16.3 Dealing with Offending Behaviour: Custodial Sentencing and Treatment

AQA 7182 · about 60 minutes · Write-in edition

Total Marks

Name: _____ Date: ____ / ____ / _____

Answer ALL questions.

1 Outline one aim of custodial sentencing and its purpose.

(Total for Question 1 is 2 marks)

2 State two practical features of restorative justice that appeal to victims.

(Total for Question 2 is 2 marks)

3 Outline two psychological effects of custodial sentencing that may hinder rehabilitation.

(Total for Question 3 is 2 marks)

4 State one distinguishing feature of restorative justice programmes.

(Total for Question 4 is 1 mark)

5 Explain an ethical issue in restorative justice mediation and how to minimise harm.

(Total for Question 5 is 2 marks)

6 Explain a limitation of restorative justice when evaluated by recidivism.

(Total for Question 6 is 2 marks)

7 Outline the meaning of recidivism and explain why it is used to evaluate rehabilitation.

(Total for Question 7 is 3 marks)

8 Outline how token economy programmes work in custody.

(Total for Question 8 is 3 marks)

9 Outline the three stages of anger management programmes.

(Total for Question 9 is 2 marks)

10 Explain one limitation of token economy programmes for reducing recidivism.

(Total for Question 10 is 2 marks)

11 Explain one strength of anger management compared with punishment.

(Total for Question 11 is 3 marks)

12 Outline one empirical study supporting anger management or CBT with offenders, naming researcher and year.

(Total for Question 12 is 3 marks)

13 Discuss the effectiveness of custodial treatment programmes and restorative justice.

(Total for Question 13 is 16 marks)

14 Apply an anger management programme to the given offender scenario.

(Total for Question 14 is 4 marks)

Mark scheme · 16.3 Dealing with Offending Behaviour: Custodial Sentencing and Treatment

Question 1

names one aim of custodial sentencing, e.g. deterrence, incapacitation, retribution or rehabilitation oe — **B1**

explains the purpose of that aim, e.g. deterrence aims to put people off committing crimes by making punishment undesirable oe — **B1**

Answer: Any one aim named and its purpose, for example: deterrence - to discourage the offender and others from committing similar crimes by making the consequences undesirable.

Question 2

states one feature, e.g. opportunity for the victim to have a voice and ask questions of the offender oe — **B1**

states a second feature, e.g. possible reparation or apology from the offender which can aid emotional closure oe — **B1**

Answer: Opportunity for the victim to tell their story and ask questions; the chance to receive reparation or an apology which can help closure.

Question 3

identifies one psychological effect, e.g. stress and depression, and gives a brief description oe — **B1**

identifies a second psychological effect, e.g. institutionalisation or learned dependence on the prison environment, with a brief description oe — **B1**

Answer: Any two effects with brief description, for example: stress and depression - prisoners may suffer poor mental health; institutionalisation - prisoners may become dependent on prison routines and struggle to adjust outside.

Question 4

identifies one distinguishing feature, e.g. direct involvement of the victim and offender in mediated dialogue, focus on repair and restitution rather than punishment oe — **B1**

Answer: Direct involvement of the victim and offender in mediated dialogue focusing on repair and restitution rather than punishment.

Question 5

identifies an ethical issue, e.g. potential for re-traumatisation or coercion of the victim to meet face-to-face with the offender oe — **M1**

explains minimisation, e.g. thorough screening, informed consent, voluntary participation, provision of support and the option to stop the meeting can reduce risk of harm oe — **A1**

Answer: Risk of re-traumatisation or coercion for victims in face-to-face meetings; minimise by rigorous screening, ensuring informed and voluntary consent, providing support during and after mediation, and allowing withdrawal at any point.

Question 6

identifies a limitation, e.g. self-selection bias: participants in restorative justice may be more motivated to change so recidivism comparisons with custody are not equivalent oe — **M1**

explains why it matters, e.g. lower reconviction rates may reflect pre-existing differences rather than the programme's causal effect, limiting conclusions about effectiveness oe — **A1**

Answer: Self-selection bias: offenders who agree to restorative justice may already be more motivated to change, so lower recidivism compared with custodial groups may not be entirely due to the programme itself.

Question 7

defines recidivism as reoffending after release from custody, often measured as reconviction or return to prison within a set period oe — **M1**

explains that recidivism rates provide a measurable outcome for whether custodial sentences and programmes have reduced offending behaviour oe — **A1**

may note limitations briefly, e.g. reconviction rates may underestimate actual reoffending because many offences go undetected oe — **A1**

Answer: Recidivism is reoffending after release, measured by reconviction or return to custody; it is used to evaluate rehabilitation because lower recidivism suggests treatment reduced future offending, though reconviction data may miss some offences.

Question 8

states operant conditioning principles are used, specifically positive reinforcement to increase desired behaviours oe — **M1**

identifies that programmes set target behaviours (eg participation in education, no violent incidents) which are clearly specified and rewarded oe — **A1**

explains the role of tokens as secondary reinforcers that can be exchanged for privileges/rewards, reinforcing the target behaviours oe — **A1**

Answer: Token economies use operant conditioning by positively reinforcing specified target behaviours with tokens, which act as secondary reinforcers exchangeable for privileges, increasing the likelihood of desirable behaviour in custody.

Question 9

identifies cognitive preparation as a stage where offenders recognise triggers and their own thought patterns oe — **B1**

identifies skill acquisition and application practice as stages where offenders learn coping skills and practise them, including role play and problem solving oe — **B1**

Answer: Cognitive preparation (identifying triggers and unhelpful thoughts), skill acquisition (learning coping and cognitive skills) and application practice (role play and practising skills in realistic scenarios).

Question 10

identifies a limitation, e.g. behaviour may revert when tokens or structure are removed on release, showing lack of long-term generalisation oe **M1**

explains why this matters: the external reinforcement in prison does not teach intrinsic motivation or skills needed for real-world contexts, so recidivism may remain high oe **A1**

Answer: Behaviours may revert on release because tokens and prison structure are removed; this matters because token economies may not build intrinsic motivation or transferable skills needed to avoid reoffending in the community.

Question 11

identifies a strength, e.g. targets cognitive processes and teaches skills for long-term self-control rather than only punishing behaviour oe **M1**

explains how this promotes rehabilitation, e.g. provides offenders with tools to manage anger and reduce likelihood of future violent offending, potentially lowering recidivism oe **A1**

may note practical benefit, e.g. role play and practice increase transfer of skills to real situations oe **A1**

Answer: Anger management targets cognitive processes and teaches practical skills for self-control, which can reduce future violent offending by giving offenders tools to manage triggers and practise alternatives, unlike pure punishment which does not teach new coping strategies.

Question 12

identifies a relevant study by name and year, e.g. Ireland 2004, or other published evaluation of CBT/anger management in offender populations oe **M1**

outlines the key finding, e.g. reduced anger scores or lower reconviction rates compared with controls oe **A1**

briefly links the finding to support for the intervention, e.g. suggests CBT can change cognitions and behaviour, aiding rehabilitation oe **A1**

Answer: Example: Ireland 2004 evaluated an anger management programme with young offenders and reported improvements in anger control and social problem solving compared with controls, supporting CBT-based anger management as effective in producing behavioural change.

Question 13

Level 4 Knowledge and understanding of treatment approaches and restorative justice is detailed and accurate. Evaluation is thorough and well balanced, using relevant empirical evidence, discussion of practical implementation and ethical issues. Application to aims of custodial sentencing and recidivism is integrated. Arguments are well organised and show clear judgement about overall effectiveness. **13-16**

Level 3 Knowledge is mostly accurate and relevant. Evaluation includes supporting and challenging material and some evidence, and addresses practical and ethical points. Application to aims and recidivism is present but may be less developed. Overall conclusion is supported but may lack depth. **9-12**

Level 2 Knowledge is present but limited in detail. Evaluation is superficial or one sided, with little supporting evidence. Application to aims or recidivism is attempted but underdeveloped. Organisation and clarity are limited. **5-8**

Level 1 Very limited knowledge, little or no evaluation, and minimal or absent application. Answer may be list-like and lack coherence. **1-4**

Level 0 No creditable content. **0**

Indicative content:

- AO1 knowledge: description of token economy programmes, operant conditioning principles, target behaviours and token exchange systems in custody.
- AO1 knowledge: description of anger management programmes as CBT-based interventions with stages of cognitive preparation, skill acquisition and application practice.
- AO1 knowledge: outline of restorative justice, including victim-offender mediation, reparation and emphasis on repairing harm and empowering victims.
- AO2 application: link each approach to custodial sentencing aims: rehabilitation (anger management and token economies aim to change behaviour), incapacitation (custody itself prevents offending while inside), deterrence and retribution considerations for public acceptability of alternative programmes.
- AO3 evaluation: empirical support for anger management and CBT in reducing violent reoffending in some studies, but mixed results for reconviction; refer to named studies where appropriate and note methodological issues such as small samples, lack of random allocation and follow-up durations.
- AO3 evaluation: token economies can change behaviour within institutions but often show poor generalisation after release; discuss the need for gradual withdrawal, linking tokens to intrinsic motivation and need for community-based reinforcement.
- AO3 evaluation: restorative justice evidence often reports high victim satisfaction and reductions in short-term reoffending compared with matched controls, but note self-selection bias and variable implementation across cases.
- AO3 practicalities: resource implications, staff training, consistency of implementation in prisons, and need for post-release support to sustain gains; restorative justice requires careful screening and facilitation.
- AO3 ethics: consider protection of victims in restorative justice, coercion risks, fairness and public attitudes to non-custodial options; token economies raise issues of equitable access to rewards and potential manipulation, while anger management raises issues of informed consent and suitability for individuals with complex needs.
- AO3 synthesis: weighing short-term behavioural change in custody against longer-term recidivism outcomes, concluding that multi-component approaches that combine in-prison programmes with community-based follow-up and carefully implemented restorative practices are most likely to be effective.

Question 14

applies cognitive preparation to Kwame, e.g. helping him identify personal triggers and unhelpful beliefs about provocation oe **M1**

applies skill acquisition to Kwame, e.g. teaching relaxation, cognitive restructuring, communication and problem solving strategies he can use when angry oe **M1**

applies application practice, e.g. role play and graded rehearsal in sessions to practise coping strategies in realistic scenarios before release oe **A1**

evaluates briefly, e.g. this may reduce Kwame's impulsive reactions and lower reoffending risk, but transfer to real life may be limited without community support and booster sessions oe **A1**

Answer: E.g. cognitive preparation: help Kwame identify triggers and challenge beliefs that provocation justifies violence. Skill acquisition: teach relaxation, cognitive restructuring and communication/problem solving skills. Application practice: use role play to practise responses and plan for situations he may face on licence. This could reduce impulsive assaults by improving self-control, but benefits may depend on post-release support and reinforcement.