



CRIMINOLOGY

LO2: Understand the role of punishment in a criminal justice system.  
AC 2.1 Explain forms of social control

Year 13: Unit 4

Define social control

1	Definition	Social control involves persuading or forcing people to conform to the norms, laws and expectations of society. This is necessary to enable society to function smoothly.
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INTERNAL FORMS OF SOCIAL CONTROL			EXTERNAL FORMS OF SOCIAL CONTROL		
1	Internal forms of social control	These controls on our behavior come from <i>within ourselves</i> . They are also forms of <i>self-control</i> . These forms of control lead us to <i>conform to the norms and rules of society</i> as we feel it is the <i>right thing to do</i> .	1	Agencies of social control	These are organisations and institutions that impose rules on us. They make us behave a certain way. Eg family
2	FREUD link	Reference to Freud: <i>Psychoanalytic Theory</i> <b>Moral conscience or superego:</b> <ul style="list-style-type: none"> <li>a) -Our personality is made up of the id, ego and superego.</li> <li>b) -The superego tells us what is right and wrong and creates feelings of guilt within us if we don't behave as we should.</li> <li>c) -Superego develops in our early socialisation within the family- it acts as a "nagging parent" telling us how to behave.</li> <li>d) -When we are young we are more impulsive and act on our id- "animal urges".</li> <li>e) -As the superego develops we have more self-control and behave in socially acceptable ways.</li> </ul>	2	SKINNER link	<b>Operant Learning theory</b> Agencies of social control use ; <ul style="list-style-type: none"> <li>a) Negative sanctions- punishments and</li> <li>b) Positive sanctions- rewards to impose social control.</li> <li>c) Reinforcement- punishment discourages undesirable behaviour and reward encourages acceptable behaviour.</li> </ul>
3	Tradition and Culture	The culture to which we belong becomes part of us through socialisation. We accept norms, values and traditions as part of our identity. Conforming to a tradition is a way of affirming identity but also being accepted as a member of a community. Eg. The Muslim tradition of fasting during Ramadan is followed because of the religious traditions people are raised in.	3	The Criminal Justice System	The criminal justice system contains several agents of social control. Each of these agents has the power to use formal legal sanctions against individuals to make them conform to society's laws. They can also use positive sanctions/ rewards eg. Good behaviour in prison may lead to privileges and early parole.
4	Internalisation of social rules and morality	Our superego and the traditions we follow become part of our inner self or personality- Both of them start as things outside of us- eg parent's rules = the superego and culture = tradition. <b>Socialisation is the process</b> by which we internalise these rules. Society's rules become our own personal rules and moral code.	4	Police	Can stop, search, arrest, detain and question suspects.
5	Rational ideology	is the term used to describe the way in which we internalise social rules and use them to tell us right from wrong. This helps us to be law-abiding	5	Judges and Magistrates	Can bail the accused or remand them in custody. They can sentence the guilty to a variety of punishments
			6	Prison service	They can detain prisoners against their will for the duration of their sentence. They can also offer further punishments such as solitary confinement.
			7	CPS	Can charge a suspect and prosecute them in court.
			8	Coercion	This involves the use of threat or force to make someone do or stop doing something. This may be in the form of physical or psychological violence. Eg. Sending someone to prison for stealing. This is aimed at preventing further offending.
			9	Fear of punishment	Fear of punishment is one way of trying to achieve social control.
			10	Right Realism link: Deterrence:	Fear acts as a deterrent- fear of being caught and deprived of freedom against your will would deter would-be criminals

#### CONTROL THEORY

1	Definition	Most criminological theories ask why people commit crime. <i>Control theorists ask why people <u>obey</u> the law.</i>
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#### HIRSCHI : BONDS of ATTACHMENT

1	Key idea	People conform because they are controlled by their bonds to society. "Delinquent acts occur when an individual's bond to society is weak or broken." This bond to society has 4 elements.
2	Attachment	The more attached we are to others the more we care about their opinion of us-we will be less likely to break the rules if we are concerned what our parents or teachers might think.
3	Commitment	How committed are we to conventional goals such as succeeding in education or getting a good job? The more committed we are to a conventional lifestyle, the more we risk losing by getting involved in crime, so the more likely we are to conform.
4	Involvement	The more involved we are in conventional, law-abiding activities, like studying or participating in sport, the less time we have for illegal activities. Eg Youth clubs can be justified as keeping young people out of trouble by filling their time with legal activities.
5	Belief	If we have been socialized to believe it is right to obey the law, we are less likely to break it.

#### PARENTING

1	Gottfredson and Hirschi:	Low self-control is a major cause of delinquency and this results from poor socialisation and inconsistent or absent parental discipline.
2	Riley and Shaw:	A lack of parental supervision plays an important role in delinquency. Parents should; <ul style="list-style-type: none"> <li>Take an interest in what their children are doing at school/friends they hang out with.</li> <li>Take an interest in their teenager's lives and spend time with them</li> <li>Show strong disapproval of criminal behaviour and explain the consequences of offending</li> </ul>
3	RECKLESS	We have psychological tendencies that can lead to criminality but effective socialisation can provide " <i>internal containment</i> " by building the self-control to resist the temptation to offend. He also argues that external controls such as parental discipline can provide " <i>external containment</i> ."

#### FEMINIST: HEIDENSOHN

1	Key idea	Explains women's low level of offending. <b>Patriarchal controls</b> in society monitor the behaviours of women more closely than men. This gives them little opportunity to offend. They are controlled at home, in public and at work.
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#### FEMINIST: CARLEN

1	Key idea	Females who offend often have failed to form an attachment to parents because they had suffered abuse in the home or grown up in care.
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Part of LO2: also see other sections of this unit. Also relate your understanding to theoretical knowledge acquired through Unit2.

AIM 1) RETRIBUTION		
1	<b>Definition</b>	An expression of society's outrage at crime.
2	<b>Key idea</b> <b>Just desserts</b>	Offenders should suffer for breaching the moral code of society.
3	<b>Key idea</b> <b>Proportionality</b>	<ul style="list-style-type: none"> <li>Punishments should fit the crime eg "an eye for an eye" or a "life for a life." ie. murderer should be given the death penalty.</li> <li>This leads to a <b>tariff system</b>-a fixed scale of mandatory (compulsory) penalties for different offences.</li> </ul>
4	<b>Key idea</b> <b>Expressing moral outrage</b>	<ul style="list-style-type: none"> <li>The effect of retribution may be to deter offenders but this is not it's main aim.</li> <li>It's purpose is for society to express it's moral outrage.</li> <li>Punishment is morally good, regardless of whether it changes the offender's future behaviour.</li> <li>Retribution justifies the punishments for crimes already committed-not a means of preventing future crimes.</li> </ul>
5	<b>Example : Hate crime</b>	<ul style="list-style-type: none"> <li>If you are found guilty of a hate crime this results in an "uplift" or higher tariff sentence of 2 yrs this reflects the moral outrage felt by society.</li> <li>E.g. grievous bodily harm (GBH) carries a maximum sentence of 5 years imprisonment but this can be increased to 7 years if it was racially motivated.</li> </ul>

THEORY LINKS RETRIBUTION		
1	<b>Theory Link:</b> <b>Right Realism</b>	Retribution assumes that offenders are rational actors –they made a conscious choice to commit crime. They are responsible for their actions. Punishment is justified because they made an active choice to break a moral code.
2	<b>Theory Link:</b> <b>Functionalism:</b> <b>Durkheim</b>	The moral outrage expressed through retribution performs the function of boundary maintenance. It reminds people of what is right and wrong.

CRITICISMS	
1	It can be argued that offenders deserve forgiveness,
2	If there is a fixed tariff of penalties, discretion cannot be used
3	There will be disagreement on which crimes are seen as more serious than others

Part of LO2: also see other sections of this unit. Also relate your understanding to theoretical knowledge acquired through Unit2.

### AIM 2: REHABILITATION

1	<b>Definition</b>	Making offenders change their behaviour.
2	<b>Key idea Positive change</b>	Punishment will help to change offenders so that they can go on to have a crime-free life
3	<b>Key idea Treatment</b>	This does not punish past offences but uses a variety of treatment programmes to change the future behaviours of the offender.
4	<b>Key idea Causes</b>	This addresses the issues that led to their offending.

### THEORY LINKS REHABILITATION

1	<b>Theories: Individualistic theories;</b>	They see rehabilitation as the main aim of punishment. Ways of changing behaviour include; a) <b>Cognitive theories:</b> CBT- cognitive behavioural therapy teaches offenders to correct their thinking errors and biases that may have led them into crime. b) <b>Eysenck's Personality theory:</b> This favours the use of aversion therapy to deter offending behaviour. c) <b>Skinner's operant learning theory:</b> Supports the use of token economies to encourage offenders in prison to reward more acceptable behaviour.
2	<b>Theories: Sociological Left Realism</b>	Favours rehabilitation as it may present an opportunity to address the social causes of crime. They believe the causes of crime are connected to poverty, unemployment and a lack of educational opportunity. If offenders can be given skills and training their needs will be met and will be less likely to reoffend.

### REHABILITATION POLICIES

1	<b>Education and training programmes:</b> This will improve employability-give them new skills to be able to earn "an honest living" on release.
2	<b>Anger management courses:</b> Used with violent offenders. ART or Aggression Replacement Training and other cognitive behavioural therapies may be used here. Offenders will learn to manage their anger
3	<b>Drug treatment and testing orders:</b> These are programmes used to deal with drug and alcohol dependence. Addiction may often be connected to reasons for offending. Community sentences may also include a requirement to enroll on these programmes.
4	<b>Support:</b> There will be a lot of input of resources and professional support from therapists, probation officers and organisations to achieve change.

### CRITICISMS

1	<b>Right realists</b> Argue that rehabilitation has limited success. Reoffending rates are high despite prisoners completing these programmes. be argued that offenders deserve forgiveness,
2	<b>Marxists:</b> These programmes shift the blame onto the individual offender and their failings. The real cause of crime is capitalism. ere is a fixed tariff of penalties, discretion cannot be used

Part of LO2: also see other sections of this unit. Also relate your understanding to theoretical knowledge acquired through Unit2.

# CRIMINOLOGY

## LO2: Understand the role of punishment in a criminal justice system. AC 2.2 Discuss the aims of punishment

### Year 13: Unit 4

#### AIM 3 : DETERRENCE

1	<b>Definition</b>	Discourages future offending
2	<b>Key idea</b>	To deter someone from doing something is to put them off doing it. The fear of being caught and punished may deter people from committing crime. Deterrence can be individual or general.
3	<b>Key idea Individual deterrence</b>	This uses punishment to deter an individual from reoffending. Punishment may convince the offender that it is not worth repeating the experience Example: Margaret Thatcher's "Short, Sharp, Shock" juvenile detention centres in 1980s UK and "boot camps" in USA were believed to work because they were so tough- young offenders would not wish to return.
4	<b>Key idea General Deterrence</b>	This deters society in general from breaking the law. Punishment teaches everyone a lesson: If the public sees how an offender is punished they will see what they will also suffer if they commit a crime. In the past, in the UK ,this was done through public executions. Today in the UK the media informs us about the costs of offending.
5	<b>Key idea: General Deterrence Severity vs certainty</b>	It is important to distinguish between the severity of punishment and the certainty of punishment. A severe punishment will only be a successful deterrent where the offender is likely to be caught. A mild punishment may be more effective where the offenders have a greater chance of being caught. Eg. The mandatory minimum sentence for a 3 <sup>rd</sup> burglary is 3 yrs in prison but only 5% of reported burglaries result in a conviction so this would not deter a burglar.

Part of LO2: also see other sections of this unit. Also relate your understanding to theoretical knowledge acquired through Unit2.

#### THEORY LINKS

1	<b>Theory Right Realism:</b>	<u>Rational choice theory:</u> This sees individuals as rational actors who weigh up the costs and benefits of committing a crime. Severe punishment increases costs and so will deter offenders. <u>Situational crime prevention:</u> Target hardening eg locks on doors makes it more difficult for the offender and so they would abandon the target.
2	<b>Theory Individualistic theory: Social Learning Theory</b>	This explains general deterrence.  If a potential offender sees a model being punished for an offence they are less likely to imitate this behaviour.

#### CRITICISMS

1	Boot Camps in the USA and Short, sharp , shock in UK were not very successful.
2	Prison is not an effective deterrent-Around 50% of all prisoners re-offend within a year of release
3	How do we decide how severe a punishment needs to be for it to deter enough potential offenders?
4	It assumes potential offenders are aware of the risks but this may not be the case.
5	It ignores acts that are irrational- driven by emotion.
6	People also follow the law because they feel it is the right thing to do.

**AIM 4: PUBLIC PROTECTION**

1	<b>Definition</b>	Involves protecting the public from offenders.
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**INCAPACITATION**

1	<b>Definition</b>	This removes the offender's physical capacity/ability to commit more crimes
2	<b>Policies</b>	<ol style="list-style-type: none"> <li>1. execution</li> <li>2. -cutting off hands to prevent stealing</li> <li>3. -chemical castration</li> <li>4. -banishment- eg transportation to Australia in the 19<sup>th</sup> Century</li> <li>5. -foreign travel bans eg to prevent football hooligans attending matches abroad.</li> <li>6. -Curfews and electronic tagging-to restrict the movements of offenders eg keep them in at night</li> </ol>

**IMPRISONMENT**

1	<b>Definition</b>	This is part of the claim that prison works- it takes offenders out of circulation. This has influenced sentencing laws
2	<b>Influenced</b>	<u>Crime (Sentences) Act 1997</u> Introduced mandatory minimum jail sentences for repeat offenders; <ul style="list-style-type: none"> <li>• Automatic life sentence for a second serious sexual or violent offence</li> <li>• 7 yrs minimum for a third Class A drug trafficking offence</li> <li>• 3 yrs minimum for a third domestic burglary conviction. also influenced;</li> </ul>
3	<b>Influenced</b>	<b>Criminal Justice Act (2003)</b> Introduced -"imprisonment for public protection" (IPP). This allowed courts to give an indeterminate sentence (with no fixed release date) to a dangerous offender who is convicted of certain serious violent or sexual offences.

**THEORY LINKS**

1	<b>Theory Biological theories- Lombroso</b>	Argued that it is impossible to change criminals as they are biologically different to the rest of us. He supported detaining criminals rather than trying to rehabilitate them- he suggested housing them on islands away from the public. Other biological theories of criminality support chemical castration for sex offenders.
2	<b>Theory Right Realists</b>	A small number of persistent offenders are responsible for the majority of crimes and so long prison sentences would incapacitate them and protect the public.

**CRITICISMS**

1	Incapacitation leads to longer sentences and long-term warehousing of offenders with little hope of release. This will increase the prison population and the costs that go with this.
2	This is a containment or risk-management strategy- it does not deal with the causes of crime or change offenders into law-abiding citizens.
3	The three strikes idea re-punished people for past mistakes.
4	It is unjust as it punishes people for crimes the law assumes they will commit in the future.

Part of LO2: also see other sections of this unit. Also relate your understanding to theoretical knowledge acquired through Unit2.

**AIM 5 : REPARATION**

1	<b>Definition</b>	This makes good the harm caused by crime
2	<b>Key idea</b>	This involves the offender making amends for the wrong they have done. This harm can be material or social. The victim may be an individual, society as whole or both.

**EXAMPLES**

1	<b>Financial compensation</b>	Given to the victim eg paying costs to repair damaged property. Courts can impose compensation orders on offenders
2	<b>Unpaid work</b>	Reparation to society eg Community Payback –removing graffiti. Imposed as part of a Community Order.
3	<b>Restorative Justice</b>	This makes amends for social damage done.  The offender has to recognise the impact of their actions by facing their victims alongside a mediator.  This allows the victim a voice and a means of seeking closure in explaining the impact the crime has had on them.  The offender will be able to express their remorse and seek forgiveness. This can help reintegrate the offender back into society.

**THEORY LINKS**

1	<b>Labelling</b>	As this allows offenders to show remorse it also allows reintegration and prevents them being pushed into secondary deviance.
2	<b>Functionalism: Durkheim</b>	The ability to restore things to the way they were before the crime is essential for complex modern societies to function well.

**CRITICISMS**

1	This may not work with all types of offences/offenders- best for minor offences or property offences. Harder to see this working for the families of murder victims or victims of sex offences.
2	Some regard reparation as being too soft on the offender.

Part of LO2: also see other sections of this unit. Also relate your understanding to theoretical knowledge acquired through Unit2.



**The Sentencing Framework: IMPRISONMENT: Types of Sentence**

1	<b>Life Sentences</b>	<ul style="list-style-type: none"> <li>This is the most serious punishment a UK court can hand down.</li> <li>The judge sets the minimum time an offender must spend in prison before they are eligible for release by the Parole Board.</li> <li>The Parole Board decides whether to release the offender.</li> <li>If successful, the offender is released on licence where they will have to follow specific rules and conditions and be supervised by the probation service.</li> <li>The offender remains on licence for the rest of their life.</li> <li>Offenders have no automatic right to be released after the minimum term has been served.</li> <li>In 2018 around 10,000 prisoners were serving one of these sentences.</li> <li>They account for around 14% of the prison population- highest in Europe.</li> <li>Some IPP prisoners are serving these sentences- IPP sentences came into force in 2003 but were ruled unlawful in 2012 but still around 2600 IPP prisoners in 2018.</li> </ul>
2	<b>Mandatory life sentence</b>	<ul style="list-style-type: none"> <li>This is compulsory and must be given to those found guilty of murder.</li> <li>Discretionary life sentences can also be given for other serious offences such as rape.</li> <li>In some very serious cases, a judge may sentence an offender to a whole life term- the offender will never be released.</li> </ul>
3	<b>Indeterminate sentence</b>	<ul style="list-style-type: none"> <li>These set a minimum time the offender must serve in prison.</li> <li>Offenders have no automatic right to be released after the minimum term has been served.</li> <li>The Parole Board decides whether to release the offender.</li> <li>If agreed, the offender is released on licence.</li> <li>In 2018 around 10,000 prisoners were serving one of these sentences.</li> <li>They account for around 14% of the prison population- highest in Europe.</li> <li>Some IPP prisoners are serving these sentences- IPP sentences came into force in 2003 but were ruled unlawful in 2012 but still around 2600 IPP prisoners in 2018.</li> </ul>
4	<b>Determinate sentences</b>	<p>one with a fixed length.  Most prisoners in the UK serve determinate sentences. (60-65,000 in 2018)</p> <ul style="list-style-type: none"> <li>In most cases not all of the sentence is served in prison eg If the sentence is 12 months or more, the offender is normally released half way through, if the sentence is 12 months or more, the offender spends the first half in prison and the second half in the community on licence,</li> <li>Offenders sentenced to less than two years are released on post-sentence supervision for 12 months, with regular meetings with a probation officer and specified requirements.</li> </ul>
5	<b>Suspended sentences</b>	<ul style="list-style-type: none"> <li>The offender is given a prison sentence but does not go directly to prison- up to 2 years.</li> <li>The court can also impose requirements such as entering drug rehabilitation programmes.</li> <li>The offender will be sent to prison to serve their original sentence if they commit crime during the suspension period.</li> <li>In 2018 16% of people convicted of serious offences received a suspended sentence</li> </ul>



**Does IMPRISONMENT meet it's aims?**

		<b>Yes</b>	<b>No</b>
<b>1</b>	<b>Retribution</b>	Prison punishes people for their crimes by taking away their freedom-often imposing unpleasant living conditions on them.	It's difficult to say whether prison gives offenders their just desserts- society disagrees on the correct length of sentence for different crimes.
<b>2</b>	<b>Deterrence</b>	The risk of going to prison should deter would-be offenders from committing crimes and also actual offenders from committing further crimes.	The re-offending rates, however, suggest that prison is not an effective deterrent-nearly half of all offenders re-offend within a year of release from jail. Deterrence only works if would-be offenders are capable of thinking and acting rationally- drug and alcohol addiction, poor education and mental health issues are associated with offending.
<b>3</b>	<b>Public protection</b>	Prison should be effective in protecting the public as it takes the offender out of circulation-it incapacitates criminals  Eg. Whole life sentences/longer sentences (mandatory tariffs eg hate 2yrs)-keep offenders permanently off the streets or for a longer period.  Indeterminate sentences-prevents dangerous criminals from being released until they are no longer a danger to the public. Most offenders will be released on licence and with supervision orders.	However, prisoners could still harm themselves, other inmates or prison officers.  Prison can act as a school for crime Most prisoners are also eventually released The costs of keeping prisoners in jail are high-
<b>4</b>	<b>Reparation</b>	One aim of punishment is for the offender to repair the damage caused by the offence, both to the victim and to wider society eg. The Prisoner's Earnings Act 2011 states that prisoners who work outside of prison to prepare for their eventual release can be made to pay a portion of their earnings to victim support services to take responsibility for the harm they have caused.	few prisoners have the opportunity to gain work in this way and so imprisonment does little to meet the aim of reparation.
<b>5</b>	<b>Rehabilitation</b>	Longer sentences enable prisoners to access rehabilitation programmes eg. Family orientated units enable activities and more relaxed visits, including parental training to invest in the importance of family. Also education is offered to some inmates without literacy, numeracy or IT skills	Short sentences Lack of education and training facilities Lack of funding to support anger management courses Issues of addiction and mental health issues not being tackled

### The Sentencing Framework: COMMUNITY SENTENCING

1	<b>Definition</b>	<p>These are given for offences that are too serious for a discharge but not serious enough to require imprisonment.</p> <p>A Community Order given by the court will have one or more of these requirements;</p> <ul style="list-style-type: none"> <li>• Supervision by a probation officer</li> <li>• Between 40-300 hrs of unpaid work eg Community Payback</li> <li>• A curfew or exclusion order</li> <li>• A residency requirement eg to live at a supervised , probation-approved bail hostel</li> <li>• A group programme, eg anger-management, drink-drivers etc.</li> <li>• Treatment for drug and alcohol addiction (including testing) or for mental health issues</li> </ul>
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### Does Community Sentencing meet it's aims?

		Yes	No
1	<b>Retribution</b>	<p>A community sentence does meet the aims of retribution;</p> <p>Curfews, unpaid work and tagging all place restrictions on the offenders' time and movements. This limits their freedom.</p> <p>People may be made to wear an electronic tag or high visibility jacket displaying the "Community Payback" logo. These are seen by the public and so the offender is named and shamed in their community.</p>	
2	<b>Public protection</b>	<p>If an offender breaches their community sentence they can be sent to prison, further protecting the public.</p> <p>Curfews and tagging are also a means of identifying the whereabouts of offenders which also protects the public in some communities.</p>	BUT strictly speaking the community sentence does not achieve the aim of incapacitation to remove the offender from society
3	<b>Reparation</b>	<p>A community sentence involves completing unpaid work to repair damage they or others may have caused to their community.</p> <p>They give something back to their victim or community by removing graffiti, cleaning wasteland or improving community facilities eg decorating a community centre or planting in a community garden.</p>	
4	<b>Rehabilitation</b>	<p>Community sentences aim to tackle the complex needs of offenders eg. Homelessness, drug misuse, unemployment and a lack of education , to aid their rehabilitation. Offenders may have to undergo treatment for drug addiction or complete job training to gain employment.</p> <p>Community sentences are more effective than short prison sentences in preventing reoffending.</p>	<u>BUT</u> between 2007-2017 the number of community Orders fell from 14%-8%.

## The Sentencing Framework: FINES

1	<b>Definition</b>	<ul style="list-style-type: none"> <li>Fines are financial penalties for offending.</li> <li>They are given for less serious offences.</li> <li>They are often handed out in Magistrates' Courts.</li> <li>Even with more serious indictable offences about 15% of those found guilty receive a fine.</li> </ul> <p>The size of a fine depends on these factors:</p> <ul style="list-style-type: none"> <li><b>The offence:</b> The law states a maximum fine for certain offences</li> <li><b>The circumstances of the crime: Sentencing guidelines</b> give a range of options eg was it a first offence? or how much harm has been caused?</li> <li><b>The offender's ability to pay:</b> A poorer defendant will receive a smaller fine and may be asked to pay in instalments.</li> <li><b>Which court hears the case-</b> magistrates can only impose fines up to £5000 or £10000 for two or more offences.</li> </ul>
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## Do Fines meet the aims of punishment?

		Yes	No
1	<b>Retribution</b>	There is a financial loss involved for the offender. This will mean they have to make sacrifices.	
2	<b>Deterrence</b>	Fines are a good way of punishing first offenders –they signal that worse punishments will follow if they re-offend. The offender may not re-offend to avoid further punishment.	Offenders who don't pay a fine without good reason could be sent to prison. Courts can seize property or deduct benefit payments in the event of non-payment. The amount of unpaid fines is quite high- in 2016 £747m of fines went unpaid. These unpaid fines are often written off as uncollectable. This means fines may not meet the aims of punishment.

## The Sentencing Framework: DISCHARGES

1	<b>Definition</b>	<p>When the court finds someone guilty of a minor (usually first-time) offence but decides not to hand down a criminal conviction, they will be given a discharge.</p> <p>There are two types of discharge:</p> <p>Conditional : The offender will not be punished unless they commit another offence within a set period of time. This is set by the court- up to 3 yrs. If they commit another offence they can be sentenced for both the original and the new offence. This results in a criminal record</p> <p>Absolute/Unconditional : This means that no penalty is imposed on the offender. This happens where the offender is guilty but where punishment would be inappropriate, usually because the defendant is morally blameless. It is not classed as a criminal conviction. Eg Thirsk Rail Crash</p>
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## Do Fines meet the aims of punishment?

		<b>Yes</b>	<b>No</b>
2	<b>Deterrence</b>	<p>These are the lowest levels of punishment for offenders.</p> <p>They acts as a deterrent by warning offenders about their future conduct.</p>	