

LEGAL STUDIES: *CRIME*

Examine why commitment to criminal laws is not shown equally across the community. Use relevant examples to support your response.

Laws have been present in communities for thousands of years to prevent behaviour that society deems unacceptable. Although most people obey the laws set because of their moral obligation not to damage society, want for law to protect them and a desire not to be punished for breaking them, some decide that they would rather risk prosecution and damage society, usually to benefit themselves. Although the underlying reason for this will is usually either socio-economic, genetic or politically related, it can also be purely for self-interest or greed.

A study found that 40% of high crime areas are found in areas of significantly low socio-economic status (SES) which accounted for far more than equal across all areas and that there was little in areas of high SES. Criminologists including many of those from the Australian Institute of Criminology believe this is heavily influenced by the belief that if a person feels that society has disadvantaged them, they have a right to take their fair share. This is furthered when children are brought up by people who commonly practice this belief and are not able to be prosecuted by police. When this is combined with a lack of external education, children grow up believing that this is common behaviour and follow in their parents' steps. Another reason is that because persons of all ages living in areas of lower socio-economic value are often exposed to less socially acceptable behaviour and more unacceptable than those living in higher value areas. This creates a natural lowered perception of what is 'good' or acceptable within not only the local society but also on a state-wide basis. These reasons account for the socio-economic aspect as to why commitment to criminal laws is not shown equally throughout the state-wide community.

As well as being from disadvantaged background, a predisposition to not obey law can be established before birth. The case for genetic theories like poor impulse control creating 'at risk behaviour' can be used as a defence if the disorder is medically recognised. In the case of *R v Burgess (1991)*, the latter assaulted a female neighbour while sleep walking. Although sleepwalking is not considered a mental illness, violence whilst sleepwalking is abnormal and was successfully used as a defence and was thus found not guilty by reason of insanity. This defence is highly controversial as there is little evidence to either support or discredit the claims, and therefore is difficult to use as a defence.

Some crimes are committed to make a statement to the sovereign of a state, known as political motifs for crimes. People generally carry out politically motivated crimes to make a statement against either their own government or leader, or that of another state, but can also just be to gain political attention for further reasons. Most political crimes are classified either treason or sedition. The September 11 attacks on America were acts of treason as they made a direct attack on the sovereign and its people. The terrorist organisation's leader, Bin Laden, was accused of being an accessory before the fact and sedition as he organised and encouraged people to make the attacks on the United States. Politically motivated crimes are not always crimes against the sovereign, as any sort of crime can be used to attract political attention or to make a statement.

Laws are a part of states in all nations and have been for thousands of years in order to prevent behaviour that the society views as unacceptable. Although most people obey the laws set because of their moral obligation not to damage society, want for law to protect them and a desire not to be punished for breaking them, some decide that they would rather risk prosecution and damage society, usually to benefit themselves.