



LEVEL 3 MARKING SCHEME

SUMMER 2023

**LEVEL 3
CRIMINOLOGY – UNIT 2
4543UB0-1**

INTRODUCTION

This marking scheme was used by WJEC for the 2023 examination. It was finalised after detailed discussion at examiners' conferences by all the examiners involved in the assessment. The conference was held shortly after the paper was taken so that reference could be made to the full range of candidates' responses, with photocopied scripts forming the basis of discussion. The aim of the conference was to ensure that the marking scheme was interpreted and applied in the same way by all examiners.

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

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

LEVEL 3 CRIMINOLOGY – UNIT 2

SUMMER 2023 MARK SCHEME

1. Scenario:

Helen lives in a socially deprived area with her two children. Like most of the people living in the area, Helen has lived on state benefits for many years and is now trying to trace her children's father for child support payments. Once quite a wealthy area, the town is now frequented by gangs, and Helen feels it is not a safe place to live due to the increasing volume of crime. She has just learned that her younger sister Sophie is due to appear in the local magistrates' court having been accused of stealing clothes. Sophie stole the clothes to sell so that she could give the money to Helen.

- (a) (i) Describe how **one** sociological theory accounts for criminality. [6]
- (ii) Analyse how **one** sociological theory of criminality can be applied to Helen and Sophie's situation. [6]
- (iii) Evaluate the effectiveness of **one** sociological theory in explaining the causes of criminality. [6]
- (b) (i) Define the term social values and give **one** example. [2]
- (ii) Define the term mores and give **one** example. [2]
- (c) Identify **three** social changes that have affected policy development. [3]

2. Scenario:

Since their father was sent to prison five years ago, 15-year-old Gary has been brought up by his 24-year-old brother Billy, who is the leader of a gang that carries out armed robberies. Gary looks up to Billy and wants to join the gang. For the past few months he has been following the gang, watching them commit crimes in the hope of becoming a member. He has been envious of the excitement and thrills the gang appear to get from the robberies, and last week he became a member when he was involved in the gang's raid on a post office.

- (a)
 - (i) Describe how **one** individualistic theory accounts for criminality. [6]
 - (ii) Briefly analyse how **one** individualistic theory of criminality can be applied to Gary's situation. [4]
 - (iii) Evaluate the effectiveness of **two** individualistic theories in explaining the causes of criminality. [9]
- (b) Assess **one** state punishment policy that has been informed by sociological theories. [6]

3. Scenario:

Jane and Marilyn are friends on social media and will both soon turn 19. Jane, who lives in Wales, says she intends to go out drinking alcohol with her friends. Marilyn lives in the USA and explains that the law in her country means that she cannot do that until she is 21. Marilyn decides to campaign to change the law regarding the drinking of alcohol in the USA.

- (a) Identify **one** way in which laws can differ, other than according to place. [1]
- (b) With reference to **two** examples, explain the social construction of criminality according to place. [9]
- (c) Explain the legal definition of crime. [6]
- (d) Discuss how campaigns led by individuals affect policy making. [9]

1. Scenario:

Helen lives in a socially deprived area with her two children. Like most of the people living in the area, Helen has lived on state benefits for many years and is now trying to trace her children's father for child support payments. Once quite a wealthy area, the town is now frequented by gangs, and Helen feels it is not a safe place to live due to the increasing volume of crime. She has just learned that her younger sister Sophie is due to appear in the local magistrates' court having been accused of stealing clothes. Sophie stole the clothes to sell so that she could give the money to Helen.

- (a) (i) Describe how **one** sociological theory accounts for criminality. [6]

0 marks	The response does not meet any of the criteria specified below.
1–2 marks	There is a limited focus on the question, with vague or no accurate support and little or no use of specialist vocabulary.
3–4 marks	There is a reasonable focus on the question with some accurate support and some use of specialist vocabulary. The demands of the question may be only partially addressed.
5–6 marks	There is a clear and detailed focus on the question with mainly accurate support and an effective use of specialist vocabulary. The demands of the question are fully addressed.

Note: Explicit links must be made to criminal behaviour rather than behaviour in general.

The following material is an indication of what candidates **may** include in their responses. Credit any other relevant material.

Left realism

- This theory, proposed by Lea and Young suggests several causes of crime, including subcultures, marginalisation, social exclusion, and relative deprivation
- Relative deprivation refers to inequality or the idea that people are deprived compared with others in society. This includes material deprivation
- Inequality in society is a significant cause of crime
- Inequality is also a major contributor to social exclusion, with people feeling they do not have a stake in society
- This theory suggests that social order will come from a fairer, more equal society.

Marxism

- Assumes that being a part of the disadvantaged social class is a significant factor in criminal behaviour
- Crime is largely a result of unfavourable conditions in a community, for example unemployment
- Crime is seen as something the ruling class uses as a means of social control and a lack of conformity results in punishment
- Institutions such as the police and prisons are there to encourage conformity of the working class (proletariat)

- Crime is as a result of inequality and poverty
- Capitalism causes crime
- The crimes of the bourgeoisie, for example white-collar crimes, are overlooked.

Right realism

- This theory suggests that a breakdown in the moral fabric of society causes crime
- According to Charles Murray, a lack of social bonds can lead to crime
- A growing underclass, such as single parents and boys without a father figure, provide the opportunity for the commission of crime
- People commit crime as a deliberate and rational choice
- The welfare state has created dependency and discourages working for a living.

- (a) (ii) Analyse how **one** sociological theory of criminality can be applied to Helen and Sophie's situation. [6]

0 marks	The response does not meet any of the criteria specified below.
1–2 marks	There is a limited focus on the question, with vague or no accurate support and little or no use of specialist vocabulary.
3–4 marks	There is a reasonable focus on the question with some accurate support and some use of specialist vocabulary. The demands of the question may be only partially addressed.
5–6 marks	There is a clear and detailed focus on the question with mainly accurate support and an effective use of specialist vocabulary. The demands of the question are fully addressed.

The following material is an indication of what candidates **may** include in their responses. Credit any other relevant material.

Left realism

- Helen and Sophie may feel marginalised in society
- Due to marginalisation, they may also believe they are socially excluded in society
- Given their financial situation, they may be said to live in relative deprivation. Helen has lived on state benefits for many years
- This inequality in society appears to have caused Sophie to turn to crime. She stole clothing in order to sell and then give the proceeds to her sister.

Marxism

- Helen lives in poverty and has been on state benefits for many years. The area in which she lives has social deprivation. This can lead to crime
- The sisters are part of the disadvantaged social class (proletariat)
- Their situation of living in unfavourable conditions, such as unemployment, can often result in crime
- Sophie's appearance at the local magistrates' court could be seen as something the ruling class (bourgeoisie) is using as a means of social control.

Right realism

- It could be argued that law and order in the society in which Sophie and Helen live has broken down
- Reference in the scenario to one-parent families suggests that there are no male role models and as a result of this, crime can occur
- There is a culture of living on state benefits, which may have eroded a work ethic
- Disorder in the community has bred more crime and a sense of community is lost
- Sophie has made the deliberate and rational choice to commit a crime.

- (a) (iii) Evaluate the effectiveness of **one** sociological theory in explaining the causes of criminality. [6]

0 marks	The response does not meet any of the criteria specified below.
1–2 marks	There is a limited focus on the question, with vague or no accurate support and little or no use of specialist vocabulary.
3–4 marks	There is a reasonable focus on the question with some accurate support and some use of specialist vocabulary. The demands of the question may be only partially addressed.
5–6 marks	There is a clear and detailed focus on the question with mainly accurate support and an effective use of specialist vocabulary. The demands of the question are fully addressed.

The following material is an indication of what candidates **may** include in their responses. Credit any other relevant material.

Left realism

- The theory has focused attention on street crime and its effects
- It appreciates that crime is a real problem, and aims to find the causes of the problem
- It recognises multiple causes of crime
- It places a focus on the victim and the vulnerable in society
- Relative deprivation cannot fully explain crime as not all those who experience it commit crime
- It focuses on crime taking place in inner city areas, which gives an unrepresentative view of criminality
- It fails to explain crimes such as white-collar crime or corporate crime.

Marxism

- The theory demonstrates how the law reflects differences in power between the social classes, and how inequality in society can lead to criminal behaviour
- The theory highlights the impact of selective law enforcement
- It provides an explanation for crime that covers all social classes and a variety of offences
- While this theory argues that the law protects the ruling class, it fails to consider that many laws surrounding employment protect the working class
- Not all working class people commit crime
- Not all capitalist societies have high crime rates, for example Japan and Switzerland.

- (b) (i) Define the term social values and give **one** example. [2]

0 marks	The response does not meet any of the criteria specified below
Up to 2 marks	Award 1 mark for each correct point.

The following material is an indication of what candidates may include in their responses. Credit any other relevant material.

Social values are rules shared by most people in a culture, or ideas that they hold in value. They are the foundation to judge between what is right and what is wrong. They are more general guidelines than norms.

For example, most people feel that we should respect the elderly.

- (b) (ii) Define the term mores and give **one** example. [2]

0 marks	The response does not meet any of the criteria specified below
Up to 2 marks	Award 1 mark for each correct point.

The following material is an indication of what candidates may include in their responses. Credit any other relevant material.

Mores are morals or “good” ways of behaving. They are formed out of a person’s core values. They are ideas that a culture would think of as too serious to break.

For example, do not commit murder.

- (c) Identify **three** social changes that have affected policy development. [3]

0 marks	The response does not meet any of the criteria specified below.
Up to 3 marks	Award 1 mark for each correct point.

The following material is an indication of what candidates may include in their responses. Credit any other relevant material.

- Cigarette smoking
- Women's rights
- Employment law
- LGBTQIA+ rights
- Disability rights
- Use of mobile telephones
- Laws surrounding technology
- The law on murder.

2. Scenario:

Since their father was sent to prison five years ago, 15-year-old Gary has been brought up by his 24-year-old brother Billy, who is the leader of a gang that carries out armed robberies. Gary looks up to Billy and wants to join the gang. For the past few months he has been following the gang, watching them commit crimes in the hope of becoming a member. He has been envious of the excitement and thrills the gang appear to get from the robberies, and last week he became a member when he was involved in the gang's raid on a post office.

- (a) (i) Describe how **one** individualistic theory accounts for criminality. [6]

0 marks	The response does not meet any of the criteria specified below.
1–2 marks	There is a limited focus on the question, with vague or no accurate support and little or no use of specialist vocabulary.
3–4 marks	There is a reasonable focus on the question with some accurate support and some use of specialist vocabulary. The demands of the question may be only partially addressed.
5–6 marks	There is a clear and detailed focus on the question with mainly accurate support and an effective use of specialist vocabulary. The demands of the question are fully addressed.

Note: Explicit links must be made to criminal behaviour rather than behaviour in general.

The following material is an indication of what candidates **may** include in their responses. Credit any other relevant material.

Learning theory

- This is based on the assumption that offending is a set of behaviours learned in the same way as other behaviours: through observational and vicarious reinforcement
- People engage in crime because of their association with others who engage in crime
- Criminal behaviour is reinforced and people learn beliefs that are favourable to crime
- Albert Bandura proposed the social learning theory
- It includes observational learning and experiments such as that using the Bobo doll
- Studies emphasise the family and peer group as a potential source of criminal behaviour, for example Osborne and West (1982).

Personality theory

- These theories claim that certain personality traits make people more likely to become criminals
- They include Eysenck's personality theory
- This theory suggests that personality traits include dimensions of extraversion and neuroticism that can be measured using a personality questionnaire
- People with high levels of extraversion have a low level of arousal, meaning they require more environmental stimulation to fuel their excitement
- A third personality dimension, psychoticism, was later added. This relates to the degree to which somebody is anti-social, aggressive and uncaring
- A criminal would score highly on these dimensions; they require stimulation and excitement to meet a high arousal level
- Explicit links must be made to criminal behaviour rather than behaviour in general.

- (a) (ii) Briefly analyse how **one** individualistic theory of criminality can be applied to Gary's situation. [4]

0 marks	The response does not meet any of the criteria specified below.
1–2 marks	There is a limited focus on the question, with vague or no accurate support and little or no use of specialist vocabulary.
3–4 marks	There is a reasonable focus on the question with some accurate support and some use of specialist vocabulary.

The following material is an indication of what candidates may include in their responses. Credit any other relevant material.

Learning theory

- Gary has observed criminal behaviour from both his father and older brother
- Gary's family members have become his role models
- His brother being able to make money from robberies has vicariously reinforced Gary's learning
- Gary now believes that crime pays.

Personality theory

- Gary and his family members may have the personality traits that make them want to commit crimes
- These would involve high levels of extraversion as well as neuroticism and psychopathy
- Gary is envious of the excitement and thrills the gang appear to get from the robberies
- The above may suggest that Gary has a low level of arousal, meaning he requires more environmental stimulation to fuel his excitement. As a result, he commits the robbery.

- (a) (iii) Evaluate the effectiveness of **two** individualistic theories in explaining the causes of criminality. [9]

0 marks	The response does not meet any of the criteria specified below.
1–3 marks	There is a limited focus on the question, with vague or no accurate support and little or no use of specialist vocabulary.
4–6 marks	There is a reasonable focus on the question with some accurate support and some use of specialist vocabulary. The demands of the question may be only partially addressed.
7–9 marks	There is a clear and detailed focus on the question with mainly accurate support and an effective use of specialist vocabulary. The demands of the question are fully addressed.

The following material is an indication of what candidates **may** include in their responses. Credit any other relevant material.

Learning theory

- The theory is deterministic and ignores cognitive control over behaviour
- The theory fails to consider other causes of criminality
- Bandura's Bobo doll experiment provides evidence in support of this theory. The experiment was also repeated with slight variations and produced similar results
- However, the Bobo doll experiment has a lack of ecological validity
- The Bobo doll experiment could be considered unethical and produced only a snapshot, with no long-term effects discovered.

Personality theory

- This theory relies heavily on self-reporting and may not be reliable and/or valid
- The theory seems to rely on personality being a set of stable traits that cause people to behave consistently. This is questionable as personality and feelings can change
- The theory used many offenders in prison who may not be typical of all offenders
- If tendencies that eventually manifest themselves as criminal behaviour are detectable in childhood, then it may be possible to modify the socialisation experiences of high-risk individuals so that they do not develop into offenders.

- (b) Assess **one** state punishment policy that has been informed by sociological theories. [6]

0 marks	The response does not meet any of the criteria specified below.
1–2 marks	There is a limited focus on the question, with vague or no accurate support and little or no use of specialist vocabulary.
3–4 marks	There is a reasonable focus on the question with some accurate support and some use of specialist vocabulary. The demands of the question may be only partially addressed.
5–6 marks	There is a clear and detailed focus on the question with mainly accurate support and an effective use of specialist vocabulary. The demands of the question are fully addressed.

The following material is an indication of what candidates **may** include in their responses. Credit any other relevant material.

Note: Candidates should provide a judgement as to whether the policies are effective, and examples should be provided to support points made. This could include research, cases, studies and statistics.

Prison

- This is an increasingly used policy. England and Wales and Scotland have the highest imprisonment rates in Western Europe
- Short prison sentences are less effective than community sentences at reducing re-offending.
- Adults who served sentences less than 12 months, have a re-offending rate of 53.9%. This figure is reduced for those serving a longer term
- Overcrowding is a major issue in prisons, however between 2010–11 and 2014–15 budgets were reduced by 20%.

Zero tolerance

- Its use in New York City was successful when major crime fell by 39% and murder by 49%. However, it has been suggested there were other reasons for a falling crime rate such as reduction in drug usage
- When introduced in Teesside by Ray Mallon, crime was cut by 20% in 18 months. However, crime has also fallen in areas without zero tolerance
- Strict adherence to a zero tolerance policy could result in allegations of heavy handedness by the police
- This policy works well in heavy populated areas but in a rural area with a low crime rate the policy has very little effect.

CCTV

- It can be used to show the nature and severity of the crime and identify suspects and witnesses
- According to the College of Policing CCTV is more effective when directed at reducing theft of and from vehicles, while it has no impact on violent crime
- it can merely cause crime to be displaced and criminals to operate in other areas without CCTV
- As an investigative technique it can provide compelling evidence that is used in court. However, the cost of equipment can be high

3. Scenario:

Jane and Marilyn are friends on social media and will both soon turn 19. Jane, who lives in Wales, says she intends to go out drinking alcohol with her friends. Marilyn lives in the USA and explains that the law in her country means that she cannot do that until she is 21. Marilyn decides to campaign to change the law regarding the drinking of alcohol in the USA.

- (a) Identify **one** way in which laws can differ, other than according to place. [1]

0 marks	The response does not meet any of the criteria specified below.
1 mark	Award 1 mark for a correct point.

The following material is an indication of what candidates may include in their responses..

Candidates may argue that laws can differ according to:

- Culture
- Time
- Circumstances

- (b) With reference to **two** examples, explain the social construction of criminality according to place. [9]

0 marks	The response does not meet any of the criteria specified below.
1–3 marks	There is a limited focus on the question, with vague or no accurate support and little or no use of specialist vocabulary.
4–6 marks	There is a reasonable focus on the question with some accurate support and some use of specialist vocabulary. The demands of the question may be only partially addressed.
7–9 marks	There is a clear and detailed focus on the question with mainly accurate support and an effective use of specialist vocabulary. The demands of the question are fully addressed.

The following material is an indication of what candidates may include in their responses. Credit any other relevant material.

- What is considered to be criminal varies according to place
- Reference may be made to the example in the question of the legal age to purchase alcohol in the UK and the US
- Other examples may include jaywalking/pedestrians who cross the road without regard to traffic regulations. Jaywalking is an offence in most urban areas in the US, Canada, Singapore and Poland. However, it is not a criminal offence in England and Wales
- Actions may be treated differently in different places within a state, for example, in the UK, possession of cannabis is not prioritised in the County Durham police force area but is in the Cumbrian police force area
- The use of e-scooters is legal in certain places, such as on private land, but it is not in others, such as on public roads and pavements (subject to government trial in 2020)
- Adultery is illegal in Saudi Arabia and certain states in the US, for example in Kansas and Arizona, but it is not illegal in the UK
- Other examples include the use of female genital mutilation (FGM), the age of consent and the age of criminal responsibility.

(c) Explain the legal definition of crime.

[6]

0 marks	The response does not meet any of the criteria specified below.
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3–4 marks	There is a reasonable focus on the question with some accurate support and some use of specialist vocabulary. The demands of the question may be only partially addressed.
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The following material is an indication of what candidates **may** include in their responses. Credit any other relevant material.

Legal definition

- Behaviour that breaks the criminal law of a society for which punishment is dispensed.
- An act which comprises of an actus reus (guilty act) which is usually a positive action and a mens rea (guilty mind) such as intention or recklessness.
- Strict liability offences, despite not requiring a mens rea are also crimes.
- A defence, such as self-defence, can negate behaviour from being criminal.
- Examples of crime such as, murder, theft, robbery
- Sanctions for crime such as, imprisonment, community orders and fines.

(d) Discuss how campaigns led by individuals affect policy making.

[9]

0 marks	The response does not meet any of the criteria specified below.
1–3 marks	There is a limited focus on the question, with vague or no accurate support and little or no use of specialist vocabulary.
4–6 marks	There is a reasonable focus on the question with some accurate support and some use of specialist vocabulary. The demands of the question may be only partially addressed.
7–9 marks	There is a clear and detailed focus on the question with mainly accurate support and an effective use of specialist vocabulary. The demands of the question are fully addressed.

The following material is an indication of what candidates **may** include in their responses. Credit any other relevant material.

- Ann Ming's campaign to convince the government to abolish the double jeopardy law for murder resulted in the provision in the Criminal Justice Act 2003. Now it is possible for a person to be charged more than once for the same criminal offence. For example, Billy Dunlop
- Sara Payne's campaign to introduce the Child Sex Offender Disclosure Scheme after the death of her daughter Sarah. This sought the assistance of the *News of the World*, and a petition was organised by way of support
- Bobby Turnbull's gun law campaign to change the gun laws following the death of his mother and other members of his family. This campaign saw Bobby Turnbull regularly appear in the media seeking support. He also lobbied MPs in his pursuit of the changes. Resulted in amendments to the Firearms Act 1968
- Michael Brown's campaign to introduce Claire's Law after the death of his daughter Claire Wood. This resulted in the Domestic Abuse Disclosure Scheme
- A campaign started by Lillian Grove's parents to introduce roadside drug testing following Lillian's death by a driver under the influence of drugs (Lillian's Law). Lillian's parents used a petition to gain support and met with then Prime Minister David Cameron. Lillian's mother also wrote to every MP encouraging them to back the changes in parliament. Resulted in policy change -Drug Driving (Specified Limits) (England and Wales) Regulations 2014
- The campaign by PC Andrew Harper's widow to see those convicted of killing emergency service workers being ordered to spend the rest of their lives in prison (Harper's Law). This was brought into effect by the Police, Crime, Sentencing and Courts Act 2022.