of drugs Major Fraud Death by dangerous driving	Unlimited prison sentence Unlimited fine	Jury
	Sheriff Solemn (Sheriff and jury)	Serious assaults (inc. weapons) Dangerous driving Drug dealing Repeat house breaking	5 years imprisonment Unlimited fine	Jury
	Sheriff Summary (Sheriff sits alone)	Theft by breaking and entering More serious assault (broken bone) Fraud Less serious drugs cases (eg. possession)	12 months imprisonment Max fine £5,000	Sheriff
	Justice of the Peace	Speeding Careless driving Breach of the peace Simple assaults Theft	60 days imprisonment Max fine £2,500	A 'lay magistrate.'



Heading: Criminal Courts in Scotland

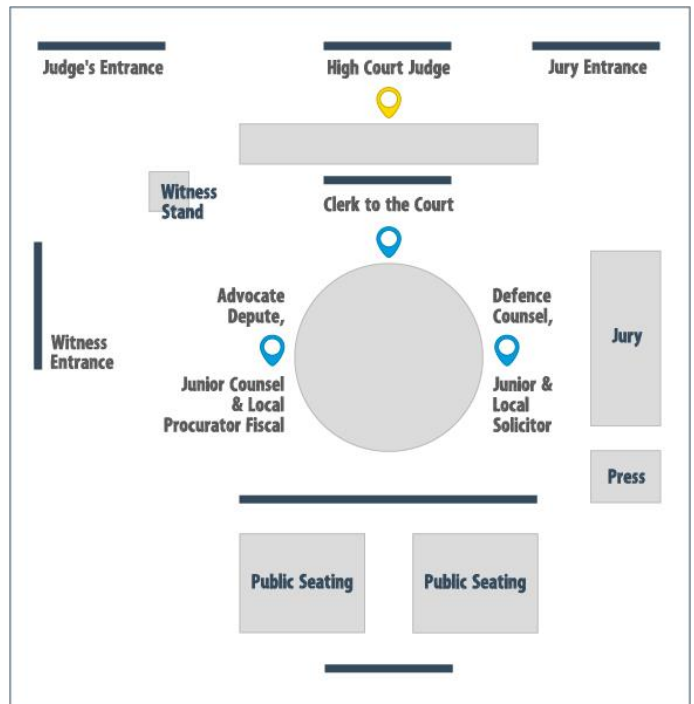
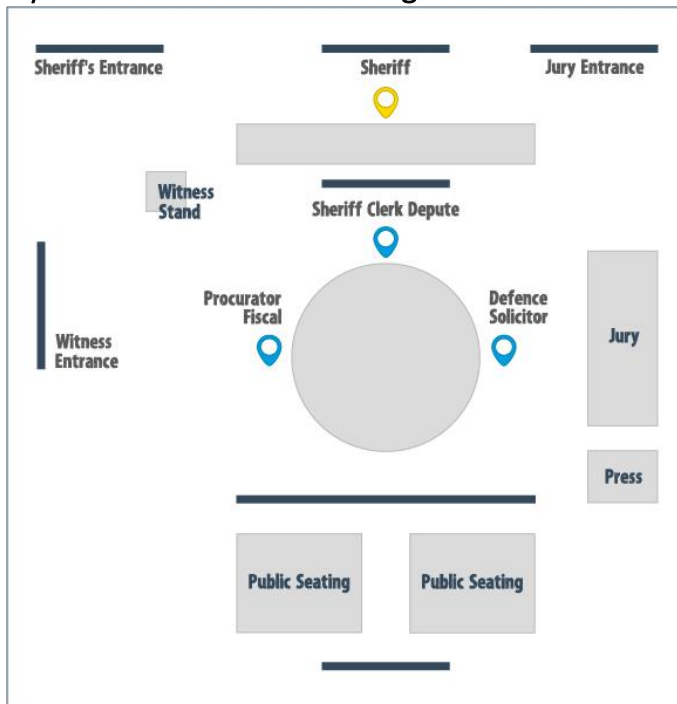
1. Using a ruler and a pencil, copy the table above into your jotter.
2. How many types of criminal court are there in Scotland?
3. In which court would murder be tried in?
4. What is the maximum punishment for repeat house breaking?
5. Who decides the outcome of a trial in a Justice of the Peace court?

What is it like in court?

Courts are very formal, which reflects the very serious nature of their work. Each court is different; however, the layout remains roughly the same. Here is a typical court room:



Layout of Sheriff Court and High Court rooms



In both court rooms, the judge sits at the front on an elevated platform so that they can see all of the proceedings. In front of the judge's bench, the clerk of court sits at their desk. The jury (15 members of the public who decide the outcome) sit to the side and watch the trial. They have their own entrance which leads to private jury deliberation and rest areas. On the opposite side, the witness being examined sits at their own stand (they can also appear by video link if needed.) At the back of the court, there is a gallery for members of the public to observe the case (any member of the public can attend.) In the middle, the accused and prosecution legal teams sit at a large table. The accused person sits in the dock and is usually escorted by security officers. There is usually a special staircase in the dock that leads directly to the holding cells. If the accused is found guilty, they are taken down these steps to the cells for holding. However, if they are acquitted, they are free to leave through the public entrance.

How a case is tried in Scottish Courts

Making a plea

At the start of a case, the accused person is asked to make a plea. This means that they are asked whether or not they are 'guilty' (they did it) or 'not guilty' (they didn't do it) of the offence they are accused of. If they plead guilty, they will move to sentencing (punishment.) If they plead not guilty, a trial date will be set when all parties will return and fight their cases.



How does a trial proceed?

At a trial, both the prosecution and the accused will make speeches and call witnesses to try and prove their case. Trials can last weeks depending on how many witnesses are called. Witnesses will be called to stand in front of the court to give their evidence. Before they give evidence, they have to swear (promise) to tell the truth. The judge will act like a referee, remaining largely silent unless they need to advise anyone in the court room on a point of law (for example, if they are being deceitful or disrupting the court.)

Trial by Jury

A jury in Scotland consists of 15 adults chosen at random. Jurors are not paid for their work but can claim expenses such as loss of earnings. Members of the jury must be between 18 and 65 years of age. Certain people do not have to do jury service, these include ministers of religion, lawyers and police officers. You cannot sit on a jury if you have been on probation within five years or have been sentenced to prison, a detention centre or undertaken community service within the previous ten years.

Trial by jury is thought to be a strength of Scottish Law. However, some people have asked whether some of the cases that go before juries might not be better dealt with by judges. One reason for this is the cost. Jury trials cost thousands of pounds and it would be cheaper if judges decided. However, others believe that trial by jury is a basic human right which gives people a fair trial.

Verdicts

There are three verdicts available to juries:

Guilty	The prosecution have proved that the accused did commit the crime.
Not guilty	The accused have proved that they did not commit the crime.
Not proven	The prosecution have not done enough to prove that the accused committed the crime.

Both the not guilty and the not proven verdicts are called verdicts of acquittal – which means that the accused person is allowed to leave the court a free person.

If the accused is found to be guilty then the judge, sheriff or JP will move to sentence the guilty person. There are two types of sentence available:

Custodial	Non-custodial
The guilty person's freedom is taken away for a certain amount of time and they are taken to prison.	Any punishment not involving the guilty person going to prison. Can include: tagging, community service, a fine.

Heading: How a case is heard in Scotland

1. Heads and tails. Match the correct heading with its correct tail:

A judge...

...tries to find the accused guilty.

The jury...

...is in charge of the court.

The accused...

...decide if a person is innocent or guilty.

The prosecution...

...tries to prove the accused is not guilty.

2. Why do you think each of the following people do not complete jury service:
 - a. Police officers
 - b. People over 70
 - c. People with recent criminal records
3. Provide one argument **for** and one **argument** against trial by jury.
4. Read 'A day in the life of a Justice of the Peace' and take notes in your jotter of any examples of crimes dealt with and any punishments.
5. Read 'A day in the life of a Sheriff' and take notes in your jotter of any examples of crimes dealt with and any punishments.

A day in the life of a Justice of the Peace

"Every second Tuesday, I leave home at around 8am and fight my way through the traffic to the nearby justice of the peace court – one of around 450 lay people who dispense criminal justice on a local basis. The matters we deal with are considered less serious than those prosecuted in other courts but they can all have serious consequences.

"Although most justices around the country hear cases alone, there is always a Bench of three in our court, as happens in a number of similar rural areas. We meet in the justices' room between 9am and 9.30am to go through the court list with our legal adviser. As the court only sits once a week, we will be dealing with both sentencing hearings and criminal trials. A social enquiry report has been received for a young man who previously pled guilty to six charges of vandalism to shop windows, causing several thousand pounds of damage. We read with interest, but not much surprise, that he has drug and alcohol problems.

"We all put on our black gowns, though smart clothes are also acceptable, and the macer shows us into a courtroom packed with the accused, their supporters and family members. As 'master of the instance', the procurator fiscal decides the order to take the cases.

"The vandalism case is first. His solicitor draws attention to the abuse problems identified in the social enquiry report, also explaining that the young man has slight learning difficulties and suffers from lack of a father figure. The offending will not stop unless his personal problems are sorted out. We give him 18 months' probation, adding a condition that he must receive alcohol and drug counselling.

"Next to be sentenced is a 45-year-old businessman who was caught driving at 112mph on the motorway. As is increasingly the case, he is not represented by a solicitor. He argues that his family and business would suffer if he was disqualified from driving. We leave the bench to discuss it more freely, but all agree that he has failed to make a convincing case. As a result, he is disqualified for four months and fined £600 which had been reduced from £900 because of his early plea.

"Defence solicitors are in court for the next five cases – though this time their clients are not present – which are all speeding offences. They are dealt with by fines and penalty points. There are pleas of not guilty in six more cases and trial diets are set.

"After a sandwich and breath of fresh air at lunchtime, we are back in court by 2pm, the public benches now almost clear. Six trials are listed but only two go ahead because of the absence of witnesses and the accused in the others. Warrants will be issued for the accused who have not turned up.

"The first trial involves a young hairdresser who was caught driving without insurance during a routine police stop. Her mother takes the blame, admitting she changed insurer and forgot to include her daughter on the new policy. As a new driver, six penalty points is the threshold for removing her licence, which is done by DVLA. We agree that the girl should be admonished. Her relief is obvious, though she does still have a conviction, which could cause problems in certain occupations and also when renewing her insurance policy.

"A man in his early 20s is next in the dock, charged with a nasty assault outside a nightclub. He pleads not guilty but three witnesses give good, clear evidence describing how he punched a man twice in the face and kicked him on the ground. We find him guilty and also see his four previous convictions, which are pretty horrendous, particularly for someone his age. We consider it the worst type of case that comes before us and so the only disposal available is 60 days' imprisonment.

"The court then clears but the justices remain on the Bench to deal with 40 or so letter pleas. As appropriate, we impose sentences, defer sentencing and set trial dates. As chairman of the Bench, I am then asked by the fiscal to sign a number of warrants calling people to court. We finish around 5.30pm, tired but satisfied, ready for some dinner and a relaxing cup of tea."

A day in the life of a Sheriff

"A typically busy day in the sheriff court lies ahead – three sentencing hearings in the first half-hour, followed by a full day of criminal trials. The tight scheduling means I arrive at work early and read the social enquiry reports I previously called for in the three sentencing cases.

"At 9.30am, only a handful of members of the public are in court – along with the lawyers, court officials, security guards and the man in his 20s who first appeared before me three weeks ago. Convicted of serious assault after slashing a stranger from ear to mouth, I was obliged to call for a report because he has not previously served a custodial sentence. Taking everything into account, I sentence him to 40 months' imprisonment plus four months for bail aggravations. With a 25% reduction for pleading guilty and avoiding a trial, he will serve 33 months in prison.

"The next case involves a 24-year-old man who was caught with cocaine valued at £5,000 and £1,800 in cash when police searched his house following a tip-off. Again, I called for a report because he has not previously served a jail sentence. Having read the report, I conclude that he should serve 18 months in prison. His girlfriend shouts her disapproval but I defer to judicial deafness.

"With the clock approaching 10am, a shoplifter in her 20s, who stole £600 worth of goods from a high street shop, appears for sentencing. She doesn't have a drug habit – as many do – and is clearly operating as a professional thief. She has previously had probation and community service. On this occasion, I imprison her for six months.

"The summary trials – which involve the sheriff sitting without a jury to deal with less serious crimes – start on time. They involve a range of offences: three pub stewards facing charges of causing severe injury; a man who has breached his community service order; a couple who were drunk and caused a breach of the peace during hospital visiting time (unfortunately, an increasingly common occurrence); and, dangerous driving. All plead guilty, with sentence imposed in court or a date set for a further hearing.

"Towards the end of the morning, I hear an unusual case brought under property misdescriptions legislation, which essentially prohibits estate agents making false or misleading statements about a property for sale. In this instance, the agent has failed to ensure that the description of a flat is correct – it has one room in total rather than a four-roomed flat – and so I impose a fine of £500.

"During lunch in the sheriffs' dining room, I chat to colleagues about the morning's business. We discuss the fact that it can be difficult to assess the correct level of fine in unusual cases such as the property misdescriptions one I have just heard.

"Back in court in the afternoon, it quickly becomes clear that all the criminal trials have been resolved earlier than expected, not least because three were unable to go ahead: one because the accused did not turn up, and so a warrant was issued for his arrest; two because of the absence of witnesses, which happens when those involved live chaotic lifestyles.

"Given that sheriffs in Scotland have such a wide jurisdiction – hearing criminal trials, civil proofs and some appeals – I am asked by the court liaison officer, who controls scheduling, if I can step in to hear a civil proof. Reading the papers, I find out that it involves a dispute over warranties given by the seller of a nursing home. The claim by the purchaser is for £500,000. The background to the case is set out but I adjourn around 4.20pm because a witness giving lengthy evidence seems to be in need of a break.

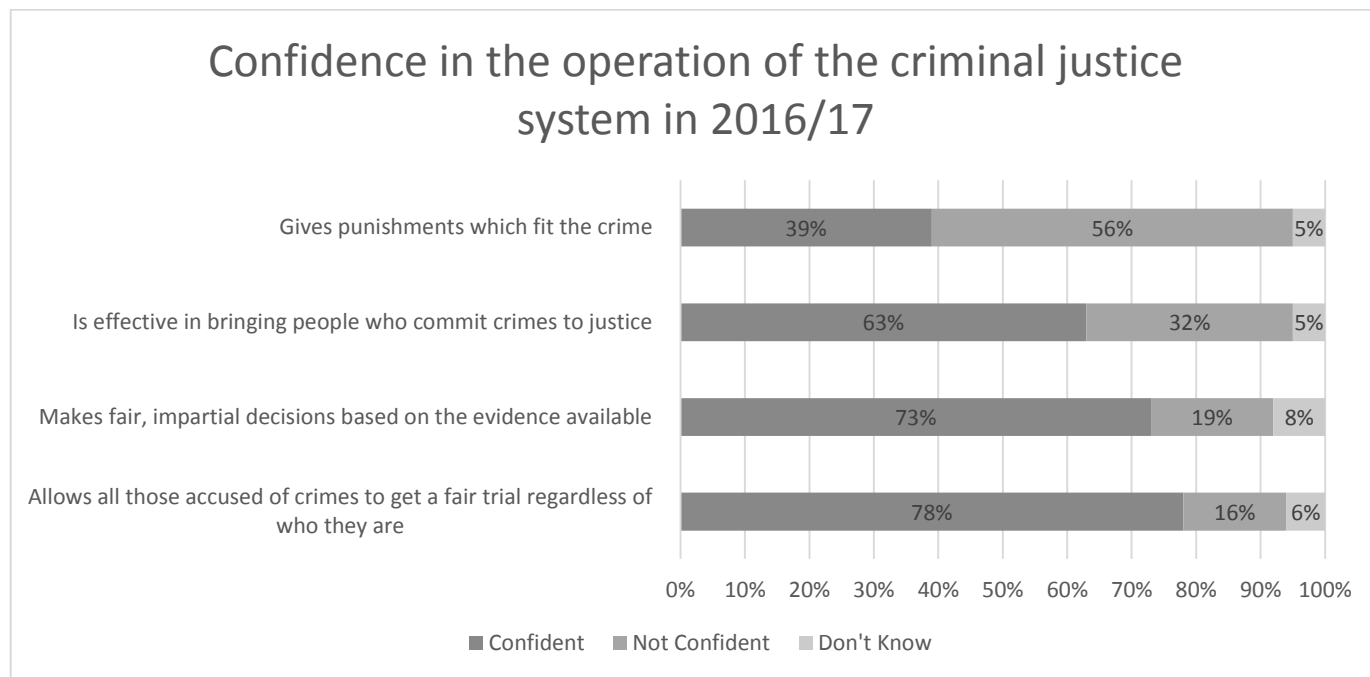
"Back in my chambers, I am faced with writing both a civil judgment and a report for an appeal to the High Court against a sentence I imposed. I always try to write appeal reports within 48 hours so it takes priority. I'm leaving around 5.30pm – earlier than usual because I'm going to the football tonight – but before doing so, I check my emails and look through my notes on the nursing home case, which is likely to last all day tomorrow and possibly the next day.

As a sheriff no two days are the same and you can never be sure what you will be faced with when you come to work. But in many ways that is what makes the job so interesting for me. I have never regretted becoming a sheriff and look forward to many more years on the bench".

Effectiveness of Criminal Courts at Tackling Crime

There are mixed opinions on whether or not criminal courts are effective at fulfilling their role. On one hand, statistics show that crime is decreasing in Scotland and so therefore courts are effective at reducing crime. As can be seen below, a majority of Scots are confident that the criminal justice system is effective at bringing people who commit crime to justice (63%); at making fair decisions (73%); and allows for fair trials (73%).

However, a majority of people (56%) believe that courts do not hand down sentences which fit the crime. There is concern that prison sentences are too soft on crime and that their length should be increased.



Heading: The effectiveness of Criminal Courts in Scotland

1.

Criminal courts in Scotland are not effective. The public believe that they fail in every category.

View of Jodi Wilson

What evidence is there to support and oppose the view of Jodi? Make **three** points.

Mirror

Britain too soft on crime say 80% of public, shock new survey reveals

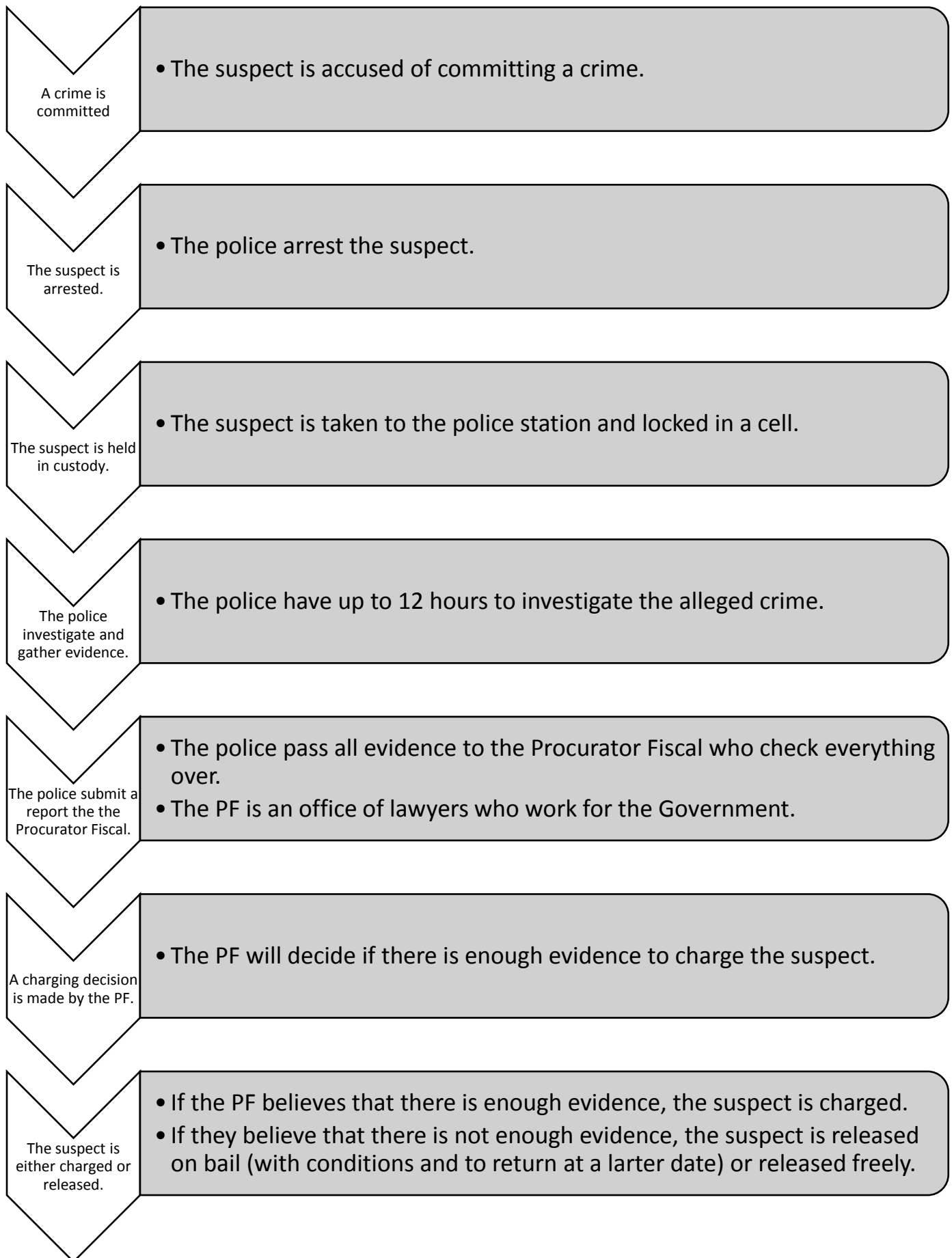
In an exclusive survey for The Mirror more than three quarters of all those quizzed said punishments did not match the crime.

The ComRes poll for the Mirror revealed there is a widespread view in England and Wales that criminals get off too lightly and sentences are not tough enough.

And four in five (79%) are not happy with the justice system and believe offenders are treated much more leniently than in the past.

2. What evidence is there to suggest that the criminal justice system is too lenient on offenders? Link evidence from **both** sources.

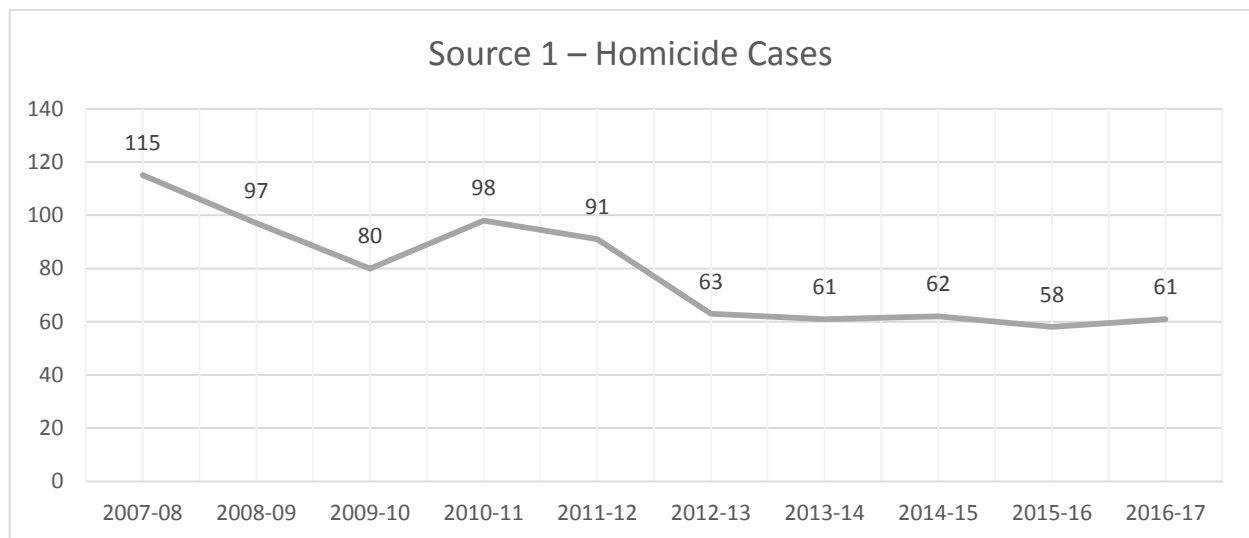
The Process of Being Taken to Court



Case Study: Murder

Murder (or homicide) is one of the most serious crimes that someone can be convicted. In order to be convicted of murder, the prosecution must successfully prove that the accused killed the victim and they intended to do so – remember that killing someone without intent is called manslaughter or culpable homicide.

The rate of homicide cases in Scotland has been falling for a number of years, although there was a slight increase between 2015/16 – 2016/17. Overall, there has been a downward trend in homicide cases, in the ten year period 2007/08 – 2016/17, there was a drop of 47%.

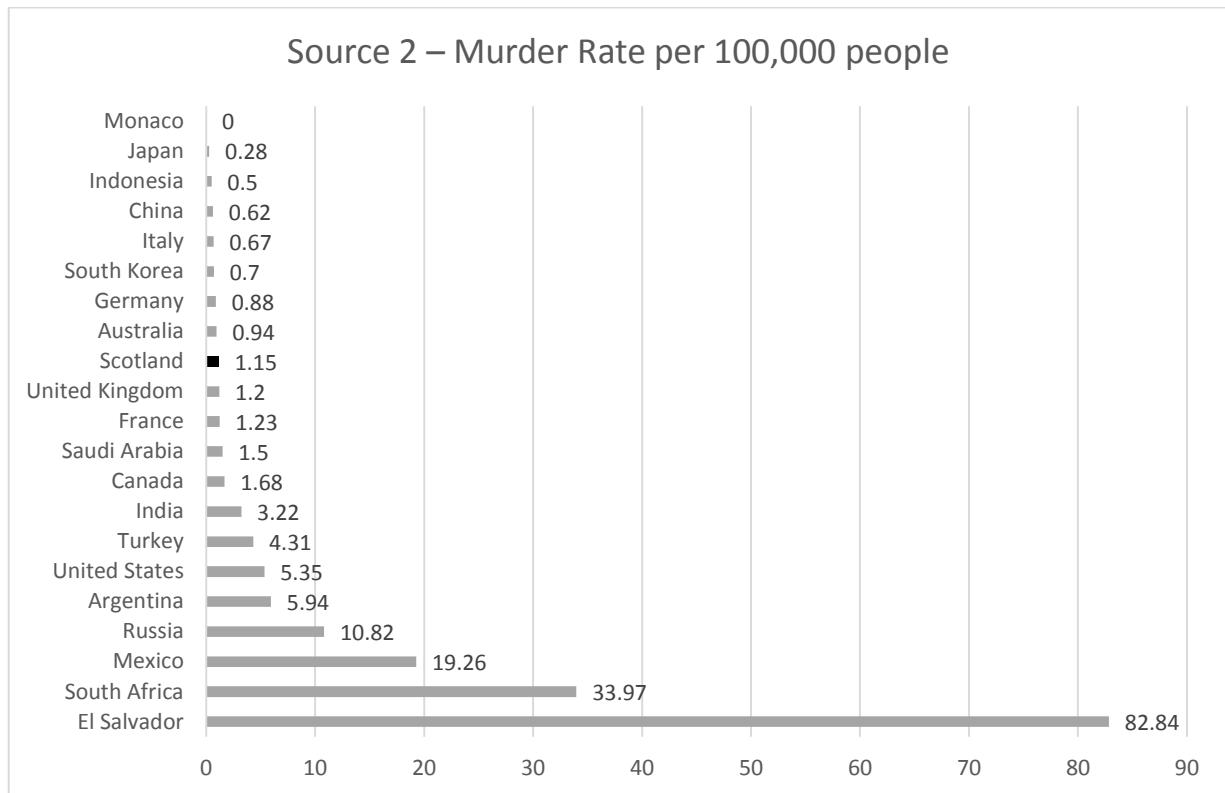


(Source: Scottish Government, 2018)

Sentencing in Murder Cases

If a person is convicted of murder the **mandatory** sentence to be passed by the court is a 'life sentence.' However, a life sentence in Scotland does not necessarily mean that a convicted murderer will spend the rest of their life in prison. Instead, someone convicted of murder must spend a period of time in prison (the 'punishment part of a sentence') as determined by the trial judge before they can be considered for supervised release. Once this period of time has been served, the offender may be released on licence subject to a favourable recommendation from the Parole Board **and** at the discretion of the Scottish Justice Secretary. The offender remains on licence for the rest of their life and may be recalled to custody for breaching the terms of their licence. The average time spent in prison by prisoners being released on life licence is currently around 15 years.

What is the homicide rate in comparison to other countries?



Although the number of homicides in Scotland have been falling in recent years, compared to other developed countries, Scotland's homicide rate is high. The graph shows that Scotland's homicide rate is 1.15 per 100,000 people. It is less than France and the USA, however.

Heading: Homicide

1. Explain the difference between murder and culpable homicide.
- 2.

The murder rate in Scotland is increasing.

View of Jorja Kay

Give evidence to **support** and **oppose** the view of Jorja.

3. Give two reasons why Source 1 might be viewed as reliable. (*Hint: look at the author and the date.*)
- 4.

A life sentence is the mandatory sentence for murder in Scotland. This means that the convicted murderer will spend the remainder of their life in prison.

View of Kieran McKinlay

Give evidence to **support** and **oppose** the view of Kieran.

5. Using source 2, what conclusions can be drawn about the homicide rate in Scotland in comparison to other countries?

Introduction to the Children's Hearing System

The Children's Hearing System is unique to the Scottish criminal justice system. The purpose of the CHS is to protect children's rights and make sure their voices are heard. It deals with children who have offended or who have been the victims of offending. Many children who would have been processed through the adult court system have instead been dealt with the CHS. There are many key differences from the adult court system.



What is the purpose of the Children's Hearing System?

The philosophy of the CHS is that children who offend and children who require care and protection equally deserve to be considered as children and have their needs and welfare put at the heart of all decisions made about them. Children are still considered in adult court for very serious cases such as murder or serious assault.

When might a child be called to a hearing?

A child may be called before a hearing if their health or development are being put at risk:

- They are likely to suffer unnecessarily, or their health or development is likely to be impaired due to lack of parental care
- The child has been the victim of a serious offence which could put their health or wellbeing at risk
- The child needs extra support
- The child has committed an offence
- The child has misused alcohol or drugs
- They are beyond parental/guardian control
- They have failed to reasonably attend school

Heading: Children's Hearing System

1. What is the purpose of the Children's Hearing System?
- 2.

The Children's Hearing System is simply about punishing young people.

View of Lewis Murray

What evidence is there to **oppose** the view of Lewis?

3. Give **three** examples of reasons why a young person might have to attend a hearing. Give **one** reason where the young person has been offending, and **one** reason where the young person needs extra care.

How does the Children's Hearing System work?

The Children's Reporter

In order for a young person to become involved in a children's hearing, they must be referred to the children's reporter. The reporter is contacted by the police, social work, education, parents or other concerned person (children can refer themselves). Any member of the public can make a referral about a child they are concerned about, however, the majority of referrals come from the police (75% of referrals came from the police in 2016/17.)



It is the reporter's job to investigate the claims made and make a decision about how to proceed. The reporter will gather information from the police, social workers, teachers, family and the young person involved to determine what the next steps are. They can make one of three decisions:

- Take no action – no further action is taken as there is no issue or the issue has gone away.
- Decide not to organise a hearing but instead refer the young person to the local authority – a social worker will normally offer informal support, advice and guidance.
- Proceed to organise a children's hearing for the child.

It is very important that the young person is kept fully involved at every stage, so they will receive a letter telling them about the decision.

The Hearing

The Hearing (sometimes called a children's panel) is a meeting organised to discuss and investigate the concerns raised about the child's welfare. There will be a variety of people in attendance at the hearing, but it is held in private so only people who need to be there are allowed to attend. Everyone in attendance will sit around a large circular table to encourage co-operation and conversation – and avoid confrontation. This is because a children's hearing is about supporting young people, and not punishing them.

Of course, the young person will be in attendance and can give evidence. They are also allowed to bring a friend to help them. The young person's parent/carer(s) will also probably be there. The children's reporter will be there as they organise the hearing. Three trained members of the local community (called panel members) volunteer their time to hear the case and to decide on the best way to support the young person. Some other people might be in attendance, such as teachers and social workers.

Decisions that can be made at a Children's Hearing

There are three different decisions that can be made by the panel at a children's hearing:

- Dismiss the case – no further action is taken.
- More information required – the panel may decide they need more time to investigate the issues so will postpone the hearing until another time.
- Compulsory measures of supervision – it can be decided where the child will live, or who they will see and where they can go when.

Compulsory Measures of Supervision

If a child or young person is at risk of harm, then the panel might impose a compulsory supervision order. This might come in many forms. For example, if there is concern that the parent or carer is not taking good enough care of the young person, then the young person might be removed from the home, or a social worker might visit regularly to offer advice and to check that the young person is receiving satisfactory care. If a young person is drinking or taking drugs, they might have a curfew imposed. And if they are not attending school, they may be removed to a residential school.

Heading: How does the Children's Hearing System work?

1. Copy the following diagram about how a case is referred to the children's panel and complete the blank spaces in your jotter.



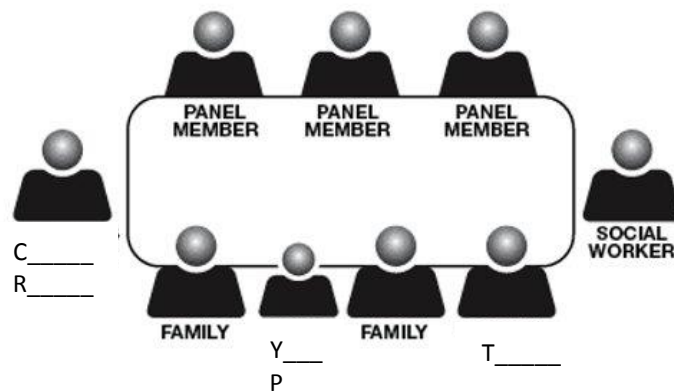
- 2.

Only the education service, such as teachers, can make referrals to the Children's reporter.

View of Lindsay Carmichael

What evidence is there to **oppose** the view of Lindsay? Give **two** pieces of information including **one** piece of statistical information.

3. Copy and complete the following seating plan showing who attends the hearing:



4. Describe, in detail, the three decisions that can be made by the children's panel.
5. Look at the pictures below. Using the pictures and the information previously, describe the difference in layout and atmosphere between adult courts and children's hearings.



Enquiry Skill: Decision Making

Decision Making (N4)

Study the information below then answer the question which follows.

You are an adviser to the Scottish Government. You have to decide whether the Scottish Government should increase the legal age for buying alcohol to 21 years or keep the legal age for buying alcohol at 18 years.

Option 1 - Increase the legal age for buying alcohol to 21 years

- Many young people are irresponsible in their teenage years and drink far too much.
- Teenagers' bodies cannot cope with the effects of alcohol as they are not fully developed.
- Anti-social behaviour by youths is a big problem for the police.

Option 2 - Keep the legal age for buying alcohol at 18 years

- Most 18-21 year olds are responsible and don't get involved in anti-social behaviour.
- Most young people are in favour of the legal age for buying alcohol being 18 years.
- The owners of some shops and bars think they will lose money if the legal limit changes.

Factfile on Alcohol

- The number of cases of anti-social behaviour by teenagers reported to the police is increasing.
- Some people regret the bad behaviour caused by alcohol during their teenage years.
- Most incidents of anti-social behaviour are committed by people aged 13-17 years.
- The number of under 18-year-olds admitted to hospital with alcohol poisoning is rising each year.
- A newspaper survey showed that 61% of young people favour no change in the legal age for buying alcohol.
- Many small local shops make a large percentage of their profit from alcohol sales.

Using the information above, you must decide **whether** the Scottish Government should increase the legal age for buying alcohol to 21 (Option 1) **or** the Scottish Government should keep the legal age for buying alcohol at 18 (Option 2).

Give **two** reasons to support your choice. In your answer, **you must link the option you choose to the information in the Factfile on Alcohol.**

Your answer must be based **only** on the information above.

(4)

Decision Making (N5)

Study Sources 1, 2 and 3 below and on the next page, then answer the question which follows.

You are an adviser to the Scottish Government. You have been asked to recommend whether the Government should introduce automatic custodial sentences (prison or detention centre) for any person found carrying a knife in public.

Option 1

Introduce automatic custodial sentences for people found carrying knives in public.

Option 2

Do not introduce automatic custodial sentences for people found carrying knives in public.

Source 1 – Facts and Viewpoints

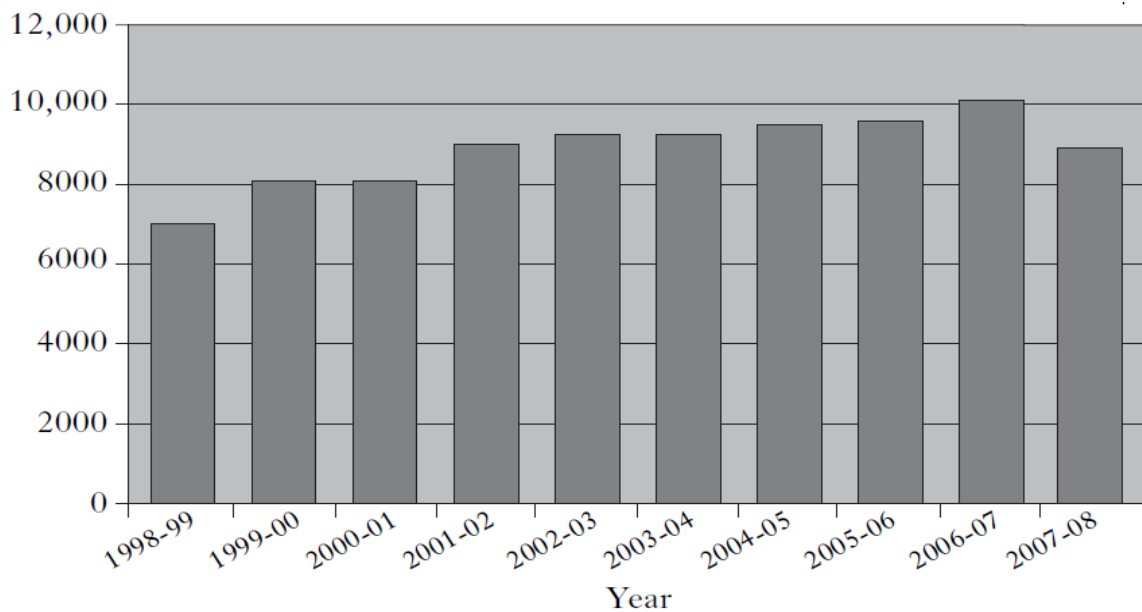
The Scottish Government is considering a petition which would mean that any person carrying a knife would be given a mandatory custodial sentence. This would mean that possession of such a weapon would automatically result in the offender being sent to prison or detention centre.

- Community groups have called on the Government to take action to deter young people from carrying knives.
- 1200 offenders were sentenced for possession of a knife between 2004 and 2009, but only 314 were given custodial sentences.
- Scottish Prisons reported that as a result of overcrowding, offenders were not serving their full sentence and were being released early. Automatic sentences may make this problem worse.
- In 2009, one in five people convicted of carrying a knife in Edinburgh had previously been charged for a similar offence.
- Some young people carry a knife for their own self-defence as they are worried about their own personal safety when they go out.
- 30% of young people thought that introducing tougher sentences would reduce knife crime; 53% thought that community sentences were an appropriate punishment for young people found carrying a knife.
- Judges in Scotland think that they should be able to consider the personal circumstances of each case before sentencing.
- A custodial sentence can have a huge impact on the future of young people convicted.
- The number of people sent to prison for carrying a knife in public fell to a five year low in 2008 because only one in three offenders were jailed.

Source 2 – Crime Statistics for Scotland

Year	Total Number of Murders	% of murders with knives
2003/04	108	51%
2004/05	137	53%
2005/06	93	37%
2006/07	120	45%
2007/08	114	48%

Source 3 – Number of recorded crimes of carrying a knife in Scotland



Source 4 – Viewpoints

We need to tackle knife crime which is a problem in many of our communities. People in my area are extremely worried and they are demanding that the penalties for carrying knives are much tougher. Many people won't leave their houses because they are frightened of young people roaming around in gangs. We must send out a strong message to troublemakers who go out looking for a fight. Many of these individuals have been charged before but this has had little effect on their behaviour. If people know they will be sent to prison, they will be deterred from carrying a knife in the first place.

Logan Jones

Locking up people who carry knives is not the answer to tackling this problem. Many young people who carry knives are not criminals. They carry knives because they are scared for their own safety. Sending young people to prison will only teach them how to commit more crimes. They will get caught in the vicious cycle of offending as they will have a criminal record which makes it difficult to get a job. More work needs to be done in communities working with young people. The carrying of knives is actually decreasing, another reason why this proposed automatic sentencing is not necessary.

Michael McLaughlan

Using Sources 1, 2 and 3 above and opposite, which option would you choose?

Give reasons to support your choice. Explain why you did not make the other choice. Your answer must be based on all the Sources.

(10)

Responses to Crime

Government Responses to Crime

Government Response to Knife Crime

The Scottish Government has invested heavily in reducing knife crime. The government has invested £2 million in the 'No KNIVES, BETTER LIVES' programme which is aimed at educating young people about the devastating effects of knife crime. This includes resources for primary school pupils through to secondary school pupils, although the focus is 11-18. The programme educates young people about both the legal and physical consequences of knife carrying in order to try and deter them from taking a knife out with them.

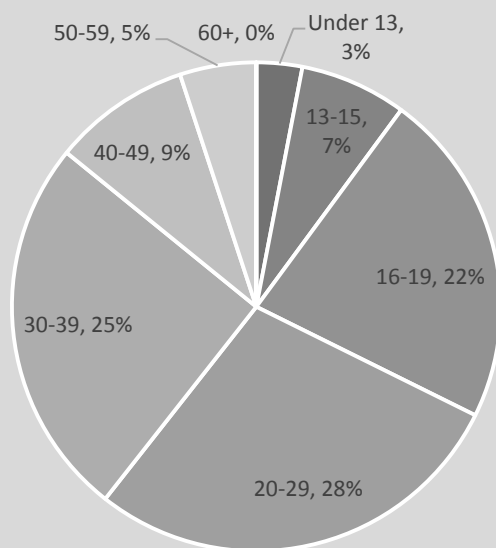


A key part of NKBL is training and use of peer educators – young people who deliver the initiative's messages and help their peers have full, frank and informed discussions about the dangers and consequences of carrying a knife and the impact of knife crime. The programme's 130 peer educators also work with young people to identify positive alternatives to violence.

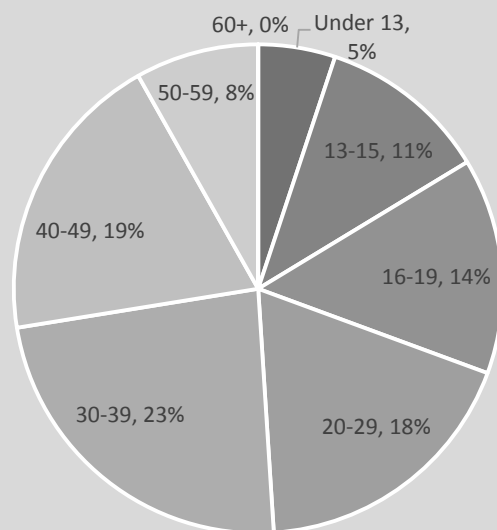
gov.scot

"Our priority is to change the culture in which some people think carrying a knife is acceptable, through education and enforcement. People thinking of carrying a knife need to know that they risk a significant custodial sentence and Scotland already has the toughest knife crime sentencing regime in the UK. Meanwhile, the current Criminal Justice Bill includes measures to increase the maximum penalties for knife possession from four to five years." – *Justice Secretary Kenny MacAskill (14/05/14)*

2013 Possession of an offensive weapon



2017 Possession of an offensive weapon



Heading: Government Response – No Knives, Better Lives

1. What is the purpose of the NKBL programme?
2. Describe the peer educators component of the campaign.
3. What did Kenny MacAskill say is the Scottish Government's priority?
4. Using the information in the two pie charts above, what conclusions can be drawn about the success of the Scottish Government in reducing youth knife crime? Consider knife carrying amongst 13 to 15-year olds and 16 to 19-year olds.

Alcohol Misuse and Violence

gov.scot

Over half of all violent crime is thought to be alcohol-related. That is why we are taking forward a number of actions to reduce alcohol misuse in Scotland, including minimum unit pricing of alcohol.

Since 1980, alcohol in the UK has become 60% more affordable. This means it is more accessible and in greater quantities than thirty years ago. In fact, in 2017, it was possible to exceed the weekly safe alcohol limit for only £2.50! The government's response to this was to introduce a minimum unit price of 50p per unit of alcohol in May 2018. This makes the very cheap ciders and lagers more expensive and less accessible, therefore reducing the amount that people drink.



The Spectator reported in 2017 that the plans would have a negative impact on people abusing alcohol because making alcohol less affordable would mean that people would turn to illegal drugs such as spice, which is more harmful than alcohol.

However, the Lancet medical journal disagrees with this, stating that their research shows that the heaviest drinkers would see a 3.7% reduction in alcohol consumption.

It is hoped that a reduction in excessive alcohol consumption will cut the number of people losing control of their actions and cut the level of related violence.

Heading: Alcohol Minimum Unit Pricing

1. What is the minimum unit price for alcohol which was introduced in May 2018?
- 2.

Alcohol minimum unit pricing will reduce alcohol consumption and related violence.

View of Logan Bak

What evidence is there to **support** and **oppose** the view of Logan?

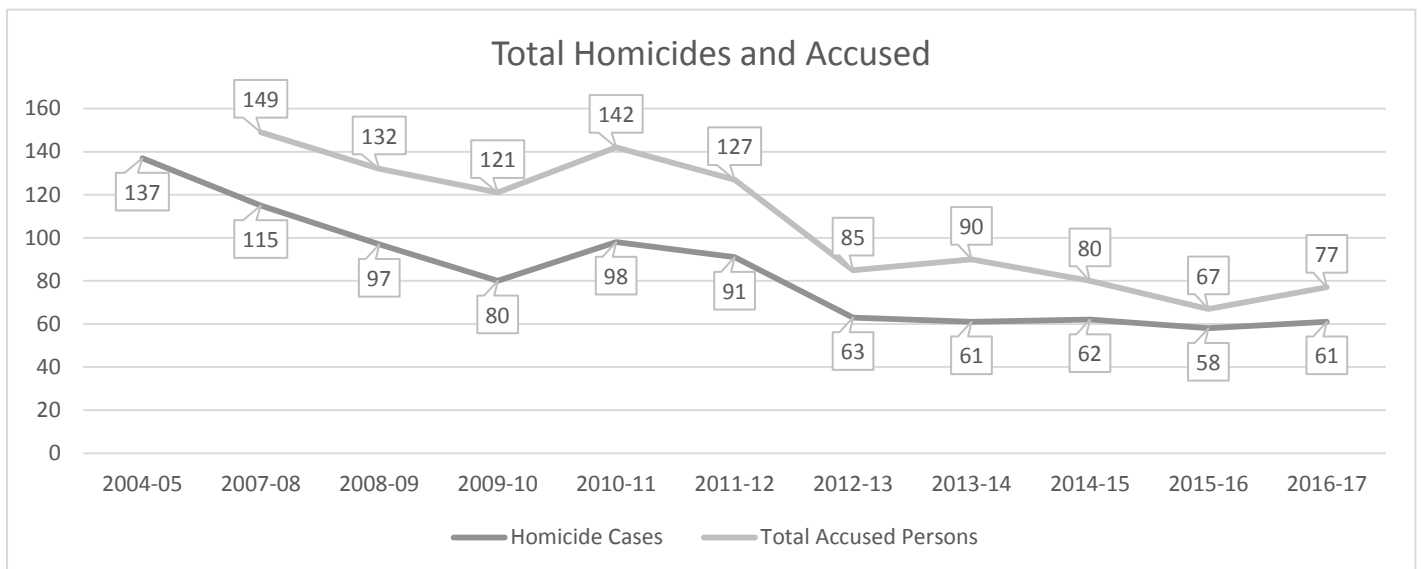
BBC News 24/01/18

Scotland's Violence Reduction Unit a Huge Success

Thirteen years ago, Scotland had one of the worst murder rates in western Europe, but a new approach has seen cases almost halve.

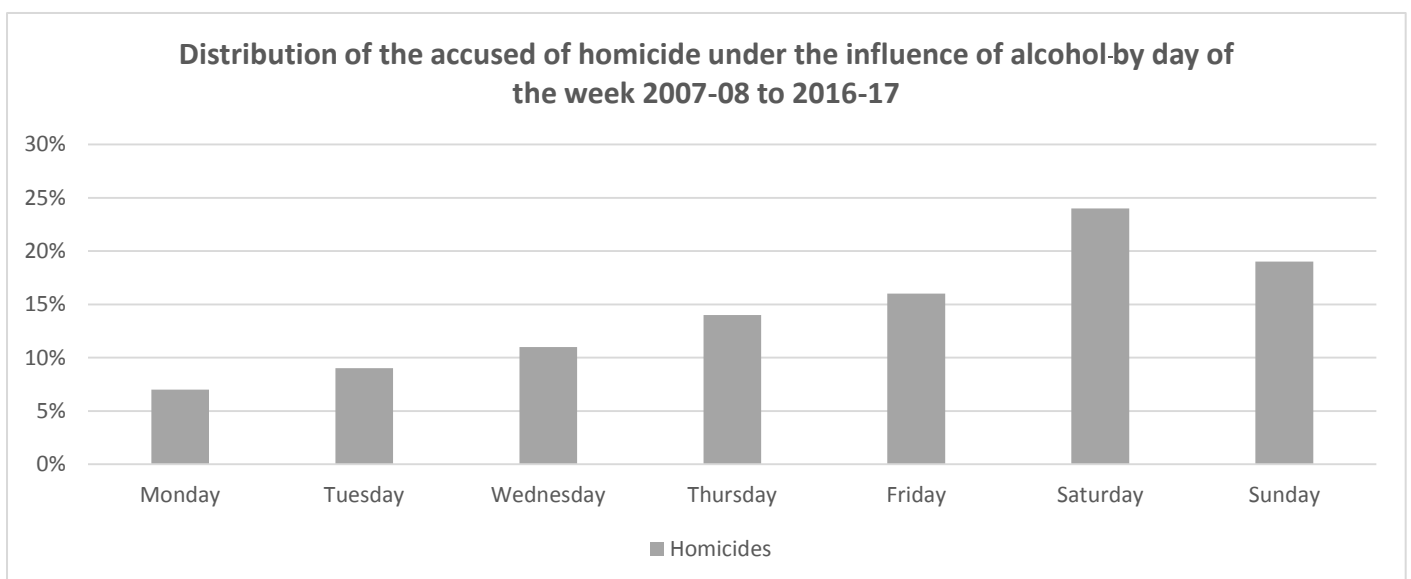
During 2004/05 there were 137 murders in Scotland, giving the country its highest number of homicides in almost a decade. In Glasgow, there were 40 cases alone - double the national rate. It was this peak which spurred Strathclyde Police to set up the Violence Reduction Unit (VRU) in 2005, a specialist team tasked with preventing violent crimes rather than solving them. By viewing violence as a disease, its goal was to diagnose the problem and treat its cause - adopting a so-called "public health approach" which saw officers working with teachers, social and health workers to collate and share knowledge of people involved in gangs.

They were offered an alternative - job opportunities, housing, training and mentoring - in order to break the cycle of repeat offending. "Most young offenders are fathers, or they are soon going to be," said Mr Carnochan. "We needed to break the cycle of children seeing their parents in a bad light, because that is what they learn from."



Factfile About Alcohol and Homicide

- Of the 77 persons accused in homicide cases in 2016-17, 22 (29%) were reported to have been under the influence of alcohol, drugs or a combination of both at the time of the homicide.
- In the ten-year period between 2007-08 and 2016-17, around half (47%) of all accused were reported to have been under the influence of alcohol and/or drugs at the time of the homicide.



Heading: Violence Reduction

1. What organisation did the Strathclyde Police setup in 2005?
2. How did the VRU view violence differently?
3. Describe the 'cycle of offending' and why it was important to break this.
4. Has the Scottish Government been successful in reducing homicides? Link evidence from the BBC article and the line graph.
5. Why do you think there are greater numbers of accused people than homicides? Write **two** things.
6. What evidence is there to link alcohol to violence and homicide? Link evidence from the factfile and the bar graph.

Reduction in drink drive limit

The legal alcohol limit is the amount of alcohol you are allowed to consume whilst being in charge of a vehicle. In order to make the legal alcohol limit clearer for drivers, the Scottish Government reduced the legal limit from 80mg to 50mg per 100ml of blood in December 2014.

BBC

Drink-drive numbers fall after Scottish limit reduced

(04/12/15)

The number of drink-driving offences in Scotland has fallen since the legal limit was lowered a year ago.

Police figures show offending in the nine months after December 2014 fell by 12.5% compared with the same period the previous year.

The total number of offences over this period dropped from 4,208 to 3,682, Police Scotland data revealed. Meanwhile, a survey has suggested that 82% of Scots believe that drinking any alcohol before driving is unacceptable.

The poll was commissioned by the Scottish government and Transport Scotland.

Only one in 20 respondents said they would drive themselves home after they had been drinking on a night out.

More than two thirds (67%) said they would not consider driving the morning after drinking.

'Right direction'

Last December the Scottish government reduced the legal alcohol limit for driving from 80mg to 50mg in every 100ml of blood.

The limit in England and Wales remains at 80mg.

Justice Secretary Michael Matheson said: "Since the Scottish government lowered the drink-drive limit last December, all the statistics are going in the right direction - fewer people are being caught, but more importantly there's a shift in attitudes to even having one drink and driving, and indeed driving the next day after drinking.

"But while these figures show that positive steps are being taken to change attitudes towards drink-driving, it is concerning that there is still a minority who would risk the safety of other road users, and themselves, by getting behind the wheel after drinking.

"That is why I welcome the police action being taken to tackle reckless road users who continue to flout the law. Collectively, we are sending out a strong message when it comes to drink-driving and our advice is simple - just don't risk it."

Speaking ahead of this weekend's launch of Police Scotland's festive campaign against drink driving, Supt Fraser Candlish said: "Police stop around 20,000 drivers a month in Scotland - that's one vehicle on average every two minutes.

"We will be increasing our enforcement throughout the festive period to discourage anyone thinking about drinking and driving, so the best advice is if you are planning to drink this Christmas, don't drive."

Heading: Drink Drive Limit Reduction

1. Why did the Scottish Government introduce a lower drink drive limit?
2. What was the legal blood limit reduced from and to?
3. What evidence is there to support the claim that the Scottish Government has been successful in reducing people who drink excessive amounts of alcohol and drive?

Structure of Police Scotland

The Police Service of Scotland is the national police force serving Scotland. Before 2013, Scotland was divided into eight regional police forces; but the decision was made to merge all eight forces into one force, commonly known as Police Scotland. The government felt that a single police force could share resources and therefore cut costs and tackle crime more effectively.



Police Scotland is divided into three main divisions:

- Local Policing
- Specialist Crime Division
- Crime and Operational Support

Local Policing (also known as Community Policing)

The Local Policing branch of Police Scotland work with and in the local community to fight crime. Officers in this branch patrol the local area and get to know local residents and business owners. Many schools will be served by a 'campus cop' who is either permanently resident at the school, or visits on a regular basis.

Specialist Crime Division

This branch of the police provides intelligence and investigative resources for major crime or when public safety is at risk.

- Major Crime Investigation (eg. murder or rape)
- Public Protection (eg. during riots)
- Organised Crime (eg. gangs, drugs, fraud)
- Counter Terrorism
- Human Trafficking

Operational Support Division

- Roads Policing
- Operational Support (major incident support – over ground search, public order, chemical/biological/nuclear response)
- Armed Policing
- Police Dogs
- Marine and Underwater
- Mounted Police (Police Horses)
- Mountain Rescue

Heading: Structure of Police Scotland

1.

The merging of Scotland's regional police forces into one force – Police Scotland – was simply a money saving exercise.

View of Mya Rice

What evidence is there to **support** and **oppose** the view of Mya Rice?

2. What division(s) would support the following activities?

- a. Education programme about underage drinking at local high school.
- b. Major drug importation group.
- c. A murder where the body has not yet been found, but is suspected to be around the Forth.
- d. Policing a Rangers v Celtic football match.

Branches of the Police

An easier way to think of how the police service is organised, is to think of the different departments or branches which work to achieve the aims of Police Scotland. As discussed previously, there are many different branches such as community policing, major crime investigation, mounted police, traffic police... it is a very large organisation.



Community Policing

Community policing is an important part of the work Police Scotland undertake. The role of the community police is to:

- Maintain a visible presence in local communities (to reassure the public and deter criminals)
- Work with local schools to educate pupils about the consequences of crime (sometimes called 'campus cops'.)
- To investigate crimes and to bring local offenders to justice.



Roads Policing

The Roads Policing Unit is responsible for enforcing road laws. Roads policing officers can be easily identified as they wear a white hat (instead of black). These officers are highly trained in advanced driving technique and are allowed to drive at speeds well above the limit in pursuit of an offender. Their job is to patrol the roads and motorways, and to stop anyone breaking the law (such as dangerous driving; driving under the influence of alcohol or drugs; using a mobile phone whilst driving and speeding.) They often drive much higher-powered cars, like BMWs and Volvos, than regular police officers.



Criminal Investigation Department (CID)

This department of the police investigate serious and organised crime. Officers who work here are called "Detective Constables/Sergeants/Inspectors etc." and it is their job to investigate any serious crimes such as murders, rapes and drugs crimes. They will interview the suspect and also search any vehicles and premises linked to them in order to find evidence. Officers in CID don't usually wear a uniform and are plain-clothed.

Heading: Branches of the Police

1. Write down the three branches of the police stated above with a short description for each. Add **two** further branches with short descriptions using the information on the previous page.
2. Give two examples of jobs that officers in the community policing branch carry out.
3. How can you identify traffic police officers?
4. What kinds of crime do CID officers investigate.

Role and Powers of the Police

The main roles of the police are:

- To maintain law and order
- To protect the public
- To prevent, detect and investigate crime

In order to effectively carry out their role, the police have special powers:

The Power of Arrest and Detention



If the police suspect that you have committed a crime, they can detain you for the purposes of investigation. This means that they will arrest you, put you in handcuffs and take you to a police station where you will be locked in a cell. This is to prevent you from committing more crimes, and to give the police time to investigate the alleged crime. In Scotland, the Police may detain you for up to 12 hours, at which time a decision must be made whether to charge or release you. This deadline can be extended up to 24 hours with the agreement of a senior police officer, or up to 14 days if the offence is terrorism related.

The Power of Search

Police officers have the power to search persons who are alleged to have committed a crime and vehicles and premises related to that individual in order to find evidence (offensive weapons, drugs etc.) Police officers can only use this power if there is reasonable suspicion that the person has committed an offence (ie. police officers cannot simply 'stop and search' anyone they want, they have to reason to believe they have committed a crime.) There is one exception to this: it may be decided that because of a threat that any individual in a specific location at a specific time may be stopped and searched. This can only be decided by an authorised officer.



Police officers can also search premises and vehicles linked to an accused person in the pursuit of gathering evidence. For example, if someone was arrested for murder, their home would be searched for clothing that might have been worn at the time, the murder weapon and so on.

The Power of Entry

Police officers have the power to enter a property without a warrant for the purpose of:

- Protecting life and property
- Investigating the cause of and attempting to suppress disorder or disturbance
- Pursuing a person who has committed or is attempting to commit a serious crime (eg. murder, rape, housebreaking, taking a vehicle without permission.)

Heading: The Role and Powers of the Police

1.

The Police have one simple role: to maintain a visible presence.

View of Noah Duncan

Give evidence to **oppose** the view of Noah. Give **three** pieces of information.

2. Describe what is meant by 'arrest.'

3. How long are police in Scotland allowed to detain a suspect?

4. Are police officers allowed to search any person? Give a reason to support your answer.

5. Would a police officer be allowed to enter the property of a person suspected of littering? Give a reason to support your answer.

6.

Police officers' powers are limited within law to protect both the police and the public.

View of Sam MacDonald

What evidence is there to **support** the view of Sam? Give **three** reasons to support your answer.

The Docklands & East London Advertiser

Police granted stop and search powers due to 'anticipated violence'

(23/07/18)

The authorisation, under section 60 of the criminal justice and public order act 1994, gives officers the right to search people in a defined area during a specific time period when they believe that serious violence will take place or that a person is carrying a weapon.

The order covers the whole E1 postcode area, including Wapping, Whitechapel and Stepney, and will last until 7am tomorrow.

Tower Hamlets Police tweeted that the order "is due to anticipated violence following recent incidents, to increase public safety, and allows officers to stop and search where appropriate".

It comes after a night of violence in Shadwell on Saturday that saw three people stabbed and police seize acid and use tasers.

In another incident in the early hours of Monday, a man was assaulted with a knife by people in a silver vehicle.

John Biggs, mayor of Tower Hamlets said: "We are working closely with the police and our partners to maximise our resources in tackling violence in the borough.

"There is no place for knife crime in Tower Hamlets. We will continue to do everything we can to protect our communities."

DCI Mike Hamer added: "We are aware of community concern regarding the two incidents in Shadwell over the weekend.

"We have made a number of arrests in connection with these already and will be providing a high visibility presence in the area this evening and in the coming days. This is to carry out stop and search activity and to provide reassurance to the community."

7. What act allowed police officers to stop and search people living in the E1 postcode?

8. What were the **two** limits to the authorisation?

9. What was the reason that this authorisation was given?

Effectiveness of Police Responses to Crime



Operation Prospect

Operation Prospect is an operation launched by Fife police in April 2017 to target the supply of illegal drugs in Fife's communities. The police have used intelligence to target drug dealers and to seize the drugs they are supplying.

As of March 2018, Op Prospect has led to 208 people being charged under the Misuse of Drugs act and over £530,000 worth of drugs being seized.

THE COURIER (14/06/18)

Police seize more than £360,000 of heroin, cocaine, ecstasy and cannabis in Kirkcaldy area

Police have seized more than £360,000 of drugs in the Kirkcaldy area alone since December, new figures have revealed.

Heroin, cocaine, ecstasy and cannabis have all been pulled off the streets by officers involved in a series of raids and a number of people have been reported to the procurator fiscal.

In addition, almost £98,000 in cash and almost £2.5 million worth of assets were identified for seizure or restraint under the Proceeds of Crime Act.

Drug-related crime in Dundee

Dundee has been nicknamed the 'drugs death capital of Europe' because more people are dying of drugs overdoses than in any other city in Europe. Latest Police Scotland figures show that drugs crimes rose by 12% and drugs supply rose by 4% between 2016-17 and 2017-18.



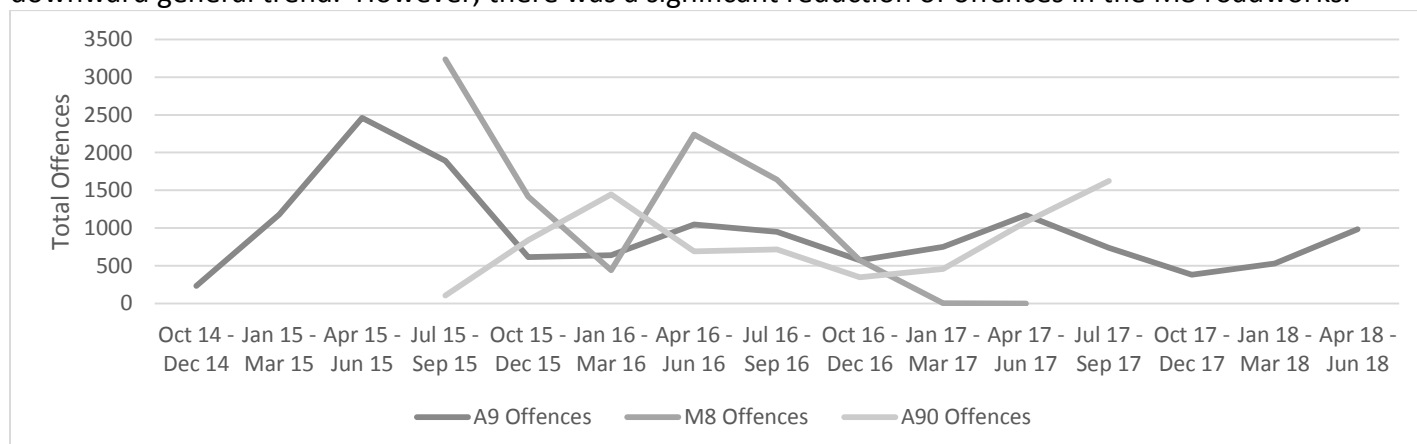
Knife Crime

Police Scotland reduced the use of stop and search street searches after they were accused of breaching human rights laws. Although knives were used, or found by police, 2092 times in 2017-18 – half the number of ten years ago; this number was up 7% on 2016-17.



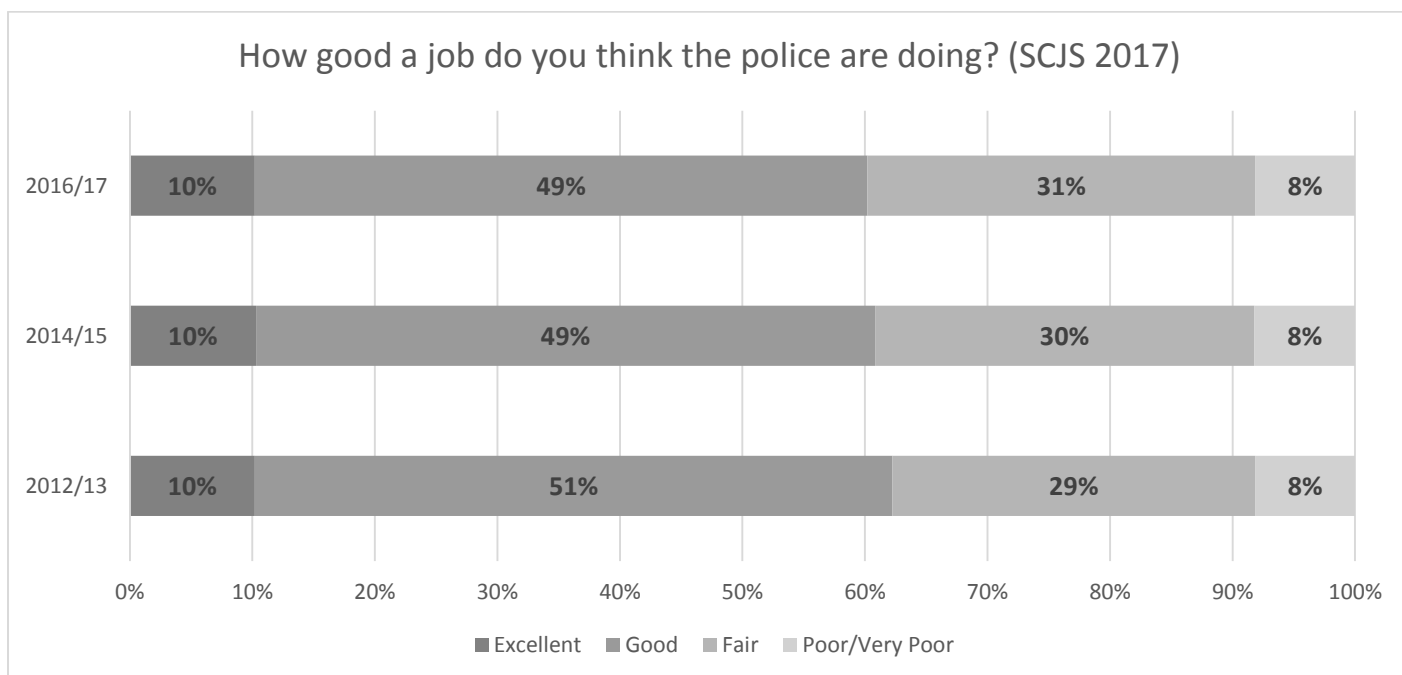
Police Speed Cameras

The police make use of fixed and mobile speed cameras to deter and detect people speeding. Shown below are three separate areas: A9 average speed cameras, M8 roadworks and A90 (Forth Road Bridge) roadworks. The data suggests that the police have had some limited success with their speed camera programme. In all cases, offences rise and fall and there is no clear downward general trend. However, there was a significant reduction of offences in the M8 roadworks.



Public Perception of the Police

The public generally believe that the police are effective at doing their job. The latest SCJS results reveal that a majority of Scots (59%) believe that the police are doing an 'excellent' or 'good' job. However, this is slightly reduced by 2% from 2012/13. The amount of people who believe the police are doing a 'poor/very poor' job has remained constantly low at 8%.



Heading: Police Responses to Crime

1.

Police in Scotland are effective at tackling drugs crime.

View of Shona Hyland

What information is there to **support** and **oppose** the view of Shona? Give **three** pieces of information to support your answer.

2. Has Police Scotland been effective at reducing knife crime? Give **one** reason **for** and **one** reason **against**.

3.

The police have had limited success in reducing speeding offences.

View of Yasemin Aygun

What evidence is there to **support** and **oppose** the view of Yasemin? Give **two** reasons to support your answer.

4. Do the public believe that the police are doing a good job in Scotland? Use **two** statistics to back up your answer.

Introduction to Prisons



Scotland has fifteen prisons, thirteen are managed by the Scottish Prison Service (the government agency for prisons) and two are managed by private companies on behalf of SPS. There is one dedicated female prison (HMP Cornton Vale) and one dedicated young offenders' institution (HMYOI Polmont). HMP Castle Huntly is Scotland's only 'open prison,' where low risk offenders, coming to the end of their sentence, complete the final part of their sentence.

Most prisons, like HMP Perth, hold long-term and short-term prisoners (more or less than 4-year sentences) and those held on remand (awaiting trial). However, some prisons only hold certain categories of prisoner – such as HMP Dumfries which only holds remand and some short-term prisoners.

The Aims of Prisons

Prisons have four aims:

1. To **protect the public**
 - a. Keeping the dangerous offender away from the law abiding public to avoid them committing crime against society (eg. keeping a murder locked up.)
2. To **rehabilitate** offenders
 - a. To teach them new skills to allow them to re-integrate into society and effectively contribute to society (eg. teaching offenders National 5s and Highers to allow them to get a good job when they leave prison.)
3. To **deter** offenders
 - a. To act as a deterrence to make offenders think twice before committing a crime.
4. To **punish** offenders
 - a. To make criminals pay the price for committing crime.



Heading: Introduction to Scottish Prisons

1. Describe the organisation of prisons in Scotland.
2. Are all prisons the same? Give reasons to support your answer.
3. Prisons have four aims. Copy these aims into your jotter in order of importance and include a definition in your own words.

Focus on Prisoner Rehabilitation

Rehabilitation is an important part of prison sentences. In Scotland, it is very unlikely that a person who commits a crime will spend the rest of their life in prison – even if you commit a murder, you are only likely to spend around 15 years in prison (this increases depending on the circumstances.) Therefore, an important part of a prison sentence is to prepare the offender for life in the community and to prevent reoffending. As you previously learned, lack of employment and alcohol and drug abuse can all increase the chance of someone becoming involved in crime, so trying to provide prisoners with new skills to get a good job and/or helping them with drug or alcohol addiction will help to prevent reoffending.

Skills

The SPS works with Fife College and New College Lanarkshire to deliver learning programmes for prisoners across all of its prisons. This enables prisoners to develop skills and gain qualifications. Remember, for many people who commit crime, they may have been isolated from school and missed out on vital education. Gaining these qualifications in prison means they are more likely to get a good job when leaving prison and are able to break the cycle of reoffending.



Drugs and Alcohol



Drug and alcohol addiction is another significant factor in criminal behaviour. In year 2014/15, it was found that 70% of people entering prison tested positive for illegal drugs. A custodial sentence is an opportunity to support 'hard-to-reach' individuals who would not normally seek support for their addiction. Prisoners have the opportunity to engage with NHS provided alcohol and drug treatment programmes in prison to support them with their addictions.

Short Sentences

One limit to providing rehabilitative support to prisoners is the use of short sentences. If a prisoner is only sentenced to 6 months in prison, they have little opportunity to engage with rehabilitation programmes. The NHS recognised this in a 2016 report: *"Most custodial periods are relatively short and this only gives an opportunity to reduce the harms associated with drug use through a period of stabilisation, rather than a prolonged period of sustained recovery."*

Heading: Rehabilitation in Prisons

1. Why is rehabilitation an important part of a custodial sentence?
2. What evidence is there that prisons are effectively providing rehabilitation to prisoners? Write **two** things.
3. Why are short sentences a barrier to rehabilitation? Give **one** piece of evidence to support your answer.

THE SCOTSMAN

Opposition parties have called for a change in strategy to keep drugs out of Scottish jails after nearly one-third of inmates were found to have tested positive for banned substances ahead of their release.

(30/01/18)

The figures, published in an annual report from the Scottish Prison Service (SPS), are further confirmation of the scale of drug-taking in the prison estate north of the Border.

SPS bosses added that a survey around 39 per cent of prisoners reported seeing illegal drug use in prison in 2017.

The same Addiction Prevalence Testing (APT), which is conducted across all Scottish prisons annually, stated that 76 per cent of inmates analysed tested positive for drugs on admission to jail.

Tory MSP Liam Kerr said the findings would alarm the public, who expect prisons to be secure environments, and harm the prospects of rehabilitation and reducing reoffending. Prisons are supposed to be absolutely secure environments, where nothing gets in or out that isn't supposed to, so for drug use to be so rife in Scotland's jails is alarming. People understand there will always be examples where smuggled items can slip through the net, but for one in three inmates to be testing positive on release is an incredible statistic.

4. Read the above newspaper article. What statistical evidence is there to suggest that prisons in Scotland are not effectively meeting the rehabilitation needs of prisoners?

Focus on Private Prisons

A private prison is a prison which is owned and run by a private company on behalf of the government. The kind of prisoners that go to these prisons are no different, but the staff and services are all provided by a private company. The government pay this company for their service and prisoners are sent to these prisons in the normal way.

There are two privately run prisons in Scotland: HMP Addiewell, owned and managed by Sodexo Justice Services; and HMP Kilmarnock, owned and managed by Serco.

What are the benefits of private prisons?

Private prisons can be beneficial for governments because they can save money. Both Serco and Sodexo also operate other public services like school canteens and cleaning companies, so can use their large size to provide these services cheaper.

Private companies can often also afford to pay large sums of money to build new prisons which have state-of-the-art facilities. Modern prisons are much safer than older prisons for both staff and prisoners as there is built in CCTV systems and the design makes observing and moving prisoners easier. These pictures of HMP Addiewell show the modern facilities provided, including single ensuite cells and modern recreational facilities.



Disadvantages of Private Prisons

Private prisons have been criticised, however. As they are run by private companies, their main objective is to make as much money as possible. They do this by reducing costs wherever possible, by cutting officer numbers and reducing the quality of food. HMP Northumberland, in the North East of England, is run by Sodexo. In 2017, a BBC undercover reporter posed as an officer in the prison and there were clear failings: widespread drug use, a lack of control, door alarms out of action and a hole in the security fence. In 2014, Sodexo cut two hundred jobs, including ninety-six prison officers, to save money.

Heading: Private Prisons

1. What are the names and operators of the privately run prisons in Scotland?
2. Why might the government decide to use private prisons? Give **two** reasons for your answer.
3. What evidence is there that private prisons fail to effectively meet the needs of prisoners?

The Telegraph

01/03/17

Britain's biggest jail where prisoners will be called "men" rather than "offenders" and the governor insists that the rooms are not cells has started welcoming inmates.



Criminals arriving at HMP Berwyn will find a laptop, TV and phone in their en-suite rooms and be able to make use of the all-weather football pitch and gyms when they are not in classes. Prison officers will have to knock before entering the rooms, which will not be referred to as cells, and the men will not be referred to as offenders or ex-offenders, to try to prevent them living up to the label.

Governor Russ Trent has said that he wants it to be "truly rehabilitative" but critics have questioned whether the facility is too soft.



Any suggestion that it will be "cushy" has been rejected by Nick Dann, the deputy project director. "They are not prisoners, they are men. If you keep calling someone an offender or ex-offender, that's how they will act," he said.

"If they start off with the mindset that this does not feel like a prison, we are hoping they will act like it is not a prison as well. When Nelson Mandela was in custody, he wrote about the importance of normality. The more normal you make it on the inside, the easier it is to transition when they get out."

Costing £250m to build, the Category C prison can hold up to 2,100 inmates, making the biggest in the UK and one of the biggest prisons in Europe. It is the first in a series of new "super-prisons" to open its doors and was last month heralded by Liz Truss, the Justice Secretary, as proof that the system is being modernised.

Mr Trent, a former Royal Marine who was seen as a trouble shooter, has said that the facility will be run on 'Mandela Rules', a United Nations standard aimed at making life in prison as similar as possible to life on the outside.

Therefore the inmates, who started arriving on Tuesday, will find their rooms kitted out with technology to make their lives as "normal" as possible.

Laptops will not have access to the internet but will be used by the men to arrange visits, order meals for the week and do their weekly shopping, as well as complete any work related to their studies. They will have phones in their rooms which can call approved numbers "so they can ring their children at night and say goodnight".



The facility also has a full-sized 3G football pitch, gyms, an education block, workshops, sports hall, multi-use games areas, a health and wellbeing centre, and multi-faith centre.

Inspirational posters adorn the walls with messages including "Look to the future with ambition and hope" and "Big journeys begin with little steps".

There will even be a scout group at the prison for the children of those behind bars.

Mr Trent said that the men are punished when they are taken away from their homes and families, so whilst in prison they should have decent conditions and live a life as normal as possible. He said: "The opportunity we have got at Berwyn is we have got staff that understand the principles of rehabilitation and the desire to give men in custody the hope that they can have a better life in the future."

He had previously told staff he didn't call the men in custody prisoners or offenders and claimed that by describing their living areas as rooms not cells it was "giving them ownership of it and how they live in there and how they keep it clean and tidy".



Michael Gove, then Justice Secretary, said that his approach was "absolutely right" as "the principal purpose of prison is rehabilitation".

But Philip Davies MP, who sits on the Justice Committee, warned that for there to be trust in the system the public needed to see justice being done.



He said that the perks they had sent a "terrible message", adding: "You can rehabilitate people without giving them the creature comforts that many of my constituents could not afford such as a computer in their room."

The prison is run in a collegiate system, like Oxford and Cambridge universities, and is split into three blocks of 700 so the men have more of a sense of belonging.

At the moment, only one block is operational. The blocks are broken up into 24 communities, which can hold up to 88 people. There are even specific communities for armed forces veterans.

Staff say the smaller communities make the men easier to manage and will help foster a better atmosphere. The other blocks are scheduled to open in May and late July.

By Hayley Dixon

Heading: Are Prisons a Place of Punishment?

1. Why have some prisons been criticised in recent years for being too soft? Give **three** reasons to support your answer.

- 2.

Prisons are far too soft on offenders. If they are not tough, they have no chance of stopping reoffending.

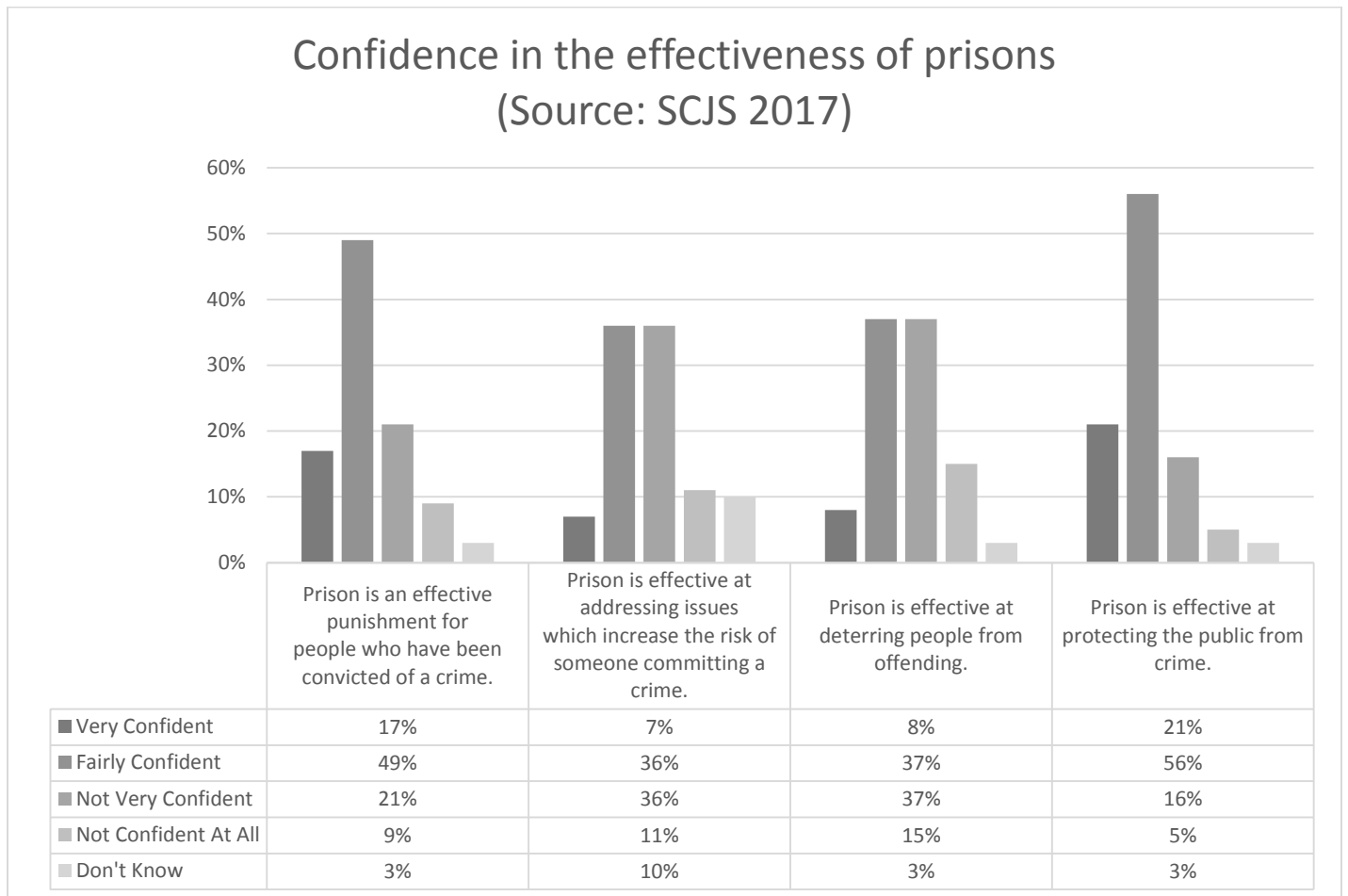
View of Abby Zalewska

What evidence is there to **support** and **oppose** the view of Abby? Write **three** things.

3. One aim of prisons is to punish the offender. Do you think that a prison like HMP Berwyn effectively punishes offenders? Give reasons for your answer and consider the opposing argument.

Public Perceptions of the Prison System

The public has a mixed opinion on the effectiveness of prisons at meeting their aims. For example, 77% of adults surveyed were very or fairly confident that prison is effective at protecting the public; however, 52% of people were not very or not confident at all that prisons are an effective deterrence to criminals.



Heading: Public Perceptions of the Prison System

1.

The majority believe that prisons are not an effective deterrent to criminals. Prisons are too luxurious so there is no reason for criminals to fear them.

View of Alana McGregor

What evidence is there to **support** the view of Alana? Give **two** reasons to support your answer.

2. Do the public believe that prison is an effective punishment for convicted criminals?
3. What conclusions can be made about the public perception of rehabilitation programmes in prison?
- 4.

Prisons effectively keep the general public safe.

View of Amy Robertson

What statistical evidence is there to **support** the view of Amy?

Introduction to Alternatives to Prison

In some cases, a judge may decide that it is more appropriate to impose a non-custodial sentence, where the offender will serve their sentence in the community. There are many different forms of non-custodial sentence.

Electronic Tagging

Electronic tagging is used to restrict an offender's movements and activities. An electronic bracelet is secured around the offender's ankle which is linked to a communication box in their home. If the offender is not home at a certain time, the box will call the police automatically. The police will also be notified if the offender attempts to remove the tag or unplug the box. This order can stop offenders causing problems in the town center in the evening, for example.



Some modern tagging systems can track the person using a GPS system that prevents them entering certain areas – and some tags can even measure the amount of alcohol in your sweat so they can be used to measure if someone is drinking!

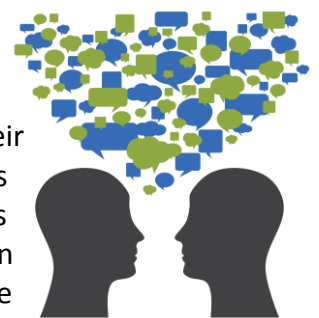


Community Payback

Community payback punishments are designed so offenders can 'put something back' into the community by improving the area. Community payback projects include: litter picking, graffiti removal, renovating community centres. This is an especially effective punishment for offenders who have committed crimes that damage the community. For example, if someone spray painted graffiti on a wall, making them clean up graffiti may make them realise the damage they have caused.

Restorative Justice

Restorative justice focuses on the needs of the victims and the offenders rather than focusing on punishing the offender. Restorative justice encourages dialogue between the victim and the offender. Victims take an active role in the process. Offenders are encouraged to take responsibility for their actions and to repair the harm they've done by apologising, returning stolen goods or listening to the victim's side of the story. Restorative justice that encourages dialogue between victim and offender shows the highest rates of victim satisfaction and offender accountability. In countries such as New Zealand or Canada, where restorative justice has been used for many years, reoffending rates amongst certain types of offenders are lower.

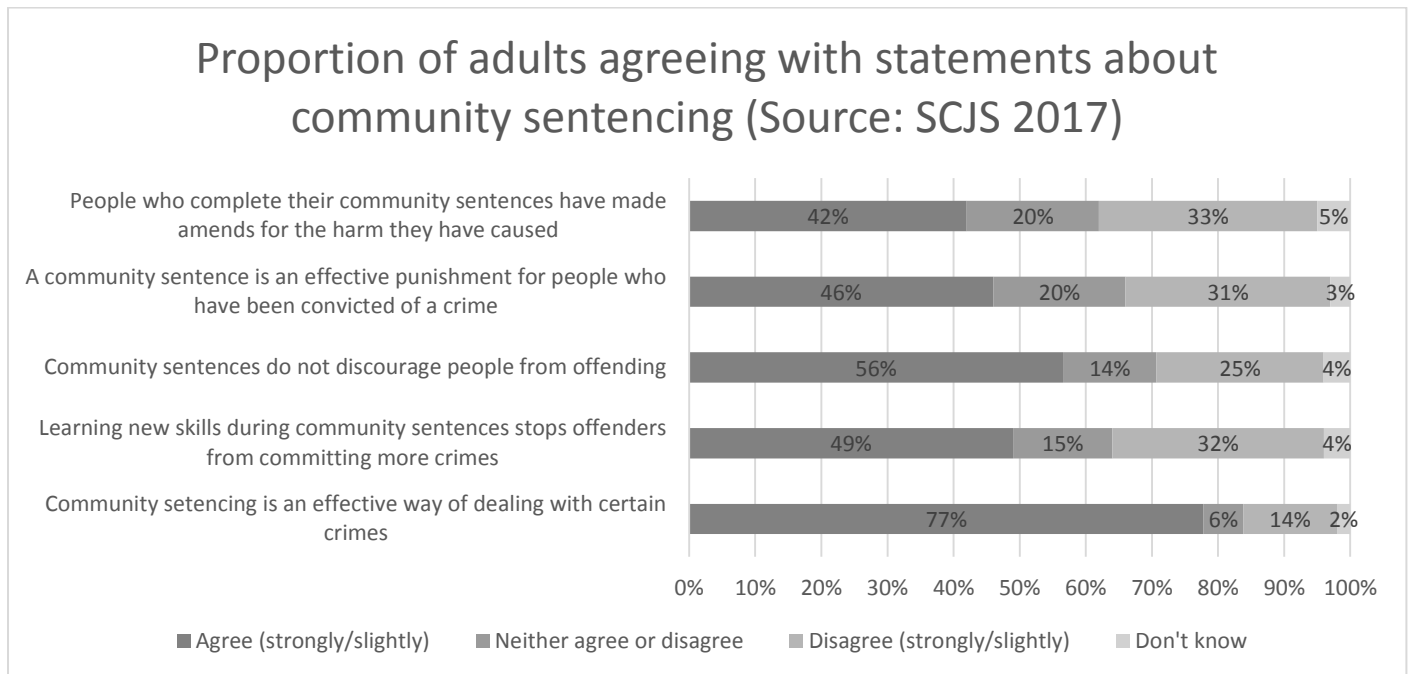


Heading: Alternatives to Prison

1. For each of the above alternatives to prison, copy the name of the alternative and write a definition in your own words.
2. Which alternative do you think would be the most effective? Give a reason to support your answer.

Effectiveness of Alternatives to Prison

The public have mixed views on the effectiveness of non-custodial sentences. A large majority of people (77%) believe that community sentences are effective punishments for certain crimes. However, a small majority of people (56%) think that community sentences do not discourage offenders from reoffending.



BBC

(04/10/16)

'You can be home with your children'

Robert Johnson has been tagged more than once. On one occasion he was sent to Barlinnie prison for drugs offences and released early on Home Detention Curfew. Now 35, he says he has grown up and that he has not offended for more than two years.

He says that being tagged gave him the time and opportunity to re-connect with friends. He has now started up a café with some of them.

"When I was in prison I was ashamed and embarrassed, and I didn't want my children to see me there in a place like that. Every dad wants to be superman to their children and I didn't want them to see me there, to see me exposed. Being at home with a tag and being able to spend time with my family and start looking at education and work, and being with my children, money can't buy something like that."

He added: "In prison you're left in your cell for 23 hours a day locked up with not a lot to do and the chances are if you do do something it's not going to be something worthwhile. On Home Detention Curfew you can be home with your family and your children and start rebuilding your life."

Heading: Effectiveness of Alternatives to Prison

1. Using both the graph and the BBC article, what evidence is there to show that tagging can help offenders develop skills?
2. What conclusion can be drawn about the public's view on the effectiveness of community sentences? Use statistical information to back up your answer.
3. Using both the graph and the BBC article, what evidence is there to show that community sentences don't discourage offenders from reoffending?