

Mr. Aldunate

Defining Crime

1. **CRIME** is what ever Parliament decides is a crime

2. **CRIME** is an act or omission, prohibited by law, which is considered a wrong against society and society's values and morals

In order for an action or omission to be considered a crime, certain conditions must exist:

- the action must cause harm to other people, or to society
- the harm must be serious, both in nature and degree
- the harm must be best dealt with through the mechanism of criminal law.

Remember- a crime may be committed against an individual, but is still considered to be a wrong against the well being of the entire society, which is represented by the state

When we think about the definition of crime we will need to think quite deeply about the social forces that bring about the decisions to make some things illegal and others not. We will also need to think about the process that decides which crimes are the most serious

From a sociological perspective the subject of crime is interesting for a lot of reasons. Sociologists ask questions like:

- What kinds of behaviour should be labeled criminal?
- Who decides what is criminal?
- Are some groups more powerful than others in making decisions about what is considered criminal?
- Is there a **social consensus** i.e. a commonly held view that agrees upon what should be illegal and what should not?
- Why are some crimes punished in certain ways? e.g. 40 years ago a man would probably have got a bigger fine for driving without due care and attention than for beating his wife.

Jurisdiction:

- s. 91 and 92 of the Constitution Act, 1867, states the federal government has sole power and responsibility to create criminal law
-but the provinces have the power and the responsibility for the administration and enforcement of criminal law.

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