

4D.3.1 The nature and measurement of offending

Definitions of Crime

According to Hollin (1989) there are three major approaches to defining crime: the consensus view, the conflict view and the interactionist view.

The consensus view

The background to this view is the functionalist school in sociology (e.g. Shepherd, 1981). This suggests that society functions as an integrated structure, the stability of which depends on agreement among its members about norms, rules and values which are uniformly respected. For example, a society's legal system is a reflection of the consensus of what will and will not be acceptable conduct. Crime is, therefore, a violation of the criminal law, an act which is disapproved of by the majority in society. According to this legalist position, a crime is 'an act that is capable of being followed by criminal proceedings, having one of the types of outcome (punishment, etc.) known to follow these proceedings' (Williams, 1955). Consequences of this definition are as follows:

- 4 An act has to be committed before a crime has occurred (thought without action is not a crime).
- 4 An act must be legally forbidden - 'anti-social' behaviour it itself is not a crime unless prohibited by law (*actus reus*).
- 4 The individual must have had criminal intent in committing the act (*mens rea*).

The conflict view

This view is directly opposed to the consensus view. It argues that rather than functioning as an integrated unit, society is best seen as a collection of competing groups, e.g. professional bodies, unions and employers. These are in conflict with each other on a number of different fronts. Given the unequal distribution of wealth and power in society some are dissatisfied and poor, while others are powerful and wealthy. This inequality creates a social atmosphere based on conflict which in turn promotes crime.

The conflict view has been heavily influenced by Marxist ideas. Marxist or 'new' criminology, views crime as a function of a capitalist system which produces those who have wealth and power and those who do not. Although each class within society commits crimes, the type of crime is dictated by the system. The poor commit crimes such as theft, murder and burglary; the middle class commit 'white collar' crimes such as tax evasion and theft from employers, while the wealthy and powerful 'bourgeois' class indulge in exploitation, profiteering and environmental pollution — acts that are not accorded the status of crime.

Conflict theories emphasise political and economic factors in crime. For example, criminal laws exist for the purpose of protecting the rich and powerful from the remainder of the population.

The interactionist view

This view falls in between the consensus and conflict views of crime. It is interesting because it is closer to a psychological (or more correctly a social psychological account) of crime than these essentially sociological accounts. The symbolic interactionist view (e.g. Blumer, 1969) rests on the following assumptions:

- 4 Each individual's behaviour is guided by their interpretation of reality and the meaning which events hold for them.
- 4 Learning of meaning: a process that results from the way in which others react, positively or negatively towards an individual or situation.
- 4 The evaluation of your own behaviour is made according to the meanings learned and acquired from others.

The interactionist view of crime is to focus on the meaning of people's actions. Thus, taking the life of someone else is a criminal act but this does not always have to be the case: self-defence, in battle during war and state execution are examples of where the action could be seen as 'legitimate'. The decision as to when an act becomes a crime is not a matter of consensus but a statement of the preferences of those who hold social power and can impose their preferred definition on society. Crime and deviance are often merely **labels** imposed by the majority on a minority who do not conform.

The main problem with interactionist accounts is that they do not explain why people commit deviant acts in the first place. They are mainly concerned with the consequences that follow deviant acts, such as marginalisation of the 'criminal'.

Criminal statistics and the measurement of crime

The gathering together of court statistics began in England in the late 1700s to gauge the moral health of the country. In 1856, the Judicial Statistics was compiled using 'crimes known to the police'. This measure is still favoured and reported each year in the Home Office publication 'Criminal Statistics' which presents a record of the number and types of crime recorded by police in England and Wales. Wolfgang (1971) suggested a number of uses for official statistics:

- 4 To measure the volume of crime
- 4 To measure the effectiveness of preventative measures
- 4 To detect changes in rates of crime
- 4 To provide data for policy decisions

To find out how accurate the official figures are as a measure of the real amount of crime in society, the following have been investigated: police recording of crime, offender surveys and victim surveys. These measures often produce different estimates of the amount of crime.

Police recording of crime

Once an offence is reported to the police it will appear in the official statistics. However, Hood & Sparks (1970) suggest that this is not always the case. Only two-thirds of serious crimes which victims have reported to the police were actually recorded in police files. A British survey found that there were discrepancies between reported crime and police-recorded crime: the percentage shortfall ranged from 75% for robbery to 27% for bicycle theft (Hough & Mayhew, 1985). However, sexual offences, thefts of motor vehicles and theft in a dwelling showed no shortfall between reporting and police recording. It seems that the police have considerable discretion over the recording of reported crime. Hough & Mayhew suggest that there are a number of reasons why a shortfall may exist:

- 4 The 'crime' is a mistake.
- 4 There is a lack of evidence to support the report.
- 4 An informal caution may be given so the offence will not appear in the official figures.
- 4 The criminal incident may be resolved by the appearance of a police officer, e.g. family disputes.
- 4 After reporting a crime the injured party asks for it to be dropped.

The amount of this 'unknown' crime is referred to as the 'dark figure'. In an attempt to shed light on the extent of the 'dark figure' researchers have turned away from official bodies towards the other two parties involved in crime, the offenders and the victims.

Offender surveys

The methodology used for offender surveys was to select a sample on the basis of age or geographical location and ask the participants whether they had committed any crimes, detected or undetected. This information was gathered by questionnaire or interview, conducted with the person themselves or with someone who knew them. Belson (1975) interviewed 1,445 boys aged from 13-16 years, randomly

selected from London households. It was revealed that approximately 70% had stolen from a shop and 17% had stolen from private premises.

The general picture that emerges from these self-report studies is that official figures underestimate the true extent of crime. Hood & Sparks (1970) suggest that the official figures represent only 25% of those who actually commit offences, i.e. the so-called 'Dark Figure' is about four times greater than the official figure.

There are problems with this type of data:

- 4 It cannot always be assumed that the respondent is telling the truth.
- 4 Are some crimes not reported, invented or exaggerated?
- 4 Interviewer characteristics may influence the quality of information
- 4 Sampling problems, for example if a survey is carried out at a school there may be absentees

Advocates of self-report studies point to the advantages of the methodology in that it gives a picture of 'victimless' crimes such as drug abuse and vandalism as well as crimes involving victims.

Verification techniques compare self-report with police records. Studies have found high degrees of agreement between the two measures of offending. Other methods include using peer informants to ensure reports match; testing respondents twice to see if their answers are the same and including lie questions as a check on honesty.

Victim surveys

Victim research has a range of methodologies. Household surveys are perhaps the most important means of data collection. The British Crime Survey selected 16,000 households from the Electoral Register with the aim of interviewing one person aged 16 years of older from each household. The survey achieved an 80% success rate. Through interviewing techniques, respondents answered questions about any crimes in which they had been the victim, gave details of the crime and answered questions on their attitudes towards crime. A consistent pattern of findings emerged, the most notable is the extent of crime. Sparks (1981) notes: 'Criminal victimisation is an extremely rare event ... crimes of violence are extremely uncommon'.

The British Crime Survey agreed with Sparks's observations. Trivial crimes such as theft from a motor vehicle are the most common, while serious offences such as assault and robbery have a very low frequency of occurrence. Over 90% of respondents report no experience of crime, however, some people report being involved in a series of incidents having been the victims of between two to four crimes. This leads to the distinction between the incidence of victimisation and the prevalence of victimisation.

- 4 Incidence: average crime rate over the whole population
- 4 Prevalence: a percentage of the population who experience crime

Therefore, surveys reveal that burglaries are most prevalent in inner city areas; cars parked on the street at night are more likely to be stolen and that it is not the elderly but young males who have assaulted others themselves, who are the most likely victims of assault.

Victim surveys focus on offences against the person and property omitting 'white-collar crime' such as fraud and embezzlement. Respondent accuracy also applies here. Other factors such as the type of interview (telephone or in person), interviewer characteristics and the use of multiple interviews can influence the quality of information gained by the survey.