

# Free case study on the green collar case

[Law](#), [Criminal Justice](#)



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Certain theories explain the causes, nature, and extent of crime; for example, the theory of rational choice explains that individuals commit crime to fulfill their pleasures (Reynald, 2011, p. 23). According to this theory, individuals choose to do wrong if it results to rewards and fun rather than pain. The theory of trait argues that individuals are born with certain characteristics that make them engage in criminal activities. The social structure hypothesis argues that the surrounding influences the behavior of people. According to this theory, a person becomes a criminal if he or she lives with criminals (Walker, 2011, p. 59). The three theories can explain the causes of the green collar crime that two UK citizens committed; the criminals defrauded financiers of nine million dollars. This activity is a crime because the UK law illegalizes fraud. Social structure theory explains the cause of this crime more than rational choice and trait theory; social justice can use this theory to enlighten criminals and victims about fraud.

## **The Case**

MacDonald and John started a business of selling fake shares and carbon credits; the two pleaded with people in Canada to buy their products on the basis that the commodities were highly profitable, thus marketable (Lang, 2013, p. 2). People bought the shares at a high rate because they believed in projects that promote the environment. On discovering that the business was a crime, Kingston court sentenced John for four and a half years and MacDonald for eight years. Crime reports show that victims of swindling suffer the loss of funds, and they lose more when they report the case (Lang, 2013, p. 2). The Economist Intelligence Unit carried out a research to find out the threats that are faced by businesses. 75% of the executives whom the economist interviewed from around the world explained that their businesses were more prone to fraud than other crimes (Kroll, 2012, p. 15). The research established that the crime of swindling is common, and at least one out of every two businesses faces this threat each year. Criminals commit this crime because businesses can only notice it when they carry out a thorough audit, which is expensive (Canadian Centre for Justice Statistics, 2011, p. 5). Governments, businesses, and individuals should be enlightened about the crime, its causes, effects, and methods of protecting themselves from becoming victims of such actions.

## **Rational Choice Theory**

The theory of rational choice states that individuals consider the benefits and costs of actions before choosing that action; a person chooses to commit a crime if the rewards are higher than the threats (Fox, & Albertson, 2011, p. 48). The hypothesis applies the economic assumption that consumers prefer

a higher quantity of a good than a low one (Ohear, 2004, p. 140). Routine activity theory that falls under rational choice states that human beings undertake actions according to the benefits that will result. This theory argues that criminals commit crime because there is an opportunity (Reynald, 2011, p. 23). MacDonald and John defrauded investors through an environmental project because they knew that people were interested in this field. MacDonald encouraged the old to buy more shares than the young. This was based on the knowledge that elderly people invest more in stock than in any other financial instrument. The criminals thought that the police would not notice their activities, and they would get away with all the money paid by the investors. The fact that the authorities did not notice the crime for two years motivated John and his colleague to continue with their fraudulent activities (Lang, 2013, p. 8).

## **Trait Theory**

The trait theory argues that people commit crime because they are born with criminal characteristics; the general hypothesis of crime is a category of this assumption. Fredson and Hirschi developed the general theory of crime; the researchers argue that people commit crime because they lack self-control (Siegel, 2011, p. 34). The two found out that low discipline results in risk taking and insensitivity. People with such an attribute want to get satisfied without working hard (Siegel & Senna, 2009, p. 114). In the green collar case, the criminals may have had low discipline since their formative years; the criminals also loved getting money easily. These attributes made the defendants turn to fraud as the method they could use to get rich quickly. The general theory also argues that besides the traits that criminals are born

with, an opportunity must exist. Hirschi and Fredson established that people quit crime when opportunities decrease (Siegel & Senna, 2009, p. 114). MacDonald and John had an opportunity of defrauding investors besides having been born with low discipline.

## **Social Structure Theory**

The social structure assumption states that the environment determines the behavior of people; societies differ and this results to different behaviors and attitudes (Tittle, Antonaccio & Botchkovar, 2012, p. 890). Strain theory is a category of the social structure theory; the hypothesis states that people commit a crime so that they can get money. Merton developed the hypothesis, and he explains that the society considers certain achievements such as owning cars and houses higher than other achievements. The people who do not have these items may attempt to steal in order to keep up with other people in the surrounding. In this case, MacDonald and John may have undergone financial strain before 2009; their lack of money may have made the defendants feel that they were not achieving society's expectations. John and his colleague, therefore, chose to steal from people so that they could keep up with the status in their neighborhood. The two identified an opportunity of using an environmental project after discovering that people love conserving the environment. The theory argues that although people try to keep up with others in the society, not all turn to crime (Tittle, Antonaccio & Botchkovar, 2012, p. 890). John and his colleague are among the few people who chose the crime as a solution to their not meeting society's expectations.

## **Conclusion**

Among the three theories, the social structure concept explains John and MacDonald's crime better than the other two; however, the three theories state that individuals must identify an opportunity for committing a wrong action. This is because the concept explains that people commit crime so that their status can be in the same level with other people in the society. The law can use this hypothesis to ensure that justice prevails in a country by encouraging people to use other methods to raise their living standards; for example, citizens can be encouraged to create legal businesses that earn them income (Walker, 2011, p. 58). The government can also create ways of ensuring that people are equal through fair distribution of resources; the law can also introduce taxation rates that match with income. Another method of protecting people who are prone to fraud is encouraging people to conform with their status if they cannot raise their standards of living (Walker, 2011, p. 59). The criminal justice officers should interview defendants to know why they committed a crime; after this, the court should enlighten the wrong doers about the legal options of earning income during their sentence. The court should also maintain fairness by compensating the victims of the act besides educating them about the consequences and methods of preventing oneself from becoming a victim.

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