

Dermot Walsh and Adrian Poole

A DICTIONARY OF

Criminology

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|--------------------|----------------------|-----------------------|
| Abduction | Brainwashing | Convict |
| Abortion | Bribery | Convict prison |
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edited by

Dermot Walsh and Adrian Poole



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Introduction

Now that Criminology has been established for some years in academic institutions, and particularly in view of developments in theory and empirical knowledge, we feel that there is a strong need for a dictionary for students of the subject to function as a guide to concepts and terminology.

Our principles of selection involved choosing terms currently in use in criminology (chiefly in psychology, psychiatry, penology, sociology, social work and in the law of England and Wales), together with some limited historical information.

This has not been an easy task and we have had much heart-searching over what to include or exclude to keep within out compass and inevitably final decisions represent both a compromise and an act of editorial authoritarianism. (Regrettably for reasons of space nearly all biographical information had to be excluded, with one notable exception.) Our thanks are due to the many contributors who have co-operated so willingly and painstakingly. The errors remain ours alone.

Abbreviations

Sources frequently referred to are abbreviated as follows:

| | |
|------------------|---|
| <i>AJS</i> | <i>American Journal of Sociology</i> |
| <i>ASR</i> | <i>American Sociological Review</i> |
| <i>BJC (BJD)</i> | <i>British Journal of Criminology</i> (formerly <i>Delinquency</i>) |
| <i>BJS</i> | <i>British Journal of Sociology</i> |
| <i>CLR</i> | <i>Criminal Law Review</i> |
| <i>HJ</i> | <i>Howard Journal of Penology & Crime Prevention</i> |
| <i>HORS</i> | <i>Home Office Research Study</i> |
| <i>JCLC</i> | <i>Journal of Criminal Law & Criminology</i> |
| <i>JCLCPS</i> | <i>Journal of Criminal Law, Criminology & Police Science</i> (from 1973 becomes <i>JCLC</i>) |
| <i>PSJ</i> | <i>Prison Service Journal</i> |

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Abduction Taking away: the law penalises those who would thus exploit women, intending marriage or unlawful sexual intercourse, where the taking is by force or for the sake of her property. The rights of parents are also protected over a girl under eighteen (or a mentally defective female of any age) who is taken away for unlawful sexual intercourse; if the girl is under sixteen it is an offence, whatever the motive, where there is no lawful authority or excuse.

See *Sexual Offences Act* (1956), ss. 17 and 19–21 (re-enacting earlier laws); a group of offences ‘not suitable for a modern statute’. (Criminal Law Revision Committee, *Working Paper on Sexual Offences* (1980), p. 54. See also their 14th Report, *Offences Against the Person* (Cmnd 7844, 1980), p. 102.) Proposed revision of the law would penalise the abduction of a child under fourteen from lawful parental control; the *Working Paper* ponders the need for any more extensive regulation. (See also comments by Hogan (1980), *CLR*, 584.) Few cases of abduction appear in police statistics.

See also *Child stealing*; *Kidnapping*.

ARP

Abortion Unlawfully taking or administering a poison or something noxious or using an instrument intending to procure a miscarriage is proscribed by the *Offences Against the Person Act* (1861), s. 58. The *Abortion Act* (1967) provides a defence where pregnancy is terminated by a registered medical practitioner, if two such doctors are of the opinion, formed in good faith,

(a) that the continuation of the pregnancy would put the woman’s health or that of her existing children at risk, mentally or physically, or

(b) that the child, if born, would be substantially likely to be seriously handicapped, mentally or physically. Ancillary provi-

ABSCONDING

sions relate to emergencies, to the location of treatment and to certification of the relevant facts by the doctors to the DHSS.

The hundred years between these two enactments had seen much controversy, especially over situations where the health of the woman was at risk. The leading case of *R v. Bourne* (1939), IKB 687 established a defence on these lines but controversy continued – and still continues – between those who would allow women fuller rights and those who would restrict them.

Committee on the Working of the Abortion Act, *Report* (Cmnd 5579, 1974); G. Williams (1978), *Textbook of Criminal Law*, pp. 249 *et seq.*; illegal abortions currently appear in police statistics at less than twelve per annum.

See also *Child destruction; Concealment of birth; Infanticide*.

ARP

Absconding. See *Escapes*.

Addiction. See *Alcoholism; Drug abuse*.

Affectionless character, the. See *Deprivation*.

Affray (from Fr. 'effroi'). Unlawful fighting which would terrify a bystander of reasonably firm character. An ancient offence (the punishment being in the court's discretion) prosecuted not infrequently nowadays in the maintenance of public order. As it is an indictable offence, though, and taken to the Crown Court, prosecutors 'should think hard before charging affray, which should be reserved for serious cases which were not far short of riot' (*R v. Crimlis* (1976), *CLR*, 693: comment in the Court of Appeal). The Law Commission's Working Paper no. 82, *Offences against Public Order* (1982), suggests that there should be a new statutory definition of the offence.

See also *Public order; Riot*.

ARP

After-care It is the responsibility of Social Services Departments to provide after-care supervision on release for a *young person* (q.v.) released from custodial institutions (for twelve months) and for people released on *parole* (q.v.) (until the date on which they would normally have been released on remission). For parolees given *life imprisonment* (q.v.), supervision can be for the rest of their natural lives. The provision of such

support involves assistance in obtaining housing, training and employment as well as the management of relationships. In addition various religious and voluntary organisations informally provide means of assisting settlement.

DPW

A

Age of criminal responsibility. See *Child*.

Aggression Injurious and destructive behaviour that is socially defined as aggressive on the basis of a variety of factors to do with both the performer and the person making the evaluation.

The social reaction to violent acts and the frequency of such acts both depend partly on cultural factors. Even today many crimes of violence are carried out not for gain or for any other criminal purpose but occur in social groups in which it is normal for a verbal quarrel to lead quickly to physical combat.

Aggressive behaviour is more likely to be learned in certain social settings than others, both by direct experience and by observing other people. Much work has been expended in testing the assertion that the television viewing of violence is related to real-life aggression. The evidence is still unclear and it is difficult to separate out televised violence as a specific influence from all others, such as copying real models in the school, the street, pub or workplace.

Once aggressive behaviours have been acquired by someone, whether or not they will be performed depends on: the presence of a model already behaving aggressively; a higher than usual level of emotional arousal; whether or not the person has just had an unpleasant experience, whether physical or verbal, has lost a valuable reinforcer (reward), has been frustrated in attaining an important goal, or has been ordered to aggress (the more removed is the victim the higher the probability of aggression).

It is often assumed that alcohol inevitably increases aggression; it does so if the person already knows how to behave aggressively and is in a setting in which alcohol gives one a licence to do so.

The nature of the opponent is important. Aggressive behaviours are less likely if the opponent not only has at least an equal capacity to retaliate but is known to be prepared to do so. Physical strength and skill also matter – many forms of combat require one or both. It is for these reasons that only a small minority of viewers at the most are likely to copy in real life the unarmed combat techniques so often shown on television.

ALCOHOL AND CRIME

Aggressive actions are often followed by outcomes satisfying to the aggressor. They may be material, or less tangible, such as social approval or enhanced status. Aggressors learn to deal with the distress of the victim by derogating his importance or social value, by denying the severity of his pain, or by displacing the responsibility for the aggressive actions on to superiors – 'I was only obeying orders' is a familiar excuse for atrocities in many parts of the world.

MPF

Alcohol and crime Alcohol is a depressant drug the abuse of which has for centuries had strong connections with crime (Glatt, 1977). Crime may be committed to obtain it, or by those addicted to it or by those under its influence whose inhibitions and self-control are temporarily lowered. Beyond the Licensing Laws, legislation to limit its use does not exist and much crime is committed by people who are drunk at the time, and by habitual drunkards (Washbrook, 1976). Just how much is impossible to say, given the prevalent tolerance of its use (with its concomitant reporting implications), since convictions for drunk and disorderly behaviour are only part of the problem (see Great Britain, Home Office, 1979).

Its involvement in serious crime, driving offences (Selzer, 1977) and trivial nuisance offences is likely to be high, and its heavy use by teenagers generates special difficulties (Heather, 1981).

M.M. Glatt (1977), 'The English drink problem through the ages', *Proc. Roy. Soc. Med.*, 70(3), 202; Home Office (1979), *Offences of Drunkenness: England & Wales, 1978*, Cmnd 7707; N. Heather (1981), 'Relationships between delinquency and drunkenness among Scottish young offenders', *Brit. J. Alcohol & Alcoholism*, 16(2), 50; M.L. Selzer *et al.* (1977), 'The drunken driver: a psychological study', *Drug and Alcohol Dependence*, 2(4), 239; R.A.H. Washbrook (1976), 'The criminology of the chronic alcoholic offender', *J. Alcoholism*, 11(I), 9.

See also *Alcoholism; Drug abuse*.

DPW

Alcoholism Although the potential of alcohol for doing harm has been recognised throughout history, the recognition that individuals may be personally addicted to alcohol has probably achieved widespread recognition only within the last hundred years. Significant landmarks were the publication, around 1885, of the American Dr Benjamin Rush's *An Enquiry into the*

effects of Spiritous Liquors upon the Human Body and their Influence upon the Happiness of Society, the beginnings of the self-help organisation Alcoholics Anonymous in the USA in the 1930s and the publication in 1960 of E.M. Jellinek's *The Disease Concept of Alcoholism*.

The connection between alcoholism and crime is complex. A large proportion of offenders report drinking alcohol shortly before the commission of their crimes. Apart from drunken driving offences, which give particular cause for concern, the number of offences of drunkenness in England and Wales per 10,000 of the population aged fifteen years and over rose from 14.0 in 1950 to 28.1 in 1978. A survey of drunkenness offenders appearing in two London courts revealed that a high proportion had drinking problems (D. Gath, C. Hensman, A. Hawker, M. Kelly and G. Edwards (1968), 'The drunk in court: a survey of drunkenness offenders from two London courts', *Brit. Med. J.*, 4, 808). Surveys of prisoners such as those of C. Hensman (1969), 'Problems of drunkenness amongst male recidivists', in T. Cook, D. Gath and C. Hensman, eds, *The Drunkenness Offender*, and T. Gibbens and M. Silberman (1970), 'Alcoholism among prisoners', *Psychol. Med.*, 1, 73, have found percentages with serious drinking problems varying between 10 and 65. In 1971 a Home Office Working Party recommended the provision of detoxification centres and rehabilitation hostels to serve the needs of chronic drunkenness offenders (*Habitual Drunken Offenders*). The latter now exist on a considerable scale in the UK, USA and Canada. Detoxification centres, although widespread in the USA and Canada, have been set up in Britain, only on an experimental basis, in Manchester and Leeds. Police are empowered to take people straight to a detoxification centre without charging them. The role of the alcohol detoxification centre illustrates how alcoholism lies at the interface of medical, social and legal domains.

The term alcoholism has come under increasing criticism recently, and has now disappeared from the International Classification of Diseases, and from the vocabulary of such bodies as the World Health Organization and the Department of Health in Britain. In its place has appeared the 'alcohol dependence syndrome', a concept which implies that the degree of an individual's dependence upon alcohol can vary independently along a number of dimensions – physiological, behavioural, subjective – and that the pattern of dependence is at least partly determined by social and cultural factors. Others

ALIENATION

would go further and abandon any pretence that alcohol problems take the form of a syndrome, an -ism or, to use the language of the late nineteenth and early twentieth centuries, a 'mania'. Others have pointed to the similarities between different forms of excessive behaviour: alcoholism, drug addiction, compulsive gambling, compulsive eating, and even 'workaholism' and 'hypersexuality'. JFO

Alienation A vague (and much abused) term; originally used by Marx, it is clarified by M. Seeman (1959), in 'On the meaning of alienation', *ASR*, 24(6), 783, who lists its varieties as a sense of powerlessness, meaninglessness, normlessness, isolation and self-estrangement. It is in this latter sense that it has been most used, to describe the feelings of individuals estranged from social existence as a result of the division of labour in the economic system. DPW

Amplification, deviancy The term given to a process whereby social reaction against deviation functions to increase it. Originally coined by L.T. Wilkins in *Social Deviance* (1964, p. 85), 'deviation amplification', as he called it, was seen as affecting the population incarcerated and perhaps even crime rates.

Amplification is a function of the degree of (in-)tolerance of non-conformity in the culture, in turn regulated by the information flow concerning the original deviance. DPW

Anomie A concept developed by E. Durkheim (1858-1917) in his *Suicide* (Paris, 1897) to refer to a situation where there are no social norms to ensure order, or where the norms conflict with each other. If and when social regulation breaks down (for example after a natural disaster, war or abrupt change in circumstances), individuals are left to their own devices and engage in unregulated behaviours. Anomie does not refer to a state of mind, but to a property of the social structure, and during an anomic period, when social norms no longer control men's actions, aspirations become unlimited. This concept has been extremely influential, e.g. M.B. Clinard, ed. (N.Y., 1964), *Anomie and Deviant Behaviour: a Discussion and Critique*; R. K. Merton (N.Y., 1968), *Social Theory and Social Structure*. DPW

Anthropology, criminal. See *Constitutional factors*.

Appeals procedure. See *Criminal appeals*.

Approved schools. See *Community homes*.



Area studies This is a generic term for research studies of many different kinds which are united by a common concern with specific geographical areas and the criminal activities associated with them. Some area studies are purely *descriptive*: these may, for example, plot the statistical incidence of recorded crime in a given area or areas, or describe the life of a 'criminal area' through the eyes of its residents. Other studies are *policy-oriented*, aiming to discover ways of reducing the crime level in particular kinds of area. However, most areal research is explicitly or implicitly *explanatory*. Since the explanation of crime or offender levels in any one area necessarily involves some explicit or assumed comparison with other areas, it can be said that this kind of research is concerned *to explain the geographical distribution of crimes and/or offenders*. Ultimately, such research involves nothing less than the daunting task of understanding the way in which economic and social forces may create and/or interact with features of the physical environment (housing, land use variations; hill and valley patterns, etc.), and in turn with the perceptions of user populations, to shape the observed geographical distribution of crime.

In principle, area studies can be conducted at many different levels. For example, one might be concerned to explain differential crime patterns (i) in the different regions of a country; (ii) in different small areas within a city; (iii) in different streets on a given housing development; or (iv) in different houses or shops within a single street. In practice, most research has been conducted at the second of these levels, though there is a recent growth of interest in more micro-level studies. Worth-while results from the first type of study (regional comparisons) have been meagre.

Area studies are virtually as old as criminology itself. As soon as official criminal statistics were produced in the nineteenth century, scholars like A.M. Guerry (1802–66) began to plot the geographical incidence of recorded crime, showing substantial regional and local variation, but also persistence in high or low rates over time. A different tradition of area studies emerged a little later with the work of Henry Mayhew (1812–87) and his colleagues, who supplemented maps of recorded crime in the

AREA STUDIES

counties of England and Wales with first-hand observations, tramping the criminal areas of London on foot and sensitively recording details of prostitution, sneak-thieving, etc.

These promising nineteenth-century European developments were largely eclipsed by the advent of *positivism* (q.v.), with its individualistic and biological emphases. The second major phase of area studies did not begin until the 1920s: it came from America, from the sociologists of the *Chicago School* (q.v.), especially Clifford Shaw and Henry McKay. These men worked within the Chicago theoretical tradition of social ecology (though Shaw and McKay used this less than some of their urban sociology colleagues), and for this reason many modern area studies are still called 'ecological', although the term is not always strictly appropriate. Important findings from the massive Shaw/McKay research in Chicago and other US cities included (i) confirmation of the 'zonal hypothesis' that delinquency was highest in the inner city zone close to the central business district, then declined towards the periphery of the city; (ii) high rates of delinquency persisted in the inner zone despite successive waves of immigration and therefore of population turnover. These and other findings became standard background assumptions for most American criminologists, and formed part of the basis for theoretical developments like *culture conflict* (q.v.) and *differential association* (q.v.).

Shaw and McKay's work concentrated on delinquency areas, i.e. the areas where juvenile delinquents live; they paid no systematic attention to crime site location, i.e. the place where offences actually occur. Many have subsequently assumed the two to be identical or nearly so, but research has shown this to be sometimes false. (Offences are often committed close to home – especially by juveniles – but not necessarily so; in particular, 'crime-attracting' areas like city centres, industrial areas, suburban shopping complexes, etc., may have high crime rates but little or no offender residence.) Hence, modern area studies draw a sharp distinction in principle between *high offender rate areas* and *high offence rate areas*.

After the Second World War, many smaller empirical studies of census data and crime data, influenced by the Shaw/McKay tradition, were carried out in the USA. Some of these authors used more complex statistical techniques than their Chicago predecessors, especially factor analysis; others based their typology of census tracts upon the so-called *social area analysis* developed by Eshref Shevky and his colleagues. It is now



generally agreed that much of this work was methodologically or conceptually faulty, and area studies advanced little at this time.

Two issues of general concern were highlighted during this phase of work. First, some area studies were shown to contain examples of the so-called ecological fallacy. Because census data are available only on an areal basis, it is easy, but false, to assume that an areal correlation necessarily reflects individual behaviour. For example, in Britain one might find that high offender rate areas contain a disproportionately high number of Asian immigrant families; one might then conclude that Asian immigrants themselves have high offender rates – which is not, in fact, the case.

Second, many criminologists have strongly questioned the implicit reliance of most area studies upon recorded crime and offender rates, in view of the known severe limitations of official statistics (under-reporting, non-recording, etc.: see *crime rate*). Hence some recent area studies have sought to incorporate other measurements of crime, e.g. from *victim surveys* (q.v.). There is now a little evidence to suggest that, as between the different areas of a city, the comparative spatial distribution of 'street crimes' – theft, burglary, etc.: i.e. excluding *white-collar crime* (q.v.) – may be more valid in the official statistics than many have supposed. This clearly requires further testing.

By the late 1960s some criminologists were concluding that area studies had become repetitious and had little more to offer. Ironically, very soon afterwards, this kind of research was strongly revived, mainly as a result of the 'CPTED' approach.

'CPTED' (Crime Prevention through Environmental Design) is a generic term derived originally from the title of a book by C. Ray Jeffrey; a particular variant of CPTED is the *defensible space* (see *prevention*) movement associated with the architect Oscar Newman. Both these authors, writing independently in the early 1970s, argued that changes in urban form (design of cities, design of apartment buildings, etc.) could reduce crime levels. Whilst policy-oriented in their concern with crime *prevention* in specific areas, their work has led also to a renaissance of interest in the explanation of urban crime patterns.

A major difference in this phase of work, as against earlier area studies, has been the primary stress upon *offence* distributions rather than *offender* distributions (this reflects a shift in