

Understanding Criminology: Unveiling the Interplay between Crime and Society- Level 2

Section 3: Crime Typologies and the Legal Framework

Criminology encompasses the study of various types of crime, each with distinct features, causes, and social reactions. Crime typologies categorise crime into specific types based on legal definitions, the motivations leading to the crime, victim characteristics, and the methods of commission. In this section, we will examine the different crime typologies and explore how they fit within the legal framework of England and Wales.

Crime typologies are crucial for shaping legal responses, informing public policy, and guiding policing strategies. By categorising crimes, professionals in the field can develop specialised knowledge and tactics for dealing with specific criminal behaviours.

3.1 Types of Crime

Violent Crime

Violent crime includes offences where the perpetrator uses or threatens force upon a victim. This category can be further divided into subtypes such as:

- Homicide, including murder and manslaughter
- Assault, ranging from common assault to grievous bodily harm
- Robbery, involving theft with violence or the threat of violence
- Domestic violence and abuse, which includes physical, emotional, and sexual abuse within domestic settings

Property Crime

Property crimes involve the illegal acquisition of property or damage to property without the use of force against the victim. Examples include:

- Burglary, which entails entering a building unlawfully with the intent to commit theft, infliction of harm, or damage
- Theft, including shoplifting and pickpocketing
- Fraud and forgery
- Criminal damage, such as vandalism and arson

Crime Typologies and Legal Framework in England and Wales



Public Order and Drug-Related Crime

These crimes disrupt the public order or involve the illegal trade and use of substances. They include:

- Anti-social behaviour, which can range from nuisance to more serious public disturbances
- Drug offences, from possession to trafficking of controlled substances

Sexual Offences

Sexual offences encompass a range of illegal acts of a sexual nature, including:

- Rape and sexual assault
- Indecent exposure and voyeurism
- Child sexual exploitation and abuse

Cybercrime

With the rise of digital technology, cybercrime has become a significant concern. This category includes:

- Hacking and unauthorised access to computer systems
- Online fraud and scams
- Cyberbullying and online harassment

3.2 The Legal Framework of England and Wales

The legal system in England and Wales defines and manages criminal behaviour through a combination of statutes (laws created by Parliament), common law (laws developed through court decisions), and regulatory offences (violation of rules set by authorities). Understanding the legal framework is essential for comprehending how crimes are classified, prosecuted, and punished.

Key Legal Principles

- Actus Reus and Mens Rea: For an act to be considered a crime, there must usually be a combination of an act (actus reus) and a guilty mind (mens rea). These are Latin terms; actus reus means the physical act of the crime, while mens rea refers to the intention or knowledge of wrongdoing.
- Presumption of Innocence: Everyone is presumed innocent until proven guilty. This principle places the burden of proof on the prosecution, which must establish guilt beyond a reasonable doubt.

The Court System

The court system in England and Wales includes several levels, with the Magistrates' Court handling most criminal cases, the Crown Court dealing with more serious offences, and the Court of Appeal and Supreme Court serving as higher appellate courts for challenging decisions.

The Role of Legislation

Parliament creates laws that define specific crimes and establish the penalties for them. Notable pieces of legislation include:

- The Theft Act 1968, which details offences related to theft, burglary, and robbery
- The Fraud Act 2006, which explains the crime of fraud and related offences
- The Computer Misuse Act 1990, governing crimes involving computers and networks
- The Sexual Offences Act 2003, outlining sexual crimes and their repercussions

The Sentencing Framework

Sentencing in England and Wales is guided by laws and guidelines that provide a framework for judges and magistrates to determine appropriate punishments for crimes. Factors influencing sentencing include the severity of the offence, the offender's criminal history, and the impact on the victim.

- Sentencing guidelines: These are issued by the Sentencing Council to ensure consistency in sentencing and to inform courts of the appropriate range of sentences for specific offences.
- Mitigating and aggravating factors: Courts consider mitigating factors, which may reduce the severity of the sentence, and aggravating factors, which may increase it.
- Types of sentences: These can range from fines and community orders to imprisonment, depending on the crime's nature and seriousness.

Section 3 Conclusion

In this section, we have explored various crime typologies and their place within the legal system of England and Wales. By understanding the categorisation of crimes and the legal framework that governs them, we can appreciate the complexities of criminal behaviour and the multifaceted approach required to address it. This knowledge is fundamental to the study of criminology and essential for those seeking to comprehend the intricacies of crime and society.

1. What is the actus reus in the context of criminal law?

- A. The intention or knowledge of wrongdoing
- B. The physical act of the crime
- C. The burden of proof
- D. The fair treatment through the judicial system

2. Which of the following is the primary function of the Magistrates' Court in England and Wales?

- A. Handling most criminal cases
- B. Dealing with more serious offences
- C. Serving as an appellate court for challenging decisions
- D. Ensuring fair treatment through the normal judicial system

3. Which piece of legislation details offences related to theft, burglary, and robbery?

- A. The Fraud Act 2006
- B. The Sexual Offences Act 2003
- C. The Computer Misuse Act 1990
- D. The Theft Act 1968

4. Which type of crime includes offences where the perpetrator uses or threatens force upon a victim?

- A. Property Crime
- B. Public Order and Drug-Related Crime
- C. Sexual Offences
- D. Violent Crime

Answers:

1. What is the actus reus in the context of criminal law?

B. The physical act of the crime

2. Which of the following is the primary function of the Magistrates' Court in England and Wales?

A. Handling most criminal cases

3. Which piece of legislation details offences related to theft, burglary, and robbery?

D. The Theft Act 1968

4. Which type of crime includes offences where the perpetrator uses or threatens force upon a victim?

D. Violent Crime