

**Title** The role of the police, courts and prisons.

**Do It Now!**

**Classroom Expectations:**

- Arrive on time
- Coat off
- Bags off desks
- Equipment & Planner on desks




**To what extent do the police act in society's best interests?**

Jan 15-4:30 PM

**Surveillance:** the monitoring of public behaviour for the purposes of population or crime control. Observing people's data to to regulate, manage or 'correct their behaviour.'

**Foucault: 79- Discipline and Punish: The birth of the prison:**

Sovereign power- 19th century- punishment of the flesh  
 Disciplinary power: Control of the mind body and soul.  
 Argues the second is not liberal and better than the first but a 'technology of power' - better to control people.  
**Panopticon:** Control from inside the prisoner's head. Experts key to also back up this monitoring and seek to change these people's behaviours.

Other institutions of control: Induce conformity through self surveillance.




Jan 16-9:52 PM

**Criticism of surveillance and Foucault's work?**

- Change from one system to the other is not as clear as he suggests.
- Dismissed expressive aspects of modern day prisons.
- Exaggerates the extent of control.
- Norris found that theft reduced in car parks but it had little or no impact on other crime.
- CCTV may be more ideological- making people feel safe even though they shouldn't as lots of evidence suggests they are not put off it.
- Feminism- CCTV simply extension of the male gaze and voyeurism- doesn't actually make women safer.



Jan 16-10:01 PM

**Synoptic surveillance:**

**Mathiesen 97-** - the media now allows the many to see the few.  
 The synopticon- where everybody watches everybody.

Thompson- argues that the powerful groups such as politicians fear the media.  
 Videos of each other (Black Lives Matter)... 'contol the controllers'

**McCahill-** depends how powerful some become- under anti-terrorism laws police could confiscate phones and cameras.  
 Risk to 'citizen journalists.'

**To what extent do you agree that we now live in a synoptic surveillance world?**



Jan 16-10:22 PM

**Feeley and Simon (1992)**- Came up with idea of 'Actuarialism'

Criminal justice, they think, is no longer about catching and rehabilitating offenders but instead seeks to 'identify and manage unruly groups'.

The term links to insurance, in which people work out risks and then put actions into place (e.g. higher premiums).

**Feeley & Simon** suggest that the CJS has changed as a result:

- Social control has changed from controlling deviants' behaviour to controlling potentially deviant people.
- Therefore agencies work out who is at the greatest risk deviance and act against them.
- They extend Cohen's point on privatisation (that crime prevention has extended into the private sphere) and argue that large amounts of surveillance continues to diffuse government power through communities.

**Who are the likely 'potential trouble makers? Which groups are likely to be victimised?**

Mar 11-11:37

**Harris** **TITLE: The role of the police, courts and prisons.**

Paper 1	Paper 2	Paper 3
EDUCATION	HEALTH & BELIEFS	CRIME

	Objective	Key Words
<b>Know</b>	-What is meant by agent of social control?	Consensual policing Conflict policing Aggravating factor
<b>Understand</b>	-How do the police relate with society?	Mitigating factor Police Caution
	-To what extent do the police courts and prisons act in the best interests of society?	Prosecution Police discretion

**Key:** To give reasons and evidence for your views (ext: to consider alternative opinions and views)

**Tip:** To spot patterns and explain what's happening

**Which crime prevention strategy do you think is the most effective and why?**

**Spiritual Moral Social Cultural**

How will you display SMSC today?  
 Courage - Respect - Friendship - Hospitality - Openness - Honesty - Equality - Excellence - Empathy - Creativity - Resilience - Etiquette

Jan 15-4:22 PM

**Two main types of policing:** 



- 1. **Consensual approach**- police having a close relationship with the local area being policed, the police are a reflection of active community helpers they are drawn from the community and reflect characteristics of common values. Individuals are caught due to complaints from the majority.
- 2. **Conflict policing** - this model has been suggested by Scraton (1985) who argues that police can be seen as an occupying force.
  - Imposed upon working class and ethnic-minority communities.
  - Young (1984) describes this as military style policing. Large number of officers patrolling areas in vehicles using advanced technology.

Jan 15-4:33 PM

**The Police:**

Styles of police interactions have shifted over time:

**The consensual approach** sees the police as having a close relationship with the local area, representing the majority of people. Officers are drawn from the community and respond to the needs of local people.

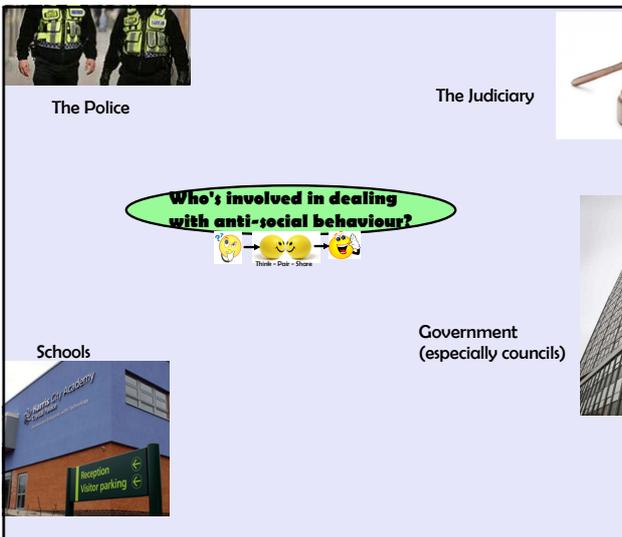
**The conflict approach** is very different:

**Scraton (1985)** argues the police can best be seen as an occupying force, imposed upon working-class and ethnic minority communities. Police largely patrol these areas and impose the laws and interests of powerful groups.

**Reiner (1997)** says that those stopped and searched, questioned, detained and arrested are disproportionately young unemployed men and from minority groups. Police recognise their main job is to police these groups who they label negatively and dehumanise.

**CONSENT**  
Where permission or agreement is given for something to happen by the subject of the action.

Mar 11-11:37



The Police

The Judiciary

**Who's involved in dealing with anti-social behaviour?**

Schools

Government (especially councils)

Jan 16-8:39 AM

2) Watch the second video - consider the **social causes of criminal behaviour** we looked at last lesson. Write a paragraph describing what you think might have **caused** some of Dan's behaviour when he was younger.

Video 2 - ASBO

**Do you think ASBOs work? Why? Why not?**

**Prisons are overflowing. You are in government...what would you do to improve things? What punishment might you introduce instead of imprisonment?**

Jan 16-8:41 AM

**What is an ASBO?**

Watch Video 1: Video 1 - ASBOs

1) Write a paragraph explaining **what an ASBO is** and how they can work.

**ASBO**  
**Anti-Social Behaviour Order**

A legal order that prohibits behaviour in some way, e.g. to prohibit return to a shop or restrict behaviour like swearing or drinking.

ASBO's were replaced with Criminal Behaviour Orders (CBO's) in 2014.

Jan 16-8:39 AM

**Police Caution**

A formal warning given to an adult who has admitted guilt to an offence.

**What's the point of a Caution?**

**Prosecution**

To conduct legal proceedings against a defendant for criminal behaviour - if the defendant is found guilty will lead to a formal sanction.

**Why might the police decide NOT to prosecute?**

Jan 16-8:41 AM

### The Police

The main agency responsible for social control in society is the Police. This is the arm of the state responsible for maintaining public order.

There are two **styles of policing** which have shifted in recent years:

**Neighbourhood policing** - Involves dedicated teams of police and community support officers who work in a geographical areas. The aim is to get to know the members of the community and respond to their specific concerns. This means dealing with antisocial behaviour.

**Reactive policing** - Involves police in cars who respond to emergency calls from the public across a large geographical area.

**Which do you think is more likely to be effective? Why?**



Mar 22-09:11

### Police Discretion:

Police must inevitably use discretion in their enforcement of the law - their judgment is very important.

**How** the police judge the public is a subject of study for many sociologists:

**Reiner (1992)** argues that a particular officer will have specific interests and concerns, and thus interprets the law in a subjective and socially constructed way.

**Colman and Gorman (1982)** found evidence of this in Inner London - individual racist police officers would apply the law more harshly to ethnic minorities (although there is far less recent evidence)

**Is this a problem as far as social control goes? Why?**



Mar 11-11:37

- Only 5.5% of officers are from minority ethnic backgrounds in contrast to 13% of population (2015)
- 28.2% are female (2015)
- Majority come from working-class backgrounds

**Skolnick** argues that the Police develop an **exclusive culture** and set of norms in a number of ways:

- I). Suspiciousness- as part of their training they are taught to discriminate between 'decent' and deviant people.
- II). Internal solidarity and social isolation- spend a large amount of time with their peers, isolated from the public. They also rely on each other rather than others in order for support.
- III). Conservatism- must abide by the law and feel strongly about that.

**What kind of impact is this likely to have?**



Mar 11-12:16

### Police discretion:

**Marxists** argue that the definition of law is based on the interests of powerful groups. Therefore, upholding the law involves upholding the values of capitalism. Police officers' definitions of crime in terms of burglary and street robbery rather than white collar and corporate crimes derives from their role as agents of control in a capitalist society.

Their internal values simply reflect the job that've been given within the superstructure of capitalist society.

**Tarling (1988)** - study showed over 65% of police resources were dedicated to uniformed patrolling pf public space.

**Morgan and Russel (2000)** - 55% of prisoners in custody were unemployed, 30% manual working class, 60% under 25, 87% male. 12% from Afro-Caribbean backgrounds.

**How might cultural and structural factors lead to ineffective policing in the UK?**



Mar 11-12:16

**Foucault (1977)-**

- Put the issue of social control at the centre of his writings, stating that society is a battleground of competing interests. The key to gaining power is to have control over knowledge and the methods of achieving this.
- Those who succeed in having their definition of knowledge accepted gain power and in turn will use this to enforce their view of the world. The CJS play an important part in enforcing these rules.

**How might Foucault's idea link to Marxism? e.g. Gramsci?**



Jan 15-4:36 PM

### Control in western society::

**Stan Cohen (Interactionist) (1985)** has suggested key themes in the changing nature of the formal control in western societies:

- **Penetration**- previously laws were made and haphazardly enforced by whatever authority was around at the time. Society now enforces and encourages conformity to the law throughout its institutions; there is more conformity and control right through the media and schools and even private companies.
- **Size and Density**- the groups of people in control or who have means of control are now much larger. This then leads them to more and more deviant behaviour being recognised, criminalised and processed.
- **Identity and visibility**- crime used to be public but can now be more subtle. Forms of control like CCTV, and agents of control out in society (e.g. security staff) help to create a 'surveillance society'.

**Is Cohen right? If so, is this a problem?**



Jan 15-4:36 PM

**Aggravating Factor**  
 Any information that might make the perpetrator of a crime **more responsible** (e.g. the victim was a child)

**Mitigating Factor**  
 Any information that might make the perpetrator of a crime **less responsible** (e.g. mental illness)

**EXT:** Why might sociologists **agree** that mitigating factors are important?

Jan 16-8:45 AM

**The Prison Problem:**  
 Read the article and be ready to discuss it after.



<http://www.bbc.co.uk/news/uk-38406421>  
<http://www.bbc.co.uk/news/uk-england-37985215>  
<http://www.bbc.co.uk/news/uk-england-coventry-warwickshire-38610494>

Jan 16-8:37 AM

**You be the Judge!**  
 We are going to watch some **court cases**.

For each case, we will consider  
 1) the difficulties in sentencing criminals  
 2) The **sociological factors** at work.

For each case, write down:  
 1) **what** the crime was  
 2) any **factors** that affected the sentence  
 3) **What sentence** they received  
 4) What a **sociologist might say** about the case (e.g. what purpose will the punishment serve? What impact will it have on the perpetrator/victim/community?)

**YOU BE THE JUDGE LINK**



Jan 16-8:36 AM

**Judges:**  
<https://www.theguardian.com/law/2012/mar/28/select-committee-seeks-diverse-judiciary>



1) The social composition of judges has long been a controversial issue. In what ways do you think this might influence judgements?  
 2) Look at these judgements and consider your view- what reasons might Judges give for a shorter sentence? WHY do you think some Judges are too lenient?

<http://www.telegraph.co.uk/news/uknews/law-and-order/10146932/Judge-had-lenient-sentencing-decisions-overturned-three-times-in-just-one-year.html>  
<http://www.telegraph.co.uk/news/2016/11/22/spalding-teenage-couples-murder-sentenced-attorney/>

Jan 16-8:37 AM

**Plenary LQ:**

<b>Objective</b>	-What is meant by agent of social control? -How do the police relate with society?
<b>Know</b>	
<b>Understand</b>	-To what extent do the police courts and prisons act in the best interests of society?

**7 minute summary**

The police can be described as agents of social control because...

Different approaches to policing include...

Sociologists suggest that...

There is a prison problem today because....

Sometimes there is controversy around sentences because....

**In my view, the police are/are not effective in protecting the interests of society because...**

Jan 5-08:03

**PPQ Focus**

Using material from **Item B** and elsewhere, **evaluate** sociological explanations of the functions and forms of the punishment of offenders. **30 marks**

In this band, interpretation, application, analysis and evaluation will be explicit and relevant, and answers will show sound, conceptually detailed knowledge and understanding of two or more sociological explanations of the functions and forms of punishment, drawn from the Item and elsewhere.

Concepts and issues such as the following may appear: deterrence; rehabilitation/reform; incapacitation; formal/informal social control; retributive justice; restitutive justice; restorative justice; social solidarity; penal welfarism; organic solidarity; mechanistic solidarity; repressive state apparatus; sovereign power; disciplinary power; surveillance; imprisonment; culture of control; curfews; community service orders; electronic tagging; fines; ASBOs; torture; capital/corporal punishment; mutilation; banishment; exile; house arrest; banning orders. Evaluation may be developed.

Sources may include: Braithwaite; Cohen; Durkheim; Elias; Foucault; Gordon; Marx; Kirchheimer; Rusche and Weber.

Jan 17-11:32

**PPQ Focus**

Using material from **Item B** and elsewhere, assess sociological explanations of the functions and forms of the punishment of offenders.

AO1: Knowledge and understanding  
AO2: Application and interpretation  
AO3: Analysis and evaluation

Why do we punish criminals the way we do?

<b>Objective</b>	
<b>Know</b>	<i>-What is meant by agent of social control?</i>
<b>Understand</b>	<i>-How do the police relate with society?</i>
	<i>-To what extent do the police courts and prisons act in the best interests of society?</i>

Jan 17-11:32

## Attachments

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L1.6 moral panic article.docx

What are war crimes.docx

Theories about state crimes.docx