

PART I

THEORETICAL ISSUES

Chapter 1

NATURAL HISTORY AND THEORIES OF OFFENDING IN PEOPLE WITH DEVELOPMENTAL DISABILITIES

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This chapter reviews the natural history and theories about the development of offending behaviour in people with intellectual disabilities, and the extent to which current theories on the genesis of offending behaviour are relevant to this client group. If they are relevant, then what are the limits on this relevance and what other factors do we have to take into account because of intellectual disability itself? The first part of this chapter provides a summary of descriptive studies relating crime to intelligence and other potentially relevant factors. The second part investigates the various hypotheses about the development of offending behaviour such as genetic factors, familial influences, intelligence, environmental factors, peer group influences, the role of the media, developmental factors and the way in which criminal careers may develop in this client group. In the final section we provide an overview of this volume.

NATURAL HISTORY OF OFFENDING RELATED TO DEVELOPMENTAL DISABILITIES

Intelligence and Offending

History

There is little doubt that intellectual disability was seen as a prime factor in criminal behaviour in the late nineteenth century and the beginning of the twentieth century. Although the early and mid-nineteenth century were periods of relative optimism

about the educability of people with intellectual disability (Scheerenberger, 1983), Social Darwinism and the eugenics movement were major influences in the development of scientific and popular thought at the time as well as in the subsequent development of public policy.

In 1889 Kerlin put forward the view that vice was not the work of the devil, but “the result of physical infirmity” and that physical infirmity is inherited (Trent, 1994, p. 87). He went on to write that inability to perceive moral sense was like inability to perceive colour in the colour-blind and “the absence can not be supplied by education” (Trent, 1994, p. 87). Hence, Kerlin’s views directly challenged the optimism of earlier authorities that viewed people with developmental disabilities as full of potential and remediable by suitable education. For the next 50 years Kerlin’s views were dominant. Terman (1911), an author of one of the earliest IQ tests, wrote that “There is no investigator who denies the fearful role of mental deficiency in the production of vice, crime and delinquency . . . Not all criminals are feeble-minded but all feeble-minded are at least potential criminals” (p. 11). This quotation gives us an idea of the extent to which individuals who were lower functioning were considered a menace to society. Goddard (1921), author of *The Criminal Imbecile*, concluded that “probably from 25% to 50% of the people in our prisons are mentally defective and incapable of managing their affairs with ordinary prudence” (p. 7). Sutherland (1937) also concluded that the 50% of delinquents in prisons were feeble-minded.

Scheerenberger’s (1983) *History of Mental Retardation* is replete with the historical association between intelligence and crime in the late nineteenth and first half of the twentieth century. At that time intellectual disabilities came to be viewed as part of a broader degeneracy, which included moral degeneracy, child abuse and neglect, criminality, drunkenness and sexual promiscuity. In Gallagher’s (1999) cameo of race politics and eugenics in Vermont in the early part of the twentieth century, we see that part of the menace of the feeble-minded in Vermont was their menace to respectable, White property owners, whose property might be stolen. Family trees of degenerate families duly noted the criminals, sex offenders and those incarcerated in correctional institutions alongside the blind, alcoholic, still-born and feeble-minded (Gallagher, 1999, pp. 88–9, 181). Thus, in the late nineteenth and early twentieth centuries criminal behaviour and intellectual disability were firmly linked in the ideology of the menace of the feeble-minded (Trent, 1994). Whereas institutionalisation, segregation of the sexes and community placement contingent upon sterilisation could be effective in protecting the Anglo-Saxon gene pool, other strategies were also implemented. This was continued during the Nazi era, when Jews, Romanies, people with intellectual disabilities or psychiatric disorders, homosexuals and *persistent criminals* were gassed or taken out and shot, in order to preserve the Aryan gene pool (Burleigh & Wippermann, 1991).

Research findings

In a review of the role of intelligence in the development of delinquency, Hirschi and Hindelang (1977) concluded that the relationship between intelligence and delinquency was at least as strong as the relation of either class or race and delinquency.

They also noted that in the 1960s and 70s this relationship was denied by many influential writers, in spite of the ample available scientific evidence. In a study of 9,242 juvenile males, Reiss and Rhodes (1961) found that the rate of referral to juvenile court for those boys with the lowest IQ was slightly over twice that found for individuals with the highest IQ. In addition, they also found that IQ and occupational status varied at around the same rate with delinquency. Hirschi (1969), in an examination of over 3,600 boys in California, found that IQ was a stronger predictor of delinquency than the education of the father or parental occupation. West and Farrington (1973) reported the results of a longitudinal study of 411 boys conducted over a period of 10 years. By comparing those boys with an IQ of over 110 with those who had an IQ of less than 90, they found that quarter of the former group had a police record while half of the latter group had such a record. Further analysis revealed that one in 50 of those with an IQ over 110 recorded recidivism while one in five with an IQ of less than 90 reoffended. West and Farrington concluded that "low IQ was a significant precursor of delinquency to much the same extent as other major factors" (pp. 84–5). This relationship has now been found repeatedly by a range of authors (e.g. Goodman, Simonoff & Stevenson, 1995; Kirkegaard-Sorenson & Mednick, 1977; Rutter, Tizard & Whitmore, 1970; West & Farrington, 1973).

The relationship between IQ and offending is a robust one. However, the main criticism of the hypothesis that there is a *causal* relationship between IQ and delinquency is that the data are correlational. Thus, some other variable or variables other than IQ *per se* may account for the relationship. For example, the relationship between socio-economic status (SES) and delinquency or social deprivation and delinquency may account for the correlation between IQ and delinquency (Simons, 1978).

Two carefully controlled studies, (Moffitt, Caspi, Dickson, Silva & Stanton, 1996; Moffitt, Gabrielli, Mednick & Schulsinger, 1991) investigated the relationship between SES, IQ, parental disorder and delinquency. Parental disorder included schizophrenia, character disorder, psychopathic disorder and normal controls. In their first study of 129 males they found that offender status was significantly predicted by IQ *independent* of parental disorder or SES. In their second study, data from 4,552 males available from Danish birth cohort information were used (Schaie, 1965). They again found a small but significant correlation between IQ and delinquency, independent of the effect of SES.

In their prospective study of boys living in London, West and Farrington (1973) reported that 9% of multiple offenders had an IQ of 100 or greater while 28% of recidivistic delinquents scored below an IQ of 90. Therefore, the relationship between IQ and delinquency would seem to hold fairly firmly even while other major variables are controlled within the statistical design.

While a relationship between IQ and delinquency has been established, most of these studies are looking at predictive value or differences between groups at one or two standard deviations around the mean. It would be irresponsible in this volume not to consider the much smaller amount of available evidence investigating these relationships around and greater than two standard deviations below the mean. Chapter 2 by Tony Holland looks at this relationship in more detail, as do some other chapters throughout the book. However, it is interesting to note some

more specific studies at this point. McCord and McCord (1959) evaluated an interesting early intervention study with 650 underprivileged boys in Massachusetts. The Cambridge-Somerville Youth Study was set up “to prevent delinquency and to develop stable elements in the characters of children” (McCord & McCord, 1959, p. 2). The boys were divided into 325 matched pairs and assigned to treatment and control conditions. There was a relationship between IQ and rates of conviction in that for the treatment group, 44% of those in the IQ band 81–90 had a conviction while 26% of those with an IQ above 110 had a conviction. However, the 10% of individuals in the lowest IQ group (less than 80) had an intermediate rate of conviction at 35%, that is *lower* than that recorded in the IQ band 81–90. Furthermore, of those in the higher IQ band who were convicted of crime, none went to a penal institution while the highest percentage going to a penal institution, 19%, were in the lowest IQ band. The results were similar in the control group, with 50% in the IQ band 81–90 convicted of crime and 25% in the IQ band less than 80 convicted (although numbers in the latter cohort were small).

Maughan, Pickles, Hagell, Rutter and Yule (1996) and Rutter *et al.* (1997) followed up children who had shown severe reading difficulties at school. It might be considered that a significant proportion of the children with severe reading difficulties had developmental and intellectual disabilities. Surprisingly, they found that the rate of adult crime among boys who had had significant reading difficulties was slightly lower than the rate of adult crime in the general population comparison group. This finding still held true independently of psychopathology or social functioning. Similarly, antisocial behaviour in childhood was less likely to persist into adult life when it was accompanied by reading difficulties. Therefore, while the relationship between IQ and delinquency seems firmly established, there is some evidence that this relationship may not hold when considering individuals 1.5 or more standard deviations below the mean.

The intellectual differences between high and low delinquency samples tends to be greater for verbal than non-verbal IQ (Hirschi & Hindelang, 1977). Kandel *et al.* (1988) identified high- and low-risk samples of men, based on accepted risk predictors for criminality. A cohort of individuals whose father had had at least one prison sentence had received 5.6 times greater a number of prison sentences themselves (39.1% versus 7%). These individuals were then further split into four groups: high risk with prison sentence, high risk with no record, low risk with prison sentence, and low risk with no record. For both high- and low-risk groups, individuals with a criminal record showed lower IQ scores than those with no record. The high-risk subjects with no criminal record had considerably higher verbal, performance and full-scale IQs. IQ differences between criminal and non-criminal cohorts were seen only in the high-risk group. There was no IQ difference between the low-risk criminal conviction ($N = 20$) and the low-risk no registration ($N = 24$) subjects.

Comment

The crude relationship between IQ and delinquency is robust. However, several caveats apply. First, when other factors such as SES are controlled for, the

relationship is considerably attenuated. Second, because many studies have focused on the IQ range of 80–120 the relationship to intellectual disability can only be inferred in many studies. Indeed, the few available studies suggested that when the sample was extended to IQs below 80, there was no simple linear relationship to IQ. Third, no studies investigated criminal behaviour in people with severe and profound intellectual disabilities. Few people with severe and profound intellectual disabilities commit many criminal acts since acts of crime assume *mens rea*; if they do enter into the justice system they are presumably diverted to the mental health, intellectual disability or forensic mental health service system via the courts. Nevertheless, in their review of US penal institutions, Brown and Courtless (1971) reported that 1.6% of inmates had an IQ score below 50 and, remarkably, a tiny proportion of individuals fell below an IQ of 25.

A final limit on these data is that they have focused on delinquency rather than white-collar, corporate or government crime. Thus, the relationship between IQ and delinquency, focusing on limited kinds of readily observable criminal acts, may obscure any relationship between IQ and criminal behaviour more widely defined.

Social and economic factors and crime

That delinquency and crime are related to social circumstances and SES is undeniable. Schuerman and Kobrin (1986) reviewed demographic changes in areas of Los Angeles County. They compared areas which had moved from low crime rates to high crime rates over 20 years, those with gradually increasing crime rates over 20 years, and those with stable high crime rates over the same time period. They concluded that certain sociological factors were associated with increasing crime rates. These included multiple dwelling and rent or occupied housing, a rising proportion of minority ethnic groups, unattached individuals and single-parent families, and greater deprivation as measured by a range of SES variables. Correspondingly, McDonald (1986) reported the opposite trend in areas of emerging gentrification. McDonald (1986) studied 14 such areas in Boston, New York and San Francisco into which middle class individuals were settling. Analysis of crime rates between 1970 and 1984 were less persuasive than the data from Schuerman and Kobrin (1986), but did tend to suggest that crime rates might be falling over this period. Given that most individuals with intellectual disability (ID) are unemployed, unattached and come from lower SES groups, it is a reasonable hypothesis that these factors may have an influence on this population.

Race and crime

The associations between race and crime have interested criminologists for decades. The main comparisons have generally been with White, western society males. Crime rates in Japan have historically been recorded as relatively low, and rates among Black youths relatively high (Wilson & Herrnstein, 1985). That there are large differences between ethnic groups and convictions and imprisonment for crime is indisputable.

How to interpret these facts is controversial: ethnicity is confounded with many factors. The relative contribution of socio-economic status, education, criminal justice procedures, cultural differences in behaviour, differential access to legal services, affluence, child rearing practices, differential sentencing practices in courts and mandated sentencing practices that differentially affect different ethnic groups, such as the “three strikes and out” rule, may all be important factors that explain these observations.

What data there are in the literature on people with ID are meagre and weak. In Edgerton’s *Cloak of Competence* studies he compared rates of drug use, including illegal drug use, in four samples including a group of White and African American subjects with mild mental retardation who had been released from institutions in the 1950s and the 1960s (Edgerton, 1967). He noted relatively low rates of illegal drug use compared to the general population in all samples and no clear pattern of illegal drug use between ethnic groups. In any case, the samples were small and not representative of any particular population and so no conclusions can be drawn from these data on this issue.

Pack, Wallander and Brown (1998) compared the rates of a variety of health risk behaviours in African American adolescent students with mild ID living in an urban area of the United States with those of White students with mild ID. They found that although the prevalence of alcohol consumption was lower in the African American students, their prevalence of binge drinking was higher. An additional concern was that many of both the White and the African American adolescents also had access to weapons and engaged in drunk driving and were thus placed in significant personal danger. However, like the data from Edgerton, these data were very limited because of high rates of sample attrition which means that it is not possible to know if these data are representative of either group.

Given the very limited and flawed data we have available on this issue, no firm conclusions of any kind can be made.

THEORIES OF OFFENDING RELATED TO INTELLECTUAL DISABILITIES

Genetic Theories

The main purpose of research in this area is to determine the extent to which biological mechanisms of inheritance effect the likelihood of criminal behaviour. Most studies of antisocial behaviour in children or criminal behaviour in adulthood note the relatively high frequency with which these variables are associated with similar problems in parents (Farrington, 1995). Kandel *et al.* (1988) compared the sons of 92 fathers who had received at least one prison sentence with the sons of 513 fathers who were not registered with the police. They found the risk of serious criminal behaviour was 5.6 times greater among the cohort whose fathers had been severely sanctioned than among the cohort whose fathers had no registration for any offence. Farrington, Gundry and West (1975) found that convicted teenagers in their sample tended to have fathers and mothers who also had convictions. They noted that only 5% of families in their sample provided half the convictions.

The obvious difficulty with these and similar comparisons is that environmental variables and genetic variables are confounded. There are so many confounding variables, such as socio-economic status, peer group influence, labelling by the criminal justice system and exposure to modelling influences that this kind of study does not provide a test of the hypothesis that criminal behaviour may have a genetic component.

Evidence from twin studies

When looking for evidence on the relative influence of genetic factors one always turns to well-designed twin studies. If there is greater concordance for a trait for identical than for fraternal twins, this is taken as evidence for the genetic basis of that trait. Silberg *et al.* (1996a, b) reported findings from the Virginia twin study on around 1,400 twin pairs. They found that in the 6% of the population who showed multi-symptomatic behaviour problems, including oppositional behaviour, conduct problems, reading difficulties, hyperactivity and emotional difficulties, variance was largely accounted for by genetic factors. In contrast, the group of children showing antisocial behaviour only, typified by conduct disorder in the absence of hyperactivity, variance was almost entirely attributed to environmental factors. The group of individuals with hyperactive behaviour and conduct disorder showed a mixture of the two with genetic factors predominating although not massively so. Genetic factors seem to be associated with a complex mixture of antisocial and hyperactive problems. Environmental factors seemed to be associated with antisocial behaviour reported by teenagers themselves rather than parents. Other researchers have drawn this distinction. For example, Moffitt *et al.* (1996) noted the difference between early onset antisocial behaviour, which was pervasive and highly persistent, and antisocial behaviour which emerged in adolescence, was associated with peer subcultures and was more transient. Christiansen (1977) analysed data on 3,586 twin pairs and found 52% concordance for criminal behaviour for identical male pairs and 22% concordance for fraternal male pairs. While many twin studies suffer from difficulties in sampling, this comprehensive study, with its large between-group differences, certainly suggests a role for genetic inheritance.

Adoption studies

A number of adoption studies have attempted to separate the effects of environment and genetics. Mednick, Gabrielli and Hutchings (1984) and Mednick, Moffitt, Gabrielli and Hutchings (1986) conducted studies on adopted twins within the context of the register of 14,427 Danish adoptees. The various results are both comprehensive and complex. The main results were that if neither the biological nor adoptive parents were criminal then 13.5% of their sons were criminal. If the biological parents were not criminal and the adoptive parents were criminal the figure was only marginally greater at 14.7%. If the biological parents were criminal and the adoptive parents were not criminal the figure then rose to 20%. Finally, if both sets of parents were criminal the figure was 24.5%. The results suggest that sons who have had no contact with their biological father are more likely to

become criminal if their biological father was criminal. Of the full cohort 6,129 adopted boys were identified. The probability of a conviction for the boy rose with the number of convictions for the biological parent from zero to three or more. Economic depression, age of adoption, adoptive parents' knowledge of the biological parent's criminal record and whether the biological parent offended before or after adoption had no effect on the results. Bohman, Cloninger, Sigvardsson and Von Knorring (1982) in a similar study on a large Swedish population found similar results.

Extra Y chromosome and offending

It has been hypothesised that the presence of an extra Y chromosome in males might be associated with severe aggression. This hypothesis was derived from case studies and small case series. Witkin *et al.* (1977) in a study of 31,436 men born in Copenhagen found only 12 with an extra Y chromosome. Further, many of the crimes they had committed were trivial and not very violent. Thus, larger scales studies have failed to confirm this hypothesis. Therefore, the theory of chromosome abnormality as a cause of crime has been laid to rest (Thielgaard, 1983).

Gender and crime

The most obvious and pervasive biological factor relating to criminality is that of sex. Men are far more likely to appear at every stage in the criminal justice process from apprehension to conviction (Dobash, Dobash & Gutteridge, 1986). These findings are true for violent, acquisitive and drug-related crimes. Although these gender differences in criminal behaviour are robust, they shed little light on the question to hand. Specifically, it is unclear if these differences arise from biological or social factors. These issues will be dealt with in greater detail in Chapter 14.

Genetic theories and offending: a comment

The best evidence for a genetic basis to criminal behaviour comes from twin and adoption studies, which are suggestive that inheritance plays a role in criminal behaviour. This relationship must be qualified in a number of ways. First, the strength of the relationship may vary substantially between one kind of criminal activity and another. Second, even when the relationship is strong, these studies do not specify *what* it is that is inherited—faulty learning, propensities toward thrill-seeking etc. Third, these studies often miss the point that heritability is a characteristic of a specific population, *not an individual*. Thus, the heritability of a trait found in one population at one time, may not apply to another population or time. Neither is heritability an immutable characteristic. The heritability of a trait can be very high when there is little variability in relevant environmental variables. If the environment changes and there is much greater variability in some relevant feature of the environment, then the heritability of that trait may decrease.

Sociological Theories

Conforming to a delinquent subculture

Cohen (1955) suggested that boys entered into delinquency because they were conforming to the expectations and encouragement of their delinquent subculture. This view held that the material and vocational aspirations of all boys tended towards those of the middle classes. Boys from lower socio-economic groups were disadvantaged in competition towards these aspirations because they were less likely to be schooled in the skills of the middle classes. Faced with lower ability to achieve these goals using legitimate, middle class means, these individuals were more likely to use subcultural delinquent methods to fulfil these aspirations. While Cohen tended to concentrate on destructiveness, Cloward and Ohlin (1960) focused more on the role of the adoption of middle class values in explaining acquisitiveness. Again, they focused on the fact that certain subcultures might adopt illegitimate means to obtain these goals in the absence of an ability to employ accepted middle class abilities, such as facility with verbal reasoning, non-aggressive approaches, the ability to delay gratification and socially appropriate manners.

One of the main criticisms of this theory was the view that delinquency and crime were a result of lack of commitment to the conventions of society, rather than a disparity between middle class aspirations and perceived personal potential. As a result, delinquent individuals would no longer have these aspirations, leading to a general disillusionment with society and low personal aspirations among those who have become delinquent (Gibbons & Krohn, 1986).

Control theory

The established relationship between lower SES and higher rates of crime encouraged the development of sociological theories to explain this link. Control theory (Hirschi, 1969) paid attention to both the positive learning of criminal behaviours, through association with criminal subcultures, and also the development of self-control through appropriate social learning in being law abiding. Hirschi felt that the success of social training was dependent on four factors: attachments, commitment, involvement and belief. Attachments referred to the extent to which the individual identified with the expectations and values of others within society such as teachers and parents. Commitment invokes a rational element in criminality. Individuals make subjective evaluations about the loss that they will experience following arrest and conviction. Involvement simply points out that many individuals are engaged in ordinary activities such as work, education or other occupational activities and have little opportunity to consider delinquency. The less involved individuals are with the day-to-day activities of society, the more likely they are to engage in criminal activity. Certainly Schuerman and Kobrin (1986) felt that within any particular urban area the displacement of semi- and unskilled jobholders for individuals who had long-term unemployment and were no longer seeking employment was a major factor in the increase in crime in an area. Belief referred to the extent to which individuals accepted the laws of society.

There is a wealth of evidence consistent with this hypothesis. This evidence shows that negative attitudes to schoolwork and authority are indeed associated with delinquent and antisocial activity (Elliot, Huizinga & Ageton, 1985). This suggests that the disruption of attachments between children and authority figures, such as parents and teachers, results in a failure to internalise parental values and promote social conformity. Thus, control theory shares some similarity with Patterson's social developmental studies and theories (Patterson & Yoerger, 1997) although Patterson's theory is more detailed in describing the processes and mechanisms which explain the effects of parent-child attachments.

Criminal subgroups

The final group of theorists stressing the importance of social processes for the development of criminal behaviour are those who emphasise the importance of criminal subgroups in developing both attitudes towards criminality and the practical techniques for carrying out criminal acts (Sutherland & Cressey, 1974). For example, Haynie (2001) conducted a study employing the ADD Health Survey, which consisted of interviews with 90,000 school students who provided self-report responses on 14 different delinquent activities, including damaging property, shoplifting, use of weapons and assault. She found that an individual adolescent's delinquency was strongly associated with the delinquency of their peers. She also noted that very cohesive peer group relationships were particularly associated with delinquency in comparison to less cohesive relationships. Warr (1996) added to this argument when he found that the effect of delinquent peer networks influenced individual behaviour beyond the impact of any individual traits. In particular, the structure of the group, rather than an individual's attributes, affected which individual instigated delinquency. Interestingly, he also found that many delinquent offenders tended to belong to multiple groups, each with a different style and range of offending.

As an example of peer networks in the context of intellectual disability, Hugh, aged 17 years, had been brought up in a reasonably stable home. Following his parents' divorce when he was 8 years old, he lived with his father, who appeared very caring towards him and maintained regular contact with his mother. He did, however, suffer from extreme hyperactivity and was placed in a special school for disruptive boys from the age of 14 years.

He was seen by WRL following a series of car thefts. It was clear that the relationships he made in this school were close and enduring. All but one of the individuals in this close cohesive network had been charged with a series of car thefts. However, two of these individuals, who were also assessed by WRL, were assessed as having intellectual abilities in the normal range. Hugh still lived with his father and, unusually, did not abuse either drugs or alcohol. Here it would appear that a reasonably stable upbringing had been superseded by a cohesive delinquent peer group network.

Sociological theories: comment

From the point of view of people with intellectual disabilities these theories suggest a series of interesting hypotheses. Individuals with mild intellectual disabilities

tend to come from lower socio-economic backgrounds (Murphy, Yeargin-Allsopp, Decoufle & Drews, 1995; Zigler & Hodapp, 1986). They are more likely to have parents who themselves have a degree of intellectual disability and are therefore less able to develop what Trasler (1973) might describe as effective child rearing strategies. Child rearing strategies and attachments are also salient in the control theory, in which individuals develop attachments and commitments to the values of society.

Another interesting aspect of control theory is that of involvement. It must be recognised that individuals with mild intellectual disability are far less likely to gain employment and become regularly involved with the day-to-day business of society than individuals without intellectual disability.

As an example, Ricky Don had lived in a rural community for a number of years. He was raised by his mother alone. Despite her ongoing drug problems he continued to live in the community doing well for himself. He was in special education and made reasonably good progress there. He hung around the local fire station, fascinated with the men who worked there, and all of their machines and activities. Although he was easily recognised as a person with intellectual disabilities by most members of his small rural community, he was treated well by many of them.

After Ricky Don set fire to a field, he broke in and entered his neighbour's house, intending to steal something. He was caught by the police because he remained in the house eating ice cream out of the refrigerator, instead of leaving the scene of the crime. The police became involved and he was committed to a developmental centre nearly 400 miles away from his home.

Initially he was eager to please staff. However, it became evident that he often instigated minor acts of aggression to his peers, stole and lied blatantly, but without skill. He was vulnerable to peer pressure to join a gang or commit acts of violence to less able peers. He got into mischief during periods of inactivity and when he missed his mother and his home town. For a few months he received prevocational training and an individualised token economy. His life really improved when he obtained a community workplace and earned a significant sum of money every week. He bought smart clothes, and many personal items that made his life better. He was placed in a group home in a community setting and continued to do well at two-year follow-up. He maintained contact with his mother, made periodic visits home for long weekends and continued to work in a sheltered community setting. Therefore it would appear that once there was significant involvement with society, his offending behaviour disappeared.

When considering the impact of peer group relationships one has to consider not only the effect of cohesive networks, but also the perception of a cohesive network. Other members of the subgroup may not reciprocate this, but the perception of membership of the subgroup may afford status and self-esteem to the individual with intellectual disabilities.

For example, WRL interviewed 17-year-old Kevin subsequent to conviction and prior to sentencing for violent assault. The assault had occurred along with several other delinquent youths, but Kevin was not prepared to divulge their identity. He gained self-worth from the fact that "I am grassing on nobody". However, he did appear somewhat remorseful for the assault and apprehensive about punishment.

One year later WRL was asked to assess Kevin once again for an appeal against the severity of his sentence. On this occasion, he was completely different. He was comfortable with prison, talked of his friends and relationships in prison, and now appeared completely lacking in remorse. Indeed, he now maintained he would do the same again under similar circumstances. Kevin was assessed as having a WAIS Full Scale IQ of 73. He was clearly being exploited financially while in prison. However, his own perception of a cohesive attachment to a valued group of peers seemed to have completely changed his presentation in the year following his conviction and was probably a factor in the commission of the original offence.

Developmental Theories

Patterson's model

One of the major developmental models for the onset of delinquency and criminal behaviour is that of Patterson and his associates (Patterson, 1986; Patterson, Reid & Dishion, 1992). In an extensive series of studies based on learning and reinforcement theories, they have found that from as early as 18 months, some families may promote a child's coercive behaviour such as temper tantrums and hitting because those behaviours have functional value in terminating conflict. With repeated transactions, these behaviours are strengthened and firmly established. In other families, children learn interactions that are quite distinct from those learned in distressed families. In non-distressed families, in which pro-social behaviours are reinforced, the child learns that interaction such as talking and negotiating are followed by a termination of conflict. In distressed families, not only are coercive behaviours promoted, pro-social behaviours may not be particularly effective in terminating family conflict (Snyder & Patterson, 1995). Therefore, as these boys develop they fail to learn pro-social behaviours, problem solving and language skills, but become highly skilled in antisocial behaviours.

The major parenting processes outlined by these authors are discipline, positive parenting, monitoring and problem solving. In early years, parental discipline is more important in determining the emergence of coercive and pro-social skills. In early to middle adolescence, parental monitoring emerges as a more salient variable. In distressed family interactions, parental discipline reinforces coercive child behaviour, pro-social interpersonal academic and work skills are encouraged less, and deviant problem solving is inadvertently taught, which leads to the development of coercive behaviours in the termination of conflict.

Patterson and Yoerger (1997) relate these theories to the development of early onset and late onset delinquency. In early onset delinquency, the combination of the emergence of coercive behaviours and a high frequency of conflict density within families accounted for almost half of the variance in the development of antisocial behaviour in boys as young as six or seven (Snyder & Patterson, 1995). In late onset delinquency, the pattern was very different. These boys were better adjusted and in possession of more pro-social behaviours by the time they reached early adolescence. However, while the late onset delinquent boys were better adjusted than early onset delinquent boys, they were not so socially skilled nor as well adjusted in

interpersonal skills as non-delinquent boys. At this point, criminal peer subgroups have a major influence in their movement to juvenile delinquency. Correspondingly, parental monitoring plays a more important part in that the ability of parents to monitor the amount of time their son spends with deviant peers becomes crucial. Patterson and Yoerger (1997) make the important point that almost all adolescents have some contact with deviant peers. They hypothesise that the extent of the contact and the length of the time period is related to the intensity of training and reinforcement by the delinquent subculture.

Social learning theory (Trasler, 1973) also invokes the importance of parent-child interactions in promoting social conscience through punishment and modelling (Bandura, 1977). On the one hand social learning theory proposes that behaviours which are consistently censured or punished will be internally conceptualised as anxiety provoking or "wrong". Trasler felt that discipline based on the withdrawal of love in the context of warm consistent relationships was more likely to be effective. Consequently, the upbringing of individuals who went on to develop delinquency and criminal careers was typified by less effective child rearing techniques. Bandura (1973, 1977) developed these ideas to encompass observational learning. The effects of observational learning were that individuals would tend to adopt the behaviour patterns, attitudes and eventually the values of those whom they esteemed and with whom they had a close relationship, e.g. parents. Bandura's theories are complex and wide ranging but they stress the importance of observational learning, and vicarious learning and its subsequent internalisation for the development of social conscience and law abiding behaviour.

The effects of schooling

The effects of school disruption throughout childhood have also been demonstrated to have a significant influence on the development of antisocial behaviour in childhood and adolescence (Gray, Smith & Rutter, 1980). The associations found indicated that the developmental effects were from the school on the children rather than vice versa. Good classroom management, high expectations of pupils, consistency of school values, good models of teacher behaviour, shared activities between staff and pupils, and opportunities for children to exercise responsibility had positive associations with pro-social behaviour in children. Conversely, low levels of these characteristics were associated with truancy, fighting and disruption. Rutter *et al.* (1997) caution that the association between misbehaviour at school and delinquency is variable but note that the school effects on delinquency remain strong. In later years, the composition of the school intake played a greater role than the school ethos, indicating yet again that deviant peer subgroups play an important role in the development of delinquency.

Comment on developmental theories and the development of criminal careers

This developmental model is interesting in our consideration of offenders with intellectual disabilities. Some individuals with intellectual disabilities have parents who have intellectual limitations. The extent to which intellectual limitations affect

parenting practices is only beginning to become understood (Feldman, Varghese, Ramsay & Rajska, 2002; Murphy & Feldman, 2002). The obvious subsequent consideration is the extent to which child rearing practices in parents with intellectual disabilities promote coercive and antisocial behaviour in children in the way that Patterson and his colleagues have demonstrated. One interesting finding reported by Rutter *et al.* (1997) shows that the child rearing association with antisocial behaviour in children was from hostile parenting rather than from parental personality disorder *per se*. This would lead to the hypothesis that parental intellectual limitations *per se* would not be a factor in the development of antisocial behaviour.

It would seem that parenting practices, school ethos and peer group influence are extremely important in the development of criminal careers. West and Farrington (1973) note that for some boys offending begins at the age of 8. It may be that there are predisposing factors of low intellectual ability, impulsiveness/hyperactivity and inconsistent disciplinary practices even from the age of 18 months (Patterson, DeBarsyshe & Ramsey, 1989). Steinberg (1986) reported that early adolescent boys who were not monitored closely by their parents were more susceptible to deviant peer pressure and subsequently engaged in a greater amount of antisocial and delinquent behaviour than boys who were under closer supervision.

Farrington (1983, 1995) found that delinquency in early adolescence was significantly associated with troublesome behaviour at 8–10 years, an uncooperative family at 8 years, poor housing at 8–10 years, poor parental behaviour at 8 years and low IQ at 8–10 years. Their study of crime and deviance in later years found that the best predictors were invariably previous convictions from 10–13 years. For example, convictions at 14–16 years were predicted best by convictions at 10–13 years. Having convicted parents, being rated as daring and being rated as dishonest had additional predictive effects. Convictions at 17–20 years were best predicted by convictions at 14–16 years. A boy's reported delinquency of his friends at age 14 contributed to the prediction of convictions at 17–20 years. Adult criminal convictions at 21–24 years were best predicted by convictions in previous age ranges. An unstable job record, low family income and a hostile attitude towards police at the age of 14 years also made additional predictive contributions to the probability of an adult criminal career. This cycle begins with troublesome behaviour, uncooperative families, poor housing, poor parental behaviour and low IQ at age 8. The higher the number of risk domains (families, childhood behaviour, schooling, etc.), the higher the probability of later delinquency and criminality (Stouthamer-Loeber, Loeber, Wei, Farrington & Wikstrom, 2002). These are variables which are clearly relevant to offenders with intellectual disability but the extent to which the relationships hold in the careers of those individuals is uncertain.

Dewane provides an illustration of some of these developmental issues. He was a 17-year-old African American teenager admitted to a developmental centre by court order for possession of marijuana. He had a WAIS Full Scale IQ of 66. He was a likeable young man who vacillated from hostility to any kind of authority to being needy of attention and approval from adults. He had been used by his family to buy marijuana for several family members and was encouraged by them to engage in minor criminal acts, such as trespass, breaking and entering, and minor theft. He was also very susceptible to peer pressure. When his peers modelled remorse or began to make progress at school or work he would work hard to get on. When

new peers entered the group who modelling delinquent behaviour, gang-related conduct and defying authority he would join in with gusto, gaining great personal satisfaction and pride from this. He was considerably conflicted over his personal identity as intellectually disabled. He refused to ride to school on the handicapped bus and would rather ride on a bike in 95 degree weather. When a staff member stupidly gave his residence away to his girlfriend, he was mortified and aggrieved at this injustice.

After doing well at the developmental centre for a number of months his requests to spend weekends home with his family were honoured. Although he had been warned that urine tests would be performed for drug use when he returned, he tested positive for marijuana use and admitted that he had been smoking with his sisters after buying for them.

After two years he was placed in a small group home with one or two other peers with similar histories and disabilities. After a few weeks he was arrested because he had taken a knife to a peer's throat and threatened to kill him. After a number of months in jail, with little or no legal representation and no assistance from the learning disabilities services, he was again placed in another developmental centre 250 miles away from the first. He remained there for a number of years without prospect of community placement or family contact.

Kohlberg's stage theory of moral development

The theory of moral development elucidated by Kohlberg (1964) is clearly relevant in this context since it is a developmental theory which will be relevant to individuals who are delayed in this respect. The six stages of this theory are in three periods of two stages each.

The pre-moral period is one where moral behaviour is based on concrete rules typified by the maxim that breaking rules will result in being punished. Stage two of the pre-moral period is when the individual will follow their self-interest irrespective of the effect on other people. Therefore, the individual is unlikely to break laws since it will result in personal loss. The second period is one of conformity to rules for the reasons of social convention. In stage three people conform to rules because of the social censure that would result otherwise. During stage four this develops further with the individual having a respect for social and cultural expectations and social cohesion. During the third period—stages five and six—self-generated principles of morality develop within the context of universal principles of ethics and justice. In general these would conform to existing legal systems but may transcend them if they violate fundamental human rights or personal conviction.

Arbuthnot, Gordon and Jurkovic (1987) reviewed several studies comparing delinquents and control subjects on Kohlberg's theory of moral development. They concluded that most studies demonstrated delinquents to have attained a lower stage of moral development than non-delinquents. Delinquent subjects also tended to consider various offences more acceptable than control subjects. While there were some exceptions, with many individual delinquents found to be at higher stages of moral development than controls, there was broad support for the model.

This model has clear relevance for offenders with intellectual disabilities. It is likely that most offenders covered by this volume will be placed in stages one and two of Kohlberg's progression. However, the extent to which and the way in which they might differ from control groups of non-intellectually disabled offenders and non-offenders with intellectual disability is entirely unknown. The effects of any subsequent interventions or manipulation of moral development is similarly unknown.

CONCLUSIONS AND INTRODUCTION TO THIS VOLUME

The early chapters of this volume address broad issues such as epidemiology, legal matters, ethics and disposals available to the criminal justice systems. Tony Holland provides an introduction to emerging issues and themes in criminal behaviour and developmental disabilities, and he sets these within an epidemiological context. Legal issues are discussed in Chapter 3 by George Baroff, Michael Gunn and Susan Hayes from three distinct national perspectives—those of the United States, Australia and the United Kingdom. In Chapter 4 Susan Hayes discusses alternative disposals for offenders with intellectual disabilities and in the following chapter Jennifer Clegg provides fascinating ethical perspectives on some of the dilemmas with which we all have to grapple in this field.

The next group of chapters review issues related to assessment. Chapter 6 by Edwin Mikkelsen provides an overview of assessment issues as well as including methods which he himself has developed over several years. Vern Quinsey provides a detailed account of static and proximal dynamic risk assessment in Chapter 7, and Nigel Beail contrasts various approaches to evaluation in Chapter 8.

Treatment issues are described in the next group of chapters, with Bill Lindsay reviewing a variety of approaches to treatment in Chapter 9, and Michael Clark, Jay Rider, Frank Caparulo and Mark Steege describing several systems for the treatment of sexual offenders and abusers in Chapter 10. Subsequent chapters review treatment and management of anger and aggression (John Taylor, Raymond Novaco, Bruce Gillmer and Alison Robertson), fire setting (John Taylor, Ian Thorne and Michael Slavkin), dual diagnosis in mental illness (Anne Smith and Greg O'Brien), services for women (Kathleen Kendall) and personality disorders (Andrew Reid, Bill Lindsay, Jacqueline Law and Peter Sturmey) in offenders with intellectual disability. The final chapters in this volume address staff support and development (Tony Perini) and research and development (Bill Lindsay, Peter Sturmey and John Taylor).

This introduction has set a theoretical and developmental context for the chapters to follow. While the authors of these chapters do not use such a framework in which to set the information and studies, it is interesting to consider these boundaries and assumptions as one reads each chapter. The impact of intellectual and cognitive limitations, socio-economic status, societal engagement, upbringing, peer relations and moral development are all germane to each of the problem areas illustrated. There is little doubt that the field of offenders with intellectual and developmental disability is at a point where we have a good deal of disparate information which

requires some integration and synthesis. Our hope is that this book is a starting point to such integration.

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