



---

# **MARKING SCHEME**

---

**LEVEL 3 APPLIED DIPLOMA IN CRIMINOLOGY  
UNIT 2  
SUMMER 2017  
4543U20-1**

## **INTRODUCTION**

This marking scheme was used by WJEC for the 2017 examination. It was finalised after detailed discussion at examiners' conferences by all the examiners involved in the assessment. The conference was held shortly after the paper was taken so that reference could be made to the full range of candidates' responses, with photocopied scripts forming the basis of discussion. The aim of the conference was to ensure that the marking scheme was interpreted and applied in the same way by all examiners.

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

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

## General Qualification Criminology – UNIT 2

### Mark Scheme – Summer 2017

Question	Answer	Mark	LO
1 (a)	<p>Award a maximum of <b>2 marks</b> for a full explanation of how one type of media might be used by Ian's father to promote his campaign to bring back capital punishment.</p> <p>Likely answers may include:</p> <ul style="list-style-type: none"> <li>• Television – news reports featuring the campaign.</li> <li>• Radio – interviews and reports to raise the profile of the campaign and seek support.</li> <li>• Advertising – billboards, leaflets, newspaper advertisements, to provide a more permanent form of publicity.</li> <li>• Blogs – web logs containing information about the topic.</li> <li>• Viral messaging – marketing messages are passed from person to person through their social networks to promote the campaign.</li> <li>• Social networking – the use of dedicated websites to interact with other users about the campaign.</li> <li>• Film – showing the reasons and benefits of a return to capital punishment.</li> <li>• Documentary – factual programme.</li> <li>• Online petitions – seeking signatures in support of the campaign.</li> </ul> <p>Accept appropriate variation on the above.</p>	2	LO4
(b)	<p><b>0 marks:</b> Nothing worthy of any marks.</p> <p><b>1-3 marks:</b> Answers that explain basic aspects of how campaigns might influence policy making. Answers convey meaning but lack detail. Little or no use of specialist vocabulary.</p> <p><b>4-5 marks:</b> Answers that explain in detail how campaigns might influence policy making. Answers communicate meaning with some use of specialist vocabulary.</p> <p>Likely answers may include:</p> <ul style="list-style-type: none"> <li>• Newspaper campaigns.</li> <li>• Individual campaigns.</li> <li>• Pressure group campaigns.</li> <li>• Politicians are already involved but proposed legislation would have to be presented to parliament.</li> <li>• A successful transition from proposals to legislation.</li> <li>• Reference to other campaigns that have affected policy such as Sarah's Law, Clare's Law, law on double jeopardy, Snow Drop campaign, road safety campaigns, campaigns for protection against dangerous dogs, etc.</li> <li>• Reference could be made to the changes in the law brought about as a result of the campaigns such the Child Sex Offender Disclosure Scheme (Sarah's Law), the Criminal Justice Act 2003 abolishing double jeopardy for murder (Ann Ming's campaign), etc.</li> </ul> <p>Credit any other relevant response.</p>	5	LO4

Question			Answer	Mark	LO
1	(c)	(i)	<p><b>0 marks:</b> Nothing worthy of any marks.</p> <p><b>1-3 marks:</b> Answers that describe basic aspects of one individualistic theory of criminality. Answers convey meaning but lack detail. Little or no use of specialist vocabulary.</p> <p><b>4-5 marks:</b> Answers that describe in detail one individualistic theory of criminality. Answers communicate meaning with some use of specialist vocabulary.</p> <p>Likely answers may include:</p> <ul style="list-style-type: none"> <li>• Bandura's social learning theory – observational learning, experiments such as the Bobo doll, modelling, findings.</li> <li>• Eysenck's personality theory – extroverts need excitement so they are more likely to seek crime in order to gain excitement. Theory of 'criminal personality' – conceives criminal behaviour as the outcome of interactions between processes. Levels of extroversion, neuroticism and psychoticism likely to be explained.</li> <li>• Freudian approach – traumatic experiences in early childhood leave their mark on the individual despite the fact that the individual was not aware of these experiences. Theory of the id, ego and superego.</li> </ul> <p>Credit any other relevant individualistic theory.</p>	5	LO2
		(ii)	<p><b>0 marks:</b> Nothing worthy of any marks.</p> <p><b>1-3 marks:</b> Answers that analyse basic aspects of how the theory of criminality described in (c) (i) can be applied to Paul's situation. Answers convey meaning but lack detail. Little or no use of specialist vocabulary.</p> <p><b>4-5 marks:</b> Answers that analyse in detail how the theory of criminality described in c (i) can be applied to Paul's situation. Answers communicate meaning with some use of specialist vocabulary.</p> <p>Likely answers may include:</p> <ul style="list-style-type: none"> <li>• Bandura's social learning theory – links made to parents offending and life in care.</li> <li>• Eysenck's personality theory – Paul could be classed as an extrovert who needs excitement, so he commits crimes in order to gain this.</li> <li>• Freudian approach – the traumatic experiences of being in care from a young age could account for his criminality.</li> <li>• Lack of stable home could mean that Paul could not make the transition from pleasure seeking (id) to the reality principle (ego).</li> </ul> <p>Credit any other reasonable response.</p>	5	LO3

Question	Answer	Mark	LO
1 (d)	<p><b>0 marks:</b> Nothing worthy of any marks.</p> <p><b>1-3 marks:</b> Answers that describe, with little or no attempt to evaluate, the effectiveness of a range of individualistic criminological theories to explain causes of criminality. Answers convey meaning but lack detail. Little or no use of specialist vocabulary.</p> <p><b>4-6 marks:</b> Answers that evaluate in some detail the effectiveness of a range of individualistic criminological theories to explain causes of criminality. Answers communicate meaning with some use of specialist vocabulary.</p> <p><b>7-8 marks:</b> Answers that give a detailed evaluation of the effectiveness of a range of individualistic criminological theories to explain causes of criminality. Answers are well structured and clearly expressed. Specialist terms are used with ease and accuracy.</p> <p>Likely answers may include:</p> <ul style="list-style-type: none"> <li>• Social learning theory, for example, Bandura; many studies support this theory; lack of ecological validity; snapshot study with no long-term effects discovered; potential unethical Bobo doll study; ignores the fact that other factors may be influential; ignores cognitive control over behaviour.</li> <li>• Personality theory, for example Eysenck; research in this area relies heavily on the self-report measures of personality; made heavy use of comparisons between convicted offenders and the general population; can personality be seen as a set of stable traits which cause people to behave consistently across situations?</li> <li>• Psychodynamic theories of offending, for example, Freud, are no longer widely accepted; difficulty associated with testing some of the concepts; theory relies heavily on concepts such as the unconscious mind; whose existence is difficult if not impossible to prove; explains behaviour but only after it has happened; psychodynamic therapies that have attempted to treat offending have not been successful.</li> </ul> <p>Credit any other relevant response.</p>	8	LO3
	<b>Total for Question 1</b>	<b>25</b>	

Question	Answer	Mark	LO
2 (a)	<p>Award up to <b>2 marks</b> for briefly explaining how the headline in the newspaper could cause a moral panic.</p> <p>Likely answers may include:</p> <ul style="list-style-type: none"> <li>• A moral panic results following widespread concern that something is threatening society.</li> <li>• Reference to Stanley Cohen and the media coverage of the mods and rockers in the 1960s.</li> <li>• The media reporting of the issue creates an exaggeration of the significance of the issue.</li> <li>• The reporting becomes sensationalised.</li> <li>• The headline suggests total lawlessness and could cause the residents of Grantville to panic and fear for their safety with an ineffective police service.</li> </ul> <p>Credit any other relevant response.</p>	2	LO1
(b)	<p>Award up to <b>3 marks</b> for briefly explaining why crimes are not reported to the police.</p> <p>Likely answers may include:</p> <ul style="list-style-type: none"> <li>• Personal – fear; shame; disinterest; not affected (e.g. sexual offences, domestic abuse, criminal damage).</li> <li>• Social and cultural – lack of knowledge; complexity; lack of media interest; lack of current public concern; culture-bound crime (e.g. honour killing, witchcraft).</li> <li>• Normalised behaviour – criminality seen as normal behaviour and therefore not appropriate to report to the police (e.g. smoking cannabis, illegal music downloads).</li> </ul> <p>Credit any other relevant response.</p>	3	LO1
(c)	<p><b>0 marks:</b> Nothing worthy of any marks.</p> <p><b>1-3 marks:</b> Answers provide limited comparison of criminality and deviance; examples may be provided but lack detail. Little or no use of specialist vocabulary.</p> <p><b>4-5 marks:</b> Answers provide detailed comparison of criminality and deviance; examples are given. Answers communicate meaning with some use of specialist vocabulary.</p> <p>Likely answers may include:</p> <ul style="list-style-type: none"> <li>• Crime is a behaviour that breaks the formal laws of a society and can lead to formal sanctions or punishment; for example, theft or murder.</li> <li>• Deviance is any violation of society's norms or going against expected behaviour; for example, excessive tattoos or piercing.</li> <li>• While most crimes are seen as deviant, many deviant acts are not crimes; for example, sharing a house with 50 cats.</li> <li>• Some deviant acts can become the norm and be accepted; for example, illegal downloading of music.</li> <li>• Some behaviour may be seen as deviant over time; for example, smoking.</li> <li>• There have been calls to decriminalise possession of cannabis – possible argument of it not being a deviant act.</li> </ul> <p>Credit any other relevant response.</p>	5	LO1

Question	Answer	Mark	LO
<p>2 (d) (Cont'd)</p>	<p><b>0 marks:</b> Nothing worthy of any marks.  <b>1-3 marks:</b> Answers that examine with limited/basic detail the crime control policy options that Mr Mackie could introduce if elected as mayor. Answers convey meaning but lack detail. Little or no use of specialist vocabulary.  <b>4-6 marks:</b> Answers that examine in detail the crime control policy options that Mr Mackie could introduce if elected as mayor. Answers clearly communicate meaning with some use of specialist vocabulary.</p> <p>Likely answers may include:</p> <ul style="list-style-type: none"> <li>• Informal policy making such as: community meetings; tenants associations; establishment of neighbourhood groups, e.g. mother and toddler or youth groups.</li> <li>• Formal policy making such as crime control policies or state punishment policies.</li> <li>• Penal populism where the political parties compete to 'get tough on crime'.</li> <li>• Zero tolerance – a policing strategy that involves relentless order maintenance and aggressive law enforcement, against even minor crimes.</li> <li>• Installation of CCTV in the town.</li> <li>• Restorative justice schemes or community resolution.</li> <li>• Reference to 'Broken Windows Theory' (Kelling and Wilson 1982) – suggesting that low-level disorder must be tackled quickly (mending the broken windows) or else the problems in the area will quickly escalate.</li> </ul> <p>Credit any other relevant response.</p>	6	LO4
<p>(e)</p>	<p><b>0 marks:</b> Nothing worthy of any marks.  <b>1-3 marks:</b> Answers provide limited analysis, with brief examples, of how laws change. Answers convey meaning but lack detail. Little or no use of specialist vocabulary.  <b>4-6 marks:</b> Answers analyse in some detail, with examples, how laws change. Answers communicate meaning with some use of specialist vocabulary.  <b>7-9 marks:</b> Answers provide detailed analysis, with clear examples, of how laws change due to time, place and culture. Answers are well structured and clearly expressed. Specialist terms are used with ease and accuracy.</p> <p>Likely answers may include:</p> <ul style="list-style-type: none"> <li>• <b>Time</b> – Views and opinions can change over time or campaigns can promote change and change occurs due to medical knowledge advances.</li> <li>• <b>Prostitution</b> – once a stigma attached and linked to immoral people. Now more of an issue of how to protect vulnerable people involved in prostitution. There are calls for it to be decriminalised with appropriate regulation.</li> </ul>	9	LO1

Question	Answer	Mark	LO
<p>2 (e) (Cont'd)</p>	<ul style="list-style-type: none"> <li>• <b>Vagrancy</b> – is still illegal under The Vagrancy Act 1824. Originally passed to clear the streets of beggars, rogues and vagabonds and prevent further crime from being committed. The Act fell into disuse as society accepted there were legitimate reasons for homelessness. However, the last couple of years has seen an increase in the number of prosecutions.</li> <li>• <b>Homosexuality</b> – was at one stage a criminal offence in England and Wales and then decriminalised by the Sexual Offences Act 1967. The age of consent was also been lowered from 21 to 16 years.</li> <li>• <b>Place</b> – the same criminal offences are not necessarily in place throughout the world or even policed in the same way within England and Wales.</li> <li>• <b>Smoking cannabis</b> – is illegal in England and Wales but there have been calls to decriminalise it and allow its use particularly for medical reasons. It is legal in some states in America. Within England and Wales the law is enforced differently. For instance, Durham Constabulary does not prioritise people who grow cannabis plants for personal use, unlike Cheshire or Gwent.</li> <li>• <b>Culture</b> – different cultures view crimes differently even at the same point in time.</li> <li>• <b>Adultery</b> – not illegal in England and Wales or South Korea where the state refuses to become involved in individuals' private relationships. However, in certain states in America such as Florida and Arizona, adultery is punished by imprisonment.</li> <li>• <b>Honour killings</b> – In some cultures this is the appropriate way for a family to deal with family or community dishonour. Predominately prevalent in Muslim nations such as Turkey, Jordan, Pakistan and Morocco. It is seen as murder in more Western countries.</li> <li>• <b>Homosexuality</b> – whilst many countries have decriminalised it others are moving in the opposite direction. India has recently reinstated law criminalising homosexuality and Nigeria bans same sex relationships.</li> <li>• <b>Witchcraft</b> – still practised in some countries such as Indonesia and Ghana. However in other counties, such as England and Wales, the consequences of practising this can lead to criminal offences, e.g. the murder of Kristy Bamu.</li> </ul> <p>Credit to be given for any other relevant response.</p>		
	<b>Total for Question 2</b>	<b>25</b>	



Question	Answer	Mark	LO
<p>3 (a) (i)</p>	<p><b>0 marks:</b> Nothing worthy of any marks.  <b>1-3 marks:</b> Answers show, with reference to the text, limited/basic description of the features of one physiological theory of criminality. Answers convey meaning but lack detail. Little or no use of specialist vocabulary.  <b>4-6 marks:</b> Answers show, with reference to the text, a detailed description of the main features of one physiological theory of criminality. Answers clearly communicate meaning with some use of specialist vocabulary.</p> <p>Likely answers may include:</p> <p>From the text ‘One theory of crime was based on the physical measurements of Italian prisoners, compared with those of Italian soldiers. This theory proposed that criminals had been born with specific features’, answers describe the main features of Lombroso’s theory of criminality.</p> <ul style="list-style-type: none"> <li>• Lombroso argued that the criminal is a separate species, a species that is between modern and primitive humans.</li> <li>• He argued the physical shape of the head and face determined the "born criminal". He claimed that criminality was heritable.</li> <li>• Criminal had ‘atavistic’ (i.e. primitive) features which were ‘throwbacks’ who had biological characteristics from an earlier stage of human development that manifested as a tendency to commit crimes</li> <li>• Such features included low sloping foreheads, large jaws or forward projection of jaw, receding chins, twisted nose, long arms relative to lower limbs, excessive cheekbones, large chin and lips, large monkey-like ears, excessive wrinkles on the skin.</li> </ul> <p>From the text ‘Another key theory argued that an individual's body shape is correlated with becoming criminal’, answers should describe the main features of Sheldon’s theory of criminality.</p> <ul style="list-style-type: none"> <li>• Links physical characteristics to criminal behaviour.</li> <li>• Three distinct body shapes – ectomorph (thin and fragile) who tend to be social and relaxed, endomorph (fat and soft) who tend to be introverted and restrained and mesomorph (muscular and hard) who tend to be aggressive and adventurous.</li> <li>• Sheldon, using a correlation study, found that many convicts were mesomorphic and they were least likely to be ectomorphic.</li> <li>• Mesomorphs are also likely to have a high pain threshold and be callous and ruthless.</li> </ul> <p>Credit any other relevant physiological theory.</p>	6	LO2

Question	Answer	Mark	LO
3 (a) (ii)	<p><b>0 marks:</b> Nothing worthy of any marks.</p> <p><b>1-3 marks:</b> Answers show some description of the weakness of physiological theory. Answers convey meaning but lack detail. Little or no use of specialist vocabulary.</p> <p><b>4-6 marks:</b> Answers that show a detailed description of the weakness of the physiological theory described in (a) (i). Answers clearly communicate meaning with some use of specialist vocabulary.</p> <p>Likely answers may include:</p> <p><b>Lombroso</b></p> <ul style="list-style-type: none"> <li>Lombroso based his theory on the facial measurements of hundreds of criminals and the skulls of deceased criminals. He did not compare these results to a control group of non-criminals. Therefore, as he did not have a comparison control group, the findings cannot be viewed as support for his claims.</li> <li>Goring (1913) made a study of the physical features of thousands of English prisoners, and found <b>none</b> of the distinctive facial characteristics noted by Lombroso.</li> <li>A major issue with this study is that, even if it were found that there was a relationship between facial characteristics and criminality, the theory is descriptive rather than explanatory.</li> <li>Lombroso's theory also raises some important ethical issues. If we could identify criminals by physical characteristics, would that imply that such people could justifiably be locked away before even committing a crime?</li> <li>This theory is also extremely deterministic. It assumes that criminality is akin to eye colour; one is born a criminal, and is unable to escape one's destiny. It does not take into account social or economic factors.</li> <li>Modern research has found no evidence for any of Lombroso's claims.</li> </ul> <p><b>Sheldon</b></p> <ul style="list-style-type: none"> <li>Only focussed on criminals. Just because many criminals are mesomorphs, it does not mean that all mesomorphs are criminals.</li> <li>The theory could not really explain how ectomorphs and endomorphs can also be criminals.</li> <li>Does not take into account that people's somatotype is not fixed. People's bodies change throughout their lives, and an individual may be all three types at some point in their lives. Sheldon does not detail whether this would lead to changes in personality and criminal behaviour.</li> <li>Muscular mesomorphs may be more likely to be invited by peers to participate in daring and anti-social activities; they may be more successful and therefore more likely to continue this behaviour and, if caught, begin to build up a criminal career.</li> </ul> <p>Credit any other relevant aspect.</p>	6	LO3

Question	Answer	Mark	LO
3 (b)	<p><b>0 marks:</b> Nothing worthy of any marks.</p> <p><b>1-3 marks:</b> Answers show some explanation of one genetic theory of criminality. Answers convey meaning but lack detail. Little or no use of specialist vocabulary.</p> <p><b>4-5 marks:</b> Answers that show a detailed explanation of one genetic theory of criminality. Answers clearly communicate meaning with some use of specialist vocabulary.</p> <p>Explain one genetic theory of criminality.</p> <p>Likely answers may include:</p> <ul style="list-style-type: none"> <li>• Jacobs et al (1965) suggested that men with the XYY syndrome were more aggressive than normal 'XY' men. XYY men are over-represented in the prison population. There are 15 sufferers per 1,000 in prisons and 1 per 1000 in the general population.</li> <li>• Adoption studies – research from, for example, Mednick considering a genetic influence on criminality.</li> <li>• Twin studies – support the contention that a heritable trait may increase risk for criminal behaviour. Twin studies compare the rate of criminal behaviour of twins who are genetically identical or monozygotic twins (MZ) with twins who are not, or dizygotic twins (DZ) in order to assess the role of genetic and environmental influences. To the extent that the similarity observed in MZ twins is greater than that in DZ twins, genetic influences may be implicated.</li> </ul> <p>Credit the explanation of any genetic theory of criminality.</p>	5	LO2
(c)	<p><b>0 marks:</b> Nothing worthy of any marks.</p> <p><b>1-3 marks:</b> Answers describe with limited/basic discussion how social change can affect policy development. Answers convey meaning but lack detail. Little or no use of specialist vocabulary.</p> <p><b>4-6 marks:</b> Answers discuss with some detail how social changes can affect policy development. Answers communicate meaning with some use of specialist vocabulary.</p> <p><b>7-8 marks:</b> Answers discuss in detail how social changes can affect policy development. Answers are well structured and clearly expressed. Specialist terms are used with ease and accuracy.</p> <p>Likely answers may include:</p> <p><b>Death penalty</b></p> <ul style="list-style-type: none"> <li>• Changes in social policy initially approved of the death penalty (The Bloody Code) but then it was restricted to murder only.</li> <li>• Further changes resulted in temporary abolition for murder in 1965.</li> <li>• Permanent abolition for murder in 1969, but remained for treason until 1999 due to the European Convention of Human Rights.</li> <li>• Cases such as Derek Bentley and Timothy Evans which swayed public opinion.</li> </ul>	8	LO4

Question	Answer	Mark	LO
<p><b>3</b> (c) (Cont'd)</p>	<p><b>Domestic abuse</b></p> <ul style="list-style-type: none"> <li>• Social change concerning the position and status of women in society. Numerous anti-discrimination laws.</li> <li>• Rule of thumb – which allowed a man to beat his wife with a stick so long as it is was no thicker than his thumb.</li> <li>• Legal attitudes changing over time. Cases such as R v R which established the possibility of marital rape.</li> <li>• Policing attitudes changing over time from a laissez-faire attitude to the establishment of specialist domestic violence units. This was followed by legislation in 1996 (the Family Law Act) and in 1997 (the Protection from Harassment Act).</li> <li>• Domestic Violence Disclosure Scheme (Clare’s Law).</li> </ul> <p><b>Assisted suicide/suicide</b></p> <ul style="list-style-type: none"> <li>• Suicide was originally a crime and a mortal sin which meant the denial of a Christian burial.</li> <li>• Change in social policy when it was decriminalised by the Suicide Act 1961.</li> <li>• Assisted suicide is still a criminal offence punishable with up to 14 years in prison.</li> <li>• Introduction of ‘guidelines’ by DPP to indicate when a prosecution is likely and unlikely. Reference to Debbie Purdy case.</li> <li>• Proposals to legalise assisted suicide have failed – most recently Lord Falconer’s Assisted Dying Bill.</li> <li>• Other social changes affecting policy development could include discrimination against gender, race, disability, sexual orientation and so on.</li> </ul> <p>Credit any other social change and policy development. Credit to be given either for breadth and/or depth of an answer.</p>		
	<b>Total for Question 3</b>	<b>25</b>	

<b>Question Number</b>	<b>LO1</b>	<b>LO2</b>	<b>LO3</b>	<b>LO4</b>	<b>Total</b>
<b>1 (a)*</b>				<b>2</b>	<b>2</b>
<b>1 (b)*</b>				<b>5</b>	<b>5</b>
<b>1 (c) (i)</b>		<b>5</b>			<b>5</b>
<b>1 (c) (ii)</b>			<b>5</b>		<b>5</b>
<b>1 (d)</b>			<b>8</b>		<b>8</b>
<b>2 (a)*</b>	<b>2</b>				<b>2</b>
<b>2 (b)*</b>	<b>3</b>				<b>3</b>
<b>2 (c)</b>	<b>5</b>				<b>5</b>
<b>2 (d)</b>				<b>6</b>	<b>6</b>
<b>2 (e)</b>	<b>9</b>				<b>9</b>
<b>3 (a) (i)</b>		<b>6</b>			<b>6</b>
<b>3 (a) (ii)</b>			<b>6</b>		<b>6</b>
<b>3 (b)</b>		<b>5</b>			<b>5</b>
<b>3 (c)</b>				<b>8</b>	<b>8</b>
<b>Total LO</b>	<b>19 (25%)</b>	<b>16 (21%)</b>	<b>19 (26%)</b>	<b>21 (28%)</b>	<b>75</b>
<b>% LO</b>	<b>15-25%</b>	<b>15-25%</b>	<b>25-35%</b>	<b>25-35%</b>	<b>100</b>
<b>Marks</b>	<b>11- 19</b>	<b>11 - 19</b>	<b>19 - 26</b>	<b>19 - 26</b>	<b>75</b>

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