

# The Assessment

SOME THINGS TO LOOK OUT FOR

a) Describe the difference between formal and informal policy making. [2 marks]

- Award a maximum of 2 marks for a clear description of the difference between formal and informal policy making.

**Likely answers may include:**

- Informal policy is linked to non-official ideas to prevent crime. This could be family rules such as grounding or withholding of pocket money.
- Formal policy is linked to official ideas to prevent crime such as prison sentences or community orders.
- If there are more marks for this question you could give other examples – informal, youth clubs, use of police cautions and formal probation, electronic tags, curfew.

How laws are applied differently according to **circumstances** in which actions occur.

## Manslaughter or Murder

Murder is intentional killing - actus reus (guilty act) and mens rea (guilty mind).

However in some circumstances, including where the offender is said to have suffered from **diminished responsibility** or acted under a loss of control.

The stated circumstances act as a partial defence rather than face a **mandatory** life sentence, the law allows the charge of **manslaughter**, where all the sentencing options are open to the judge.

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MANSLAUGHTER: AN UNLAWFUL KILLING WITHOUT MALICE OR AFTERTHOUGHT AND IN CIRCUMSTANCES WHERE IT IS NOT MURDER

DIMINISHED RESPONSIBILITY: A PARTIAL DEFENCE FOR MURDER RESULTING IN A CONVICTION FOR MANSLAUGHTER INSTEAD OF MURDER

CONSENT: A DEFENCE IN LAW THAT PROVES PERMISSION WAS PROVIDED BY THE APPROPRIATE PERSON FOR THE CRIME TO OCCUR

SELF-DEFENCE: A DEFENCE IN LAW ALLOWING THE USE OF REASONABLE FORCE TO AVOID A CONVICTION

AUTOMATISM: A DEFENCE IN LAW WHERE THE DEFENDANT IS NOT IN CONTROL OF THEIR ACTIONS

MANDATORY: REQUIRED BY LAW

## Other Examples

- The age of **consent** is the age at which a person is considered to be legally to be able to **consent to sexual acts**.
- Any adult who engages in sexual activity with any individual below this age may be liable to be charged with sexual offences against a minor, in the USA this is called **statutory rape**.
- Most countries prohibit sex with **under-16s** or **under-18s**, but in some places the age of consent is as low as 11, or as high as 20. However, even within countries this can vary widely between males and females and in cases of **heterosexual** and **homosexual** sex.
- In the UK, the age of consent stands at 16, regardless of gender or sexual orientation.