

Dissertation submitted for the Degree of Doctor of Philosophy

UNUSUAL SUSPECTS: IDENTIFYING ACTIVE SERIOUS OFFENDERS BY SELF-SELECTION POLICING

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I, Jason Roach, do confirm that the work presented in this thesis is my own and includes nothing that is the outcome of work done in collaboration. Where information has been derived from other sources, I confirm that this has been indicated in the thesis.

Signed:

Date:

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J.

Summary

The present thesis examines the emergent and complementary investigative method known as *self-selection policing*. This method seeks to identify minor offences indicative of more serious criminality, whereby the serious offender volunteers him or herself for warranted police attention by dint of committing a minor (often considered innocuous) infraction of the law.

In early chapters a conceptual and theoretical underpinning for self-selection is developed by exploring relevant criminological and psychological theory. Terms and concepts are clarified early on, for example, discussion and clarity are provided regarding what constitutes serious and minor offences and offenders.

Next, a series of exploratory studies is presented whereby specific minor offences are identified and their utility as indicators (or 'flags') for more serious criminality tested. These include non-compliance with Home Office Road Transport Form 1 (HO/RT1), where drivers are required to present necessary motoring documents to police within seven days, and the giving of false details to police.

After presenting a theoretical and empirical case for using self-selection policing, late chapters explore anticipated obstacles to its wider implementation. For example, a study is presented which demonstrates a general overestimation of offence homogeneity by police. The implications of this finding for self-selection policing are discussed.

The present thesis concludes by suggesting where self-selection policing sits both conceptually and theoretically within academic criminology, and within operational policing. For example, suggestions are offered as to how police and public might be convinced of the utility of self-selection policing and how it might be best integrated with mainstream policing.

Table of Contents

	Page
Confirmation of authentication	2
Acknowledgements	3
Summary of thesis	5
Table of contents	6
Tables	11
Figures	13
CHAPTER ONE – Introduction	14
CHAPTER TWO – Literature Review	20
2.1 Introduction	20
2.2 Are offenders crime versatile?	22
2.2.1 <i>General explanations</i>	22
2.2.2 <i>Environmental and situational focused approaches</i>	27
2.3 The criminal careers paradigm	35
2.3.1 <i>Onset and desistance: the initiation and end of a criminal career</i>	36
2.3.2 <i>The frequency of offending</i>	38
2.3.3 <i>Offence specialists and generalists?</i>	39
2.3.4 <i>Specialists or generalists: a false dichotomy?</i>	40
2.3.5 <i>Methodological concerns</i>	43
2.3.6 <i>Strategic offences in criminal careers</i>	47
2.4 Repeat victimization	50
2.5 Self-selection policing: an emergent method	52
2.5.1 <i>Just a “dumb luck” process?</i>	52
2.5.2 <i>The beginning of an empirical focus</i>	55

2.6	Identifying active serious offenders by extant methods	61
	2.6.1 <i>The targeting of known offenders</i>	62
	2.6.2 <i>The evolution of investigative policing</i>	64
	2.6.3 <i>The organisation of modern UK police criminal investigations</i>	68
	2.6.4 <i>Intelligence-led policing</i>	70
	2.6.5 <i>Offender profiling</i>	74
2.7	Chapter summary	77
	CHAPTER THREE – Serious Crime, Serious Offenders And Establishing Offence Heterogeneity	79
3.1	Introduction	79
3.2	Defining serious crime and serious offenders	80
3.3	A contemporary study of offence seriousness	82
	3.3.1 <i>Method</i>	82
	3.3.2 <i>Participants</i>	83
	3.3.3 <i>Procedure</i>	83
	3.3.4 <i>Results</i>	85
	3.3.5 <i>Discussion</i>	91
3.4	Serious offenders and crime heterogeneity	92
	3.4.1 <i>Introduction</i>	92
	3.4.2 <i>The PNC dataset</i>	93
	3.4.3 <i>Results</i>	93
3.5	Summary and discussion of chapter	100
	CHAPTER FOUR – Operation Visitor and Offender Self-Selection: An Exploratory Study	102
4.1	Introduction	102
4.2	Operation Visitor	105
	4.2.1 <i>Background</i>	105
	4.2.2 <i>Research hypotheses and aims</i>	107
4.3	Method	108

4.3.1	<i>Procedure</i>	108
4.3.2	<i>Materials</i>	111
4.4	Results	112
4.4.1	<i>Visitors and their vehicles</i>	112
4.4.2	<i>Total number of offences committed by visitors</i>	113
4.4.3	<i>Type of offences committed by visitors</i>	114
4.4.4	<i>Those visitors found offending</i>	115
4.4.5	<i>Visitor offence histories</i>	119
4.4.6	<i>Offending visitors and their criminal histories</i>	120
	<i>Offending versatility</i>	121
	<i>Frequency of offending</i>	121
	<i>Active offenders?</i>	122
4.4.7	<i>HO/RT1 non-compliance</i>	124
4.5	Discussion	126
	CHAPTER FIVE – HO/RT1 Non-Compliance and Self-Selection	130
5.1	Introduction	130
5.1.1	The HO/RT1 process	133
5.2	Method	136
5.2.1	<i>Participant Sample</i>	136
5.2.2	<i>Procedure</i>	137
5.2.3	<i>Materials</i>	138
5.3	Results	138
5.3.1	<i>Shows and no shows</i>	139
5.3.2	<i>The timing of offences – active and non-active offenders</i>	141
5.3.3	<i>Criminal careers</i>	145
5.3.4	<i>The types of offence committed by the active group</i>	145
5.3.5	<i>HO/RT1 disposal outcomes</i>	146
5.3.6	<i>Predicting active serious offenders from no shows</i>	148
5.4	Discussion	149
5.4.1	<i>Why police should focus on no shows</i>	149

CHAPTER SIX – False Address Giving To Police As Self-Selection	155
6.1 Introduction	155
6.1.1 <i>The psychology of lies and deceit</i>	156
6.2 Method	164
6.2.1 <i>Participant sample</i>	165
6.2.2 <i>Procedure</i>	165
6.2.3 <i>Materials</i>	166
6.3 Results	167
6.3.1 <i>Identifying thought processes</i>	167
6.3.2 <i>False door numbers</i>	170
6.3.3 <i>False postcodes</i>	170
6.3.4 <i>The distance between true and false postcodes</i>	173
6.4 Discussion	174
CHAPTER SEVEN – Police Perception of Offence Homogeneity	179
7.1 Introduction	179
7.2 The predicting re-offending questionnaire (PRQ)	183
7.2.1 <i>Method</i>	184
7.2.2 <i>Participants</i>	188
7.2.3 <i>Procedure</i>	189
7.3 Results	190
7.3.1 <i>Sample descriptives</i>	190
7.3.2 <i>Question 1: Predicting likelihood of re-offence (any type) by first offence type</i>	192
7.3.3 <i>Question 2: Predicting the likelihood of homologous second offences from a given first offence type</i>	196
7.3.4 <i>Question 3: Predicting likely next offences from brief offence histories</i>	203
7.4 Discussion	208
CHAPTER EIGHT – Implementing Self-Selection Policing	212

8.1	Introduction	212
8.2	Getting smarter about self-selection policing	213
	<i>8.2.1</i> <i>Playing the percentages</i>	214
8.3	Hurdles and pitfalls for the implementation of self-selection policing	219
	<i>8.3.1</i> <i>UK policing for the 21st century?</i>	219
	<i>8.3.2</i> <i>Crime screening</i>	220
	<i>8.3.3</i> <i>Solvability factors</i>	223
8.4	Some recommendations for the acceptance and implementation of self-selection policing	224
	<i>8.4.1</i> <i>Criminology</i>	224
	<i>8.4.2</i> <i>Policing</i>	228
	APPENDIX	232
1	Offence seriousness questionnaire	234
2	Descriptive results for Question 5 of seriousness questionnaire	235
3	Police recording sheet for Operation Visitor	236
4	False details questionnaire	237
5	Predicting Re-Offending Questionnaire (PRQ)	238
	Bibliography	242

Tables

Table 3.1	Number of crimes per PNC category	94
Table 3.2	Mean number of offences per individual in each PNC category	95
Table 3.3	Number of individuals with a specified serious offence type and a minor offence type	96
Table 3.4	Individuals per PNC offence category also with a recorded summary motoring offence	98
Table 4.1	Operation Visitor dates and the number of visitors and vehicles searched.	109
Table 4.2	Visitor transport and gender	113
Table 4.3	Operation Visitor dates, number of visitors stopped and the total number of offences identified per operation	114
Table 4.4	Visitor transport and visitor offences committed	117
Table 5.1	A comparison of recorded offences for show and no-show HO/RT1 groups.	140
Table 5.2	Offending histories before and after HO/RT1 issue	142
Table 5.3	The percentage of shows and no-shows offending in year before, year of and year after HO/RT1 issue	144
Table 5.4	A summary of recorded offences per type for the HO/RT1 non-compliant “active offender group”	146
Table 5.5	Logistic regression: beta coefficients and standard errors	149
Table 6.1	A comparison of false and real postcodes according to postal area	170
Table 6.2	Existing and non-existing false and real postcodes given by participants	171
Table 6.3	A comparison of thought processes identified between those participants who generated an existing false	172

postcode and whole participant sample

Table 7.1	A comparison of mean prediction scores for re-offending based on type of first offence with reconviction study data (Cunliffe and Shepherd, 2007 p.8)	192
Table 7.2	Quartile values and indices of variability for predictions for re-offending based on first offence type	195
Table 7.3	Mean and standard deviation of indices of specialization for each first offence type.	198
Table 7.4	Product-moment correlation coefficients between the judged probability of re-offending (any type) and the probability of such re-offending as occurred being of the same type as the first offence	200

Figures

Figure 3.1	The mean seriousness scores for twenty different offence types	86
Figure 4.1	Offences detected by Operation Visitor	114
Figure 4.2	A flow-chart showing a summary of the findings of Operation Visitor	124
Figure 5.1	A flow-chart depicting the HO/RT1 study outcomes	150
Figure 7.1	Police sample by rank	191
Figure 7.2	A comparison of offence homogeneity predictions according to experience	190
Figure 7.3	A comparison of next offence predictions for questions 1 and 2	205
Figure 7.4	Predicted next offences for burglary offence history scenarios for question 3	201
Figure 7.5	Predicted next offences in motoring offence history scenarios for question 3	206

CHAPTER 1 – Introduction

The detective task consists of selecting from among the general population those people who have a prima facie case to answer. In many cases (for example drug possession, public indecency) detection follows almost automatically from discovery of the offence (Stelfox, 2009). Where this is not so, the identification and apprehension of serious offenders has relied primarily upon information from the public (Chenery et al., 1999). Failing these swift routes to detection, policing reverts to the targeting of those already known (the 'usual suspects'), or obtaining accurate intelligence of offending patterns which can be matched to the facts of individual cases (Townesley and Pease, 2003). Detection is often abandoned in all but the most serious cases, where crime 'solvability criteria' are not met (discussed in Chapter Eight).

The conventional approaches are not contested here. However, there is a case to be made that serious criminals often elude justice because more minor offending, which is part of their lifestyle, is not investigated rigorously. The most serious offenders are often apprehended because they are detected in the commission of a lesser offence. Something has led an alert police officer to ask questions and make checks which reveal the bigger picture. Famous historical examples include the 'Yorkshire Ripper', uncovered because he drove a car with false number plates; the American serial killer, David 'Son of Sam' Berkowitz, identified because he parked illegally next to a fire hydrant, and in 2008, the capture of fugitive Rudy Guede, wanted by Italian police in relation to the murder of British student Meredith Kercher. He was apprehended because he drew attention to himself by fare evasion in Germany where he was in hiding.¹

The present thesis explores an emergent complement to extant policing methods known as offender self-selection. This method seeks to identify and investigate minor offences or 'routine offences as they are commonly referred. The issue

¹ http://en.wikipedia.org/wiki/Murder_of_Meredith_Kercher (accessed on 3/10/2008)

explored is how a more systematic analysis and scrutiny of minor infractions can identify some as 'triggers' or 'flags' for more serious criminality (Chenery, et al., 1999; Townsley and Pease, 2003). Termed 'self-selection policing' as by dint of committing minor offences (often deemed unworthy of police attention in themselves) serious offenders offer themselves for warranted further police attention. Scrutiny that could expose them as active serious offenders.

Chapter Two presents a review of the literature pertinent to self-selection policing. This entails discussion of three vital premises on which self-selection policing rests to make it a viable prospect. These are, that offenders are crime versatile (heterogeneous in their offending), that serious offenders will not cavil at committing more minor offences, and that an identifiable link exists between some specific minor offences and concurrent serious criminality. Theoretical and conceptual support is presented from opportunity- focused theories such as Routine Activity Theory (e.g. Cohen and Felson, 1979), Crime Pattern Theory (e.g. Brantingham and Brantingham, 1984) and Rational Choice Theory (e.g. Cornish and Clarke, 1986). A particular focus is placed on the 'criminal career paradigm' (e.g. Blumstein et al., 1986) in order to further establish offence versatility and establish patterns of offending within criminal careers. The chapter also explores extant research studies dedicated to self-selection (currently few in number) and examines their potential for identifying active serious offenders. The chapter concludes with an exploration of current police methods of identifying active serious offenders, such as targeting 'known suspects' and offender profiling. Extant criminal investigative practice is discussed to highlight how and where self-selection policing would complement.

Chapter Three seeks to further the conceptual and empirical groundwork for self-selection policing presented in chapter two. It begins with discussion of what 'serious crime' and 'serious offender' is actually taken to mean by the general public. Clarification is attempted by reference to previous studies of crime 'seriousness' which have found that people across time, culture and social group

by and large agree what constitutes serious crime and subsequently, serious offenders (e.g. Thomas, 1976; Borg, 1985). Less agreement is found concerning the additivity of offence seriousness (Pease et al., 1974; Wagner and Pease, 1978). An additional study conducted by the writer is presented which further examines the consistency of judgements of offence seriousness.

A second empirical study, conducted by the writer, is presented in the second part of the chapter which utilises a large data sample of offences and offenders from the UK Police National Computer (PNC). The findings provide some additional support to the hypothesis that offenders are offence heterogeneous by demonstrating that criminal careers often comprise of both serious and minor offending. Providing some support, therefore, for the first two necessary conditions for self-selection to be considered a viable prospect; serious offenders are crime versatile and that they will not cavil at committing minor offences.

Having now explored the theoretical and conceptual foundations for self-selection policing, in the next three chapters three dedicated empirical self-selection studies are presented. Each chapter first identifies then tests, the reliability of specific minor offences (i.e. trigger offences) as indicative of more active and serious criminality.

Chapter Four presents an exploratory study to identify those minor offences frequently perpetrated by active serious offenders. 'Operation Visitor' is a study of a police operation developed by the writer in conjunction with Lancashire police. It targets visitors to a penal institution over a twelve month period. Although clearly not an offence to visit people in prison, the police led scrutiny of visitors and vehicles (e.g. using Automatic Number Plate Recognition), helped identify several minor motoring offences as promising indicators of concurrent (active) serious criminality. For example, driving without necessary documentation (e.g. no road tax) or travelling unroadworthy vehicles). By dint of

the minor infractions a significant proportion visitors were subsequently identified as being engaged in concurrent, more serious, offending.

Chapter Five presents an empirical study developed by the writer as result of a key finding from 'Operation Visitor' (chapter four), that a significant proportion of people do not comply with Home Office Road Traffic form 1 (HO/RT1). The hypothesis tested here is that those who do not comply with such a basic legal requirement do not because they have something to conceal. This is likely to include concurrent serious criminality and contempt for enforcement routines in general. A dedicated study is presented in which all HO/RT1s issued on one day in the county of Lancashire were tracked and compliance and non-compliance scrutinized. Where non-compliance was identified, this was often indicative of concurrent offending, a substantial amount being serious in nature. The chapter concludes with a strong recommendation for police to take those who fail to comply with HO/RT 1 requirements more seriously, as scrutiny is likely to uncover active and more serious criminality.

Chapter Six builds on a significant finding of chapter five, that over ten per cent of those who fail to comply with a HO/RT1 give false details to police. That is, in the HO/RT1 study, ten per cent of those non-compliant deliberately misled police about their personal details (e.g. either name, address or both). This chapter takes a broader perspective on those who give false details to police and the false details they give. A study is presented whereby the writer asked over 140 students to generate a complete false address (i.e. including county and UK postcode). Participants were then asked to analyse the false address they generated. For example, they were to decide whether it was randomly generated or whether it contained strands of truthful information - information which could provide clues as to the real address concealed. The results were astounding. Participants generally found the spontaneous generation of a false address difficult, with over 40% seemingly unable to either generate a bona fide looking false UK postcode, or produce one which was actually found to exist when

checked against the official Post Office postcode list. Conclusions drawn suggest strongly that if police can discern at point of contact whether a suspect is giving a false address (e.g. by asking for a postcode and checking if it exists) then they will identify more active serious offenders, by dint of the fact that that it is the concealment of active serious offending which instigates the need to give spurious details.

Chapter Seven is concerned with a probable obstacle for self-selection policing (hypothesised first and subsequently empirically substantiated) that police overestimate offence homogeneity. This is of no little importance as an attempt to present an approach based on offence versatility and not specialization, such as self-selection, would require a major 'sea-change' in police thinking. In this chapter a study is presented whereby 42 police officers of diverse rank and experience were asked to complete a comprehensive questionnaire concerning offence predictions within criminal careers. The questionnaire asked participants to predict likely next offence types (e.g. burglary or robbery) from different given offence and offender histories. Results showed that irrespective of rank or experience, when compared with research studies of offending patterns (e.g. Tarling, 1993) and re-conviction data (e.g. Cunliffe and Shepherd, 2007) police tended too over-estimate offence homogeneity at the expense of under-estimating offence heterogeneity. For example, when asked to predict the likely next offence for a male with a previous offence for burglary, by far the most popular answer was burglary. This was found to hold across all offender histories and offence type scenarios. Arguably of even more interest was the finding that although an over-estimation of offence homogeneity was the general conclusion, the degrees to which this was found varied greatly among the police sample's predictions. This variation could not be accounted for by differences in age, gender, rank, department worked in or experience in the job. The significance of these findings is discussed with regard to both policing and to the present thesis.

Chapter Eight presents a summary of the work and a conclusion, encapsulating the evidence presented for self-selection policing to be universally accepted by academics, police and the general public. A discussion of where the self-selection approach sits theoretically and conceptually within the criminology literature is presented, before progressing to suggestions for how it can be practically implemented by police. An implementation strategy for policing is proposed which identifies probable obstacles and suggests how they might be overcome. A starting point offered is the recommendation that police are educated as to the greater prevalence of offender versatility, than is currently understood. Other recommendations include, for example, giving police an appreciation of the likelihood that a significant proportion of the motorists they routinely stop for a minor offence may be giving false details to conceal their identity as an active serious offender. Other important implementation considerations include the requirement for the general public to understand the rationale for self-selection policing, so when stopped and asked questions after committing a minor offences, inconvenience is understood and minimised.

The thesis concludes that although self-selection policing shows much promise it requires extensive further research to identify additional minor trigger offences robustly indicative of active serious offenders. There is a battle for hearts and minds to be won with respect to academics, police and public, if self-selection is to become imbedded in the academic literature and implemented routinely into policing. Of particular importance is a realization that self-selection policing will not work without the support of police and public, and that this will not be forthcoming without first providing sufficient information, evidence and explanation.

CHAPTER TWO - Literature review

2.1. Introduction

Providing the answer to the question why some people commit crime has challenged criminologists, psychologists and other social and biological scientists for centuries. Citizens more generally seem more certain, albeit less informed (Townsend and Pease, 2003). There is no indication that one simple answer can (or ever will) solve this conundrum. Most scholars go further and suggest it actually a mistake to continue such a search for a single 'causative factor' (Ainsworth, 2001).

Although numerous, explanations of criminal behaviour can be crudely divided into those which focus on characteristics of people (sometimes termed dispositional factors) such as personality and social learning (e.g. Bandura and Walters, 1963; Yochelson and Samenow, 1976; Bandura, 1977; Eysenck, 1977) or psychopathology (e.g. Raine and Sanmartin, 2001) on the one hand, and those that focus on environmental and situational factors such as opportunity and routine activities (e.g. Cohen and Felson 1979; Clarke, 1980, 1997) on the other. It now seems naive to seek an explanation of all criminal behaviour by exclusive reference to either individual/dispositional or environmental/situational factors. As Ainsworth points out, if psychology has taught us anything over the last hundred years it is that human behaviour (including criminal) is a result of complex interactions "between factors both within and outside the individual" (2001, p.22). This has been exemplified in the findings of classic studies such as Lewin, 1943. Psychological contributions to the explanation of criminality include, for example, high-impulsivity or lack of self-control (e.g. Gottfredson and Hirschi, 1990); personality and learning (e.g. Bandura and Walters, 1963); bio-psychology (e.g. Eysenck, 1977) and psychopathology (e.g. Hare, 1993).

Accounts that bring together the range of explanations for criminal behaviour are provided in many an introductory criminology text (e.g. see Maguire et al., 2002;

Hopkins Burke, 2005; Newburn, 2007). The wheel need not be reinvented here, so only theory and research considered of most relevance to the thrust of the present thesis will be reviewed.

The present thesis explores an emergent complement to extant police investigation methods, known as self-selection policing (Chenery et al., 1999). A self-selection policing approach seeks to identify and investigate those minor, often considered routine, offences which when committed are most indicative of more serious concurrent offending. Put another way, it seeks to identify those minor infractions which serious offenders commit most frequently, and hence those whose scrutiny and policing might provide a portal to the detection of serious crime. In all likelihood, it is these *minor* offences that will be more frequently committed by serious offenders. How better use can be made of an identifiable major-minor offending link to uncover serious offending, and the part serious offenders can play in their own identification is thereby discussed. The approach is termed 'self-selection policing' because by dint of committing minor offences (often deemed innocuous in themselves), serious offenders offer themselves for warranted further police attention; which, should serve to uncover their active serious criminality.

In order for self-selection policing to be a viable proposition three pivotal premises must be supported. If not, then the approach must be rendered ill-founded in principle and its application futile:

- 1. Active serious offenders are 'crime versatile'** tending to be 'generalists' who commit an array of different types of crime - *heterogeneous* rather than *homogeneous*
- 2. Active serious offenders will not cavil at committing minor offences**
These may include such infractions as driving on bald tyres along

motorway hard shoulders, not having a TV licence or non-payment of parking tickets.

- 3. Identifiable links exists between active serious offenders and specific minor offences.** Identifiable 'trigger' offences frequently committed by active serious offenders may, therefore, be used as flags of active serious criminality, manifest when further police scrutiny is applied.

This chapter, in the main, constitutes a review of the literature relating to these premises, beginning with an exploration of literature pertinent to whether offenders tend to be homogeneous or heterogeneous in their offending (i.e. specialize or are offence versatile), exploring relevant theory and research on offending behaviour which focuses on both the individual, and environment and situational factors in which offences occur. Next, emergent examples of self-selection policing shall be presented before proceeding in the second half of the chapter with an exploration of how active serious offenders are currently identified by extant policing methods.

2.2. Are offenders crime versatile?

2.2.1. General explanations

The majority of explanations for crime tend to focus on individual factors, in interaction with context. They tend to be general in their approach, often explaining criminality per se (i.e. offending behaviour) rather than why individuals might commit specific types of offence (e.g. robbery or illegal parking), with sex offenders and terrorists perhaps being the notable exceptions. Explanations that focus on, for example, personality, psychopathy, learning, parental style, biology or social malleability, seek to provide blanket explanations for why individuals offend per se, rather than why they might commit the specific offences they do. Some accounts acknowledge this explicitly.

In their 'General Theory of Crime', or 'Control Theory' as it is sometimes called, Hirschi and Gottfredson (1988) propose that it is self-control that acts as principal barrier to whether we commit crime; self-control being a trait that precludes impulsivity, 'self-centredness', inability to persevere in a line of activity, and an inclination to participate in risky (possibly thrilling) activities (Gottfredson and Hirschi, 1990; Hirschi and Gottfredson 1993). Individuals show variation in levels of self-control, attributed to 'weak parenting practices', which include "lax supervision, inconsistent discipline, and attenuated affectional ties" (Gottfredson and Hirschi 1990, p.89-91). Low-self-control is held to manifest itself in a plethora of different ways including criminality (Piquero et al., 1999, p.278). Hirschi and Gottfredson (1988, 1993) therefore, present a good example of a general theory for *why* people commit crime which covers all types of crime.

Of most importance to the present thesis is that Gottfredson and Hirschi's theory advances some clear hypotheses about offending versatility (Piquero et al. 1999). First, it predicts that offenders will not tend to specialize, with low self-control manifesting itself in many different ways, opportunity and situation being the determining factors, "within the domain of crime...there will be much versatility among offenders in the acts in which they engage" (1990, p. 91), suggesting for example that "today's robber may very well be tomorrow's auto thief and next week's burglar" (Gottfredson and Hirschi, 1990 cited in Piquero et al., 1999, p. 279). Indeed, Hirschi and Gottfredson (1995) consider the connection between low self-control and criminal diversity strong enough that a count of the different types of offending behaviour for each person, constitutes a valid index of an individual's self-control; acting as a kind of variety scale.

In sum, Hirschi and Gottfredson's (1988) general theory' predicts that individuals with low self-control will begin offending early in life (i.e. early onset criminal career). As will be discussed later in the chapter, research suggests that they also exhibit greater versatility in their offending than those who begin offending later (e.g. Blumstein et al., 1986; 1988; Piquero et al., 1999).

In her ' *Developmental Taxonomy*' Terrie Moffitt (1993,1994) attempts to account for why some offenders desist from crime and others persist in criminal activity. The taxonomy identifies two distinct groups of offenders, each influenced by a unique set of criminogenic and antisocial factors, which extends over the individual's life. The taxonomy takes the aggregate age-crime curve (Hirschi and Gottfredson, 1983; Farrington, 1986) as a starting point and seeks to explain why a certain group of offenders engages in a relatively stable level of criminal activity throughout life. These are referred to here as 'life-course persistent' offenders', who are also likely to be active serious offenders throughout their career.

The life-course persistent group of offenders is characterised by an early onset of crime, displaying active and persistent offending and showing crime versatility throughout the life-course. They are focal in the present thesis. Moffitt (2003) suggests that as peer influence is not a necessary factor for life-course persistent offenders, they commit some of their crimes alone. In more recent work such offenders are explained as possessing "inherited or acquired neuro-psychological variations" (Piquero and Moffitt 2004, p. 179). Moffitt and colleagues suggest that life-course persistent offenders are pre-disposed to crime and anti-social behaviour as a result of inherited and/or early acquired neuropsychological deficit (Ishikawa and Raine, 2003; Moffitt, 2003). The gene variant MOAO which lowers the activity of the enzyme monoamine oxidase A and which seems implicated in violence is identified as being of particular interest (Caspi et al., 2002).

These 'variations' may become manifest as a difficult temperament, hyperactivity or some more subtle cognitive deficits (Moffitt, 2003). However, the taxonomy also acknowledges the importance of the environment in shaping the life-course persistent offender, paying particular attention to commonly identified risk factors such as lack of pro-social modelling, inadequate parenting, disrupted family bonds and poverty (e.g. Farrington and Hawkins, 1991). All these factors contribute to an exacerbation of risk for the adolescent.

According to Moffitt (1997, 1999) environmental influences acting on the life-persistent group expand as the child gets older, for example, the forming of poor relationships with parents and teachers and unhealthy relationships with peers. The taxonomy goes further, suggesting that the interactions between individual and the environment combine to construct a 'disordered personality', which is hallmarked by physical aggression and antisocial behaviour which continues into mid-life (Piquero and Moffitt 2004, p. 178). After the life-persistent offender has emerged, the suggestion is that he or she (and Moffitt suggests that it is considerably more likely to be a he) will be distinctive in many aspects of life, such as employment, family life, criminal activity and victimization. Moffitt (1999) paints a bleak future for this group suggesting that they have few (if any) opportunities for change (e.g. pro-social modelling, where social as opposed to antisocial behaviour is mimicked), so are likely to remain active serious offenders with extensive and varied offence histories. The writer might add, nor are this group likely to cavil at the committing of less serious, more 'inconsequential' infractions of the law, but this is for the present thesis to explore.

A second group identified in Moffitt's taxonomy comprises those described as 'adolescence limited' - those who restrict their offending to their adolescence (Piquero and Moffitt 2004). Moffitt identifies a maturity gap and peer social context as important factors underlying adolescence-limited delinquency. Similarities can be drawn between this approach and the work of identity theorists such as Erikson and Marcia who suggest that it is during adolescence that we begin to try out different identities, with rebelliousness, risk taking and rule breaking common behaviour. Brief forays into criminality are often included in the process (e.g. Erikson, 1968; Marcia, 1980).

The adolescence-limited group is considered by far the larger of the two and primarily social in orientation as offending is usually in groups. Offending generally constitutes relatively minor offences such as petty theft, low-level vandalism and minor road traffic violations. In contrast to the life-course persistent group, because the adolescence-limited group displays 'normal' pre

delinquent development, most possess the characteristics and abilities necessary to desist from offending as they move into adult roles, for example, the ability to form good relationships and the cognitive skills required to begin a career. Members of this group are usually able to return gradually to 'a more conventional lifestyle' (Piquero and Moffitt, 2004). There can of course be 'snares' which delay or hamper a return to a conventional lifestyle, such as receiving a criminal record, drug addiction and unwanted pregnancy. These people, according to Piquero and Moffitt (2004), should be considered only the unhappy few (Piquero and Moffitt, 2004).

Moffitt's developmental taxonomy, with its explanation of persistent offending based on a distinction between life-course and adolescence-limited offenders, has support from a number of sources (see Piquero and Moffitt, 2004 for a full summary). One study, for example, that focused explicitly on the age-crime relationship by using self-report data from a cohort of 16-25 year old males in England and Wales, found a significant difference between those who had left school by 16 years and those who had not, particularly for property and handling stolen goods offences. Those who had stayed on at school past 16 years of age were found to have desisted from these crimes at a much earlier age (Lehr et al., 2003). Leaving school prematurely has been identified as a significant 'risk factor' for indicating likelihood of a future criminal career (e.g. Farrington and Hawkins, 1991).

Moffitt's taxonomy (1993, 1999, 2003) is not, however, without its challengers. The two group distinction, for example, has been considered by some overly simplistic, with further groups being identified such as 'low-level chronics', who although they persistently offend throughout the life-course, they do so at a relatively minor offence level. As such they do not appear to fit into either of Moffitt's offender groups (see Piquero and Moffitt, 2004 for a candid self-critique).

Such argument is beyond the scope of the present thesis, but it suffices here to say that Moffitt's taxonomy supports the premise of active serious 'versatile'

offenders who persistently offend, committing an array of different offences and who certainly will not cavil at more minor criminality. Even the critics would not reject the general validity of the distinction between those whose criminality is transient and those whose offending endures.

2.2.2. Environmental and situational focused approaches

Let us rehearse the argument. There is no single simple theory which can account for all (or even the majority of) criminal behaviour (Ainsworth, 2001). Likewise, certain identified individual or dispositional factors may make it more likely that some will commit crime, but it is by no means certain that those 'disposed' to will offend, and that those not so inclined, will not. Even the most criminal of individuals does not offend all the time. Offenders are usually selective by necessity. If not then their criminal careers would always be curtailed soon after they had begun. At the risk of being extreme, serial killers are not serial killers' twenty-four-seven' as they would soon be identified and there is ample evidence that they are selective as regards when and where to commit their crimes (see e.g. Holmes and Holmes, 2002; Ainsworth, 2001; Alison et al. 2007). To understand the reasons why some crimes occur, external environmental and situational factors must be considered alongside individual and dispositional ones. This is the realm of what is known collectively as *environmental criminology* (Brantingham and Brantingham, 1991).

Environmental criminology is a family of theories that shares a common interest in criminal events and the immediate circumstances in which they occur (Wortley and Mazerolle, 2008, p.1)

Environmental criminology differentiates itself from mainstream criminology because it views a crime as an event that must be understood as 'confluences' of offenders, victims/targets and laws, in specific settings at specific places and times (Brantingham and Brantingham, 1991, p.2). Environmental criminologists look for crime patterns which they seek to explain in terms of environmental influences (Wortley and Mazerolle, 2008). Environmental criminology's distinctive perspective on crime is most in evidence in its contrast with more traditional

criminology in that it chooses not to seek to explain how biological, developmental and social factors combine to yield criminality. The environment is deemed a critical determinant of whether or not a crime is committed. Environmental criminologists are concerned with what the current dynamics of a crime are, for example, where did it happen, who was involved, how did they do it etc. (Wortley and Mazerolle, 2008). Put bluntly, it is about preventing crime by modifying those properties and elements identified as facilitating its commission. For example, alley-gating initiatives in the UK in recent years were implemented to reduce environmental factors identified to be conducive to crime, such as the closing of alleyways, in high crime areas, used by offenders (particularly burglars) as a means of concealment and escape (Bowers et al., 2005). Not about understanding how individuals become criminal in the first place and even less about reforming or rehabilitating them. In this approach offenders are so inclined, for whatever reason, end of story. Environmental criminology is comprised of a collection of theories and approaches which contend that in order to understand and prevent crime, detailed attention must be paid to crime opportunities afforded by different environments. A person using a mobile phone whilst walking along a busy street, for example, represents a robbery opportunity to some (and an opportunity for a road traffic accident to our distracted phone-user!). These notions are explored below and their respective importance to the present thesis made explicit.

Rational Choice Theory

The perspective that rationality underlies most human decision-making is by no means new, representing a cornerstone of *classical* criminology (e.g. see Hopkins Burke, 2005; Newburn, 2007). The British philosopher and lawyer, Jeremy Bentham, stated that rational behaviour is that which is consistent with logic, with a logical fit between the goals which people strive for and the means available to achieve them (e.g. see Hopkins Burke, 2005, p.23). Crime is considered rational behaviour (at least in the short term) if the criminal employs reason and “acts purposely to gain desired ends” (Walsh and Ellis, 2007 p.56).

Cornish and Clarke (1986, 2008) delineate their rational choice perspective from others,

Instead of viewing criminal behaviour as the outcome of stable criminal motivations, it views the desires, preferences and motives of offenders and potential offenders as similar to those of the rest of us, and as in continual interaction with contemporary opportunities and constraints to produce, reinforce and sometimes reduce criminal behaviours (Cornish and Clarke, 2008, p.21).

Cornish and Clarke's (1986, 2008) rational choice perspective is very much centred in the here-and-now, as is wider environmental criminology. It is about the influence of current environment on behaviour and environmental/ learning theory (Cornish and Clarke, 2008). Clarke and Cornish (1986 - reproduced in Cornish and Clarke, 2008, p.23) list four main elements of their approach summarised below;

1. While an individual's emotional inheritance and upbringing play some part in delinquency, the major determinants are those provided by the current environment.
2. The current environment provides the cues and stimuli for delinquency as well as the reinforcements.
3. Since delinquent acts are learned in particular environments, they will be repeated under closely similar conditions. Consistencies in behaviour over time are therefore dependent on consistencies in environments.
4. Delinquent acts of different kinds do not serve equivalent functions for the actor; each is acquired and maintained by situational variables specific to it, and it alone. This is not to deny, however, that some individuals, by virtue of their particular circumstances, may learn a range of delinquent behaviours.

The significance of Rational Choice Theory to the present thesis is that it predicts that individuals will offend if they consider the environment and situation

conducive to do so. That is if the perceived risks are sufficiently low and perceived rewards sufficiently high. The perception of risk and reward is obviously subjective. Where one individual interprets a perceived crime opportunity as too risky, another may not. A rational choice perspective, therefore, supports the central premises of self-selection policing. First, individuals are likely to be versatile in their offending as opportunity plays a role and as opportunities vary, versatility is anticipated. Second, active serious offenders are highly unlikely to cavil at committing minor offences as, by definition, minor crime generally carries little risk of serious punishment. Put another way, those who take large risks to commit serious crimes are not likely to be deterred by small risk minor crimes. The writer shall explore research evidence for these premises in due course; for now the concern continues to be with theoretical explanation.

Routine Activity Theory

Arguably, the theoretical approach in criminology that has most strongly advocated the importance in crime causation of the intersection of individual and setting is the routine activity approach (Cohen and Felson, 1979; Felson, 1994, 1998; Cohen and Felson, 2008). Cohen and Felson suggest that much of the crime committed in cities occurs because of the convergence of three elements – *a motivated offender, a suitable victim or target and the absence of a capable guardian* (someone or something whose presence would have deterred the offender, even if just a member of the public passing by). The principal focus is predominantly about how different types of environment and setting influence the occurrence of crime, rather than about how types of individuals' intersections with types of settings create specific acts of crime (Wikström, 2005). The focus is, therefore, on what makes good targets of opportunity, and not how the offender got to be motivated, variations in degree of motivation, or how motivation intersects with the situational features present (Pease, 2006, p.56). Felson (1998) indeed suggests that crime needs no special motivation as it is mainly the result of an absence of controls to prevent it, "crime is committed mainly by

people who are tempted more and controlled less” (Felson, 1998, p. 23).

Offender decision-making, according to Felson, is easily understood: each offender has situational inducements to commit a crime and will be more induced to commit it the more rewarding and less risky it is perceived to be (Felson, 1998).

The neglect of focus on what causes criminality has led some to accuse supporters of the rational choice and routine activities approaches of taking a ‘cardboard cut-out’ view of the offender (Ekblom, 2007), where he or she plays little part other than responding to environmental contingency. To be fair to Cornish and Clarke, they describe it as an evolving approach and modify it periodically in light of constructive feedback (e.g. Wortley, 2006). Further, manipulating environmental contingencies is less restrictive of individual liberty than seeking to change people.

The shift in emphasis which rational choice and routine activity theories represent is (or at least was at the time) ‘seismic’. As Ainsworth points out; committing crime is seen as ‘normal’;

Far from seeing crime as a fringe activity committed by a small number of ‘bad people’, the theories see much crime as a ‘normal’ part of modern life (2001, p. 53).

Routine Activity Theory (RAT) has been supplemented by related perspectives (e.g. Brantingham and Brantingham’s, 1993 Crime Pattern Theory) and has done a lot to advance our understanding of the importance of the role of settings and environments in crime causation, contending that crime rates are best regarded as the unwanted consequence of routine everyday life (Pease, 2006). With collective changes in routines playing significant roles in types of settings that crime occurs (Wikström, 2005). One example offered is burglary which was seen to rise in America in the 1960s as a consequence of women beginning to enter the workforce for the first time in large numbers. More women at work meant

fewer 'capable guardians' at home, translating to more opportunity for burglary (Cohen and Felson, 1979; Felson, 1994). Felson also addresses issues such as the widening gap between sexual maturity and economic independence as a factor inclining to crime (i.e. sexual maturity comes earlier and economic independence now comes much later in life, if indeed it comes at all).

Devised initially as an explanation for street robbery but based now on extensive research on other types of crime, Routine Activity Theory lends strong support to the self-selection approach by identifying environments and situations as important in crime commission, with versatile offenders demonstrating a heterogeneity in their offences, acting (or not) on opportunities as they present themselves rather than as dedicated crime specialists. Cohen and Felson (although initially concerned with violence), subsequently make little distinction between a routine activities explanation of serious and minor offending, their theory being one for all crime.

Although the routine activity approach has concentrated on the supply of criminal opportunities (the role of settings especially) and the role of general social factors in determining 'motivated offenders', it has rather neglected the role of individual differences between offenders. Nor has it sought the mechanisms through which at the point of intersection of individual and setting, individuals are moved to commit acts of crime (Wikström, 2005; Pease, 2006). Attempts to link the theory to *Control Theories* (Hirschi, 1986; Hirschi and Gottfredson 1988, Gottfredson and Hirschi, 1990; Gottfredson and Hirschi, 2003) and *Rational Choice Theory* (Cornish and Clarke, 1986, 2006) although acknowledged, have so far mostly been a question of saying that it is a good idea, and that they are complementary, rather than saying how they could and should be integrated (Wikström, 2005; Pease, 2006).

Crime Pattern Theory

Another important component of environmental criminology is known as Crime Pattern Theory (Brantingham and Brantingham, 1984, 1991, 1993). This seeks to explain why crime occurs where it does, which is another important consideration when trying to discern whether criminals are offence homogeneous or heterogeneous.

Brantingham and Brantingham emphasise that crime is not randomly distributed in time and space; instead it is clusters in patterns (1984; 2008). The identification and understanding of which is the objective of their Crime Pattern Theory (CPT). In CPT the form of clustering is greatly influenced by factors such as where people live, how they travel about and how 'networks' of people spend time with each other. Individuals, according to CPT, move around in 'activity spaces' encompassed by several primary 'nodes' such as place of residence, place of work and places of shopping and leisure (e.g. shopping malls, sports centres and pubs), connected by pathways (Brantingham and Brantingham, 1984, 2008). According to CPT, those who commit crime have spatio-temporal movement patterns like anyone else, that is, they move between nodes along pathways (Brantingham and Brantingham, 1984, 1993, 2008). Criminals, therefore, are most likely to commit their initial crimes (at least) along learned paths or activity nodes, between residences of friends, places of work and places of leisure. This is explanation for why crime clusters in these areas, some becoming crime generators and some crime attractors. Brantingham and Brantingham claim that,

When looking at the representation of crime locations, consider individual offenders and their routine activity spaces; consider networks of friends who engage in some crimes and their joint activity spaces; consider the location of stationary targets and the activity spaces of mobile victims and mobile targets and the catchment areas of fixed targets. The patterns are dynamic. Keeping that in mind will make it possible to understand crime patterns so that crime reduction interventions that produce levels of displacement can be designed (2008, p.91).

The importance for the present thesis is that this approach suggests offenders commit crimes between home, work and their activity spaces, as they move

around engaged in their daily routines. Presumably, serious offenders also commit minor offences routinely and probably more frequently. This is a point made here and revisited more comprehensively a little later in the chapter.

To summarise the discussion of environmental criminology thus far; it comprises several underlying theories that advocate (both individually and collectively) an environmental and situational approach to understanding crime, rather than a preoccupation with explaining the offender and their motivations (i.e. dispositional approaches). As such, it supports the premise that offenders are likely to be offence heterogeneous, choosing to commit crimes as opportunities present themselves as they go about their daily routines.

Offenders and their environments

Wikström (2005) identifies two central problems of criminological theory. These concern identifying causal mechanisms and integrating levels of explanation. The former refers to “causes and correlates” (e.g. Farrington, 2000) and the latter to the problem of “connecting individual and ecological levels of explanation” (e.g. Reiss, 1986; Jensen and Akers, 2003). In other words criminologists, for the past few centuries at least, have toiled relentlessly first to uncover and separate variables which cause individuals to offend from those which merely correlate with offending, and second, to identify how causes and environments intersect in offending (how they come together and interact).

Although such debate is important it is beyond the scope of this chapter. The literature review presented so far has taken in pertinent criminological and psychological theory, and has found much to support the central premise of the self-selection approach that offenders will tend to be heterogeneous (as opposed to homogeneous) in their offending. The heterogeneous offender premise will now be more explicitly explored as a review of the ‘criminal careers’ literature is presented next.

2.3 The criminal careers paradigm

A criminal career has been defined as, “the characterization of the longitudinal sequence of crimes committed by an individual offender” (Blumstein et al., 1986, p.12). Use of the term 'career' to describe a sequence of offences is an interesting one, conjuring up a mirror image of a 'legitimate employment' career comprised of elements such as roles, positions, organisations worked for, promotions and responsibilities held. With a 'legitimate career' it is commonplace to consider a longitudinal view of how an individual has moved through their working life, from place to place, job to job, role to role etc. A career, for example, can be one role or position, one role but many positions or as is perhaps most common nowadays, a plethora or diverse roles and positions throughout an individual's working life.

The notion that offenders have 'criminal careers' somehow analogous to legitimate mainstream careers, has on the whole, been useful to criminologists examining individual offending patterns over time (Wortley and Smallbone, 2006; Smallbone et al., 2008). All criminal careers definitely have a beginning (*onset*) and an end (*desistance or death*), with most displaying a high degree of offence versatility (often referred to as *switching* in criminal career parlance) (Blumstein et al., 1986). Extant criminal career research shows a concentration on the onset of a criminal career (e.g. Farrington, 1986; Farrington et al. 1990) to identify factors such as when, how and why an individual is initiated into crime. This is commonly referred to as 'developmental criminology' (e.g. Farrington, 2002)

Within individual careers, sequences of offences are analysed and particular attention given to several cornerstones; type of offence committed, seriousness of offences (including escalation and de-escalation) and frequency of offending. Adoption of what has become known as the 'criminal career paradigm' (Blumstein et al., 1986) has facilitated a developmental approach to criminality, helping to identify risk and protective factors along pathways to crime, which

some assert has led to more effective crime prevention policies and practices (e.g. Wortley and Smallbone, 2006; Smallbone et al., 2008). There is a danger, however, in taking the career analogy too literally. Providing a career framework for an individual's offences over time can produce a misleading image of the organised individual who picks and chooses offences in a structured ambition-driven way. As with mainstream careers, what must be remembered is that a 'career' is subjective and may represent instead a catalogue of disorganised, seemingly random and opportunity based crimes, some of which will be considered unsuccessful by virtue of being brought to the attention of the authorities. A criminal career may often mirror a similarly disorganised legitimate career, perhaps along the lines of, *unemployed - MacDonald's - unemployed - Tesco - unemployed*. The point being made is that one needs to be acutely aware that the term career does not just represent positive attributes such as structure and choice, it also covers uncertainty, indecision and periods of inactivity, voluntary or otherwise.

2.3.1 Onset and desistance: the initiation and end of a criminal career

The boundaries of any criminal career are defined by its onset and end, with a career, as such, enduring over the time elapsing between the two. Arguably the most popular focus of criminal career research is onset; principally why juveniles might embark on a criminal career in the first place.

As touched on previously, certain 'risk factors' such as; parental criminality, 'poor parenting' (whatever this is), a lack of academic achievement, truancy and drug use have been identified as possible explanations for why some turn to a criminal rather than legitimate career path. Those deemed 'at risk' are considered more likely to embark on criminal careers than those not deemed to be (e.g. Farrington et al. 1990) as they offend more frequently and are more likely to commit serious offences (Blumstein et al. 1988; Loeber and Le Blanc, 1990; Farrington and Hawkins, 1991; Nagin and Farrington, 1992; Piquero et al., 1999).

Piquero and Moffitt (2004) suggest that no facet of crime has received as much attention as age, with the relationship between age and crime being well explored (see e.g. Hirschi and Gottfredson, 1983). Much of the research focusing on this relationship suggests that the aggregate pattern is one where criminal activity peaks in the mid-teens to early twenties and then, for many, stops or at least declines into adulthood. This suggests that for a majority of offenders, crime is a sort of 'rite of passage' or phase, which many will eventually mature out of.

Often, conclusions drawn from criminal career research are developed from the use of aggregate crime data, which itself is not beyond criticism. The extent that conclusions can be reliably drawn from the use of large aggregate data sets is consistently controversial. To simplify the argument, the degree to which we can be sure that common conclusions (e.g. the peak age of offending or that early-onset is indicative of a long criminal career) can be drawn from such large aggregate data-sets which are sensitive to skewing by the few, is highly debatable. For example, one frequent criticism of aggregate data is that it is not easy to discern whether crime rates are as they are as a result of a large number of individuals committing few crimes each, or whether it is because a few individuals are committing a large number of offences (e.g. Blumstein et al. 1986). Piquero et al. (1999) expand further, asking how far the observed peak of the aggregate age/crime curve reflects changes within individuals as opposed to changes in the composition of offenders. Put another way, for example, is the peak in the age- crime curve a function of active offenders committing more crime, or is it a consequence of more individuals offending at those peak years?

Farrington (1986) suggests that the aggregate peak offending age primarily reflects variations in prevalence and not frequency as is often thought. If this is the case then it provides some evidence for the existence of a small select group of persistent offenders, actively offending well into adulthood. As I write, this view is the underpinning theory of the Government's 'Prolific and other Priority Offenders' policy where prolific offenders are to be identified and targeted by

those agencies tasked with reducing crime in England and Wales. The present thesis explores the utility of self-selection policing in identifying such individuals, by dint of their committing minor offences.

The reasons why people desist from crime has received much less attention from criminologists (Le Blanc, 2002). Individuals often desist of their own volition when they reach adulthood, as demonstrated in the above discussion of the age-crime curve (e.g. Hirschi and Gottfredson, 1983; Farrington, 1986). Influencing factors include choosing to concentrate on a legitimate career, involvement in a serious relationship, the onset of parenthood or a decision to 'go straight'. Others have desistance (or at least periods of it) forced on them by the criminal justice system (e.g. a lengthy prison sentence). In the long-run of course, death is the ultimate end to a criminal career, however entrenched it might be (see Maruna, 2007 for a good discussion of why and how ex-criminals have apparently desisted).

2.3.2 The frequency of offending

The frequency with which an individual offends, usually notated as lambda, is a fundamental feature of their criminal career (Blumstein et al., 1986) with individual offence rates reflecting the frequency of those actively offending. Thus affording some idea of the intensity with which they offend. Individual frequency rates for active offenders are calculated via two main approaches, offender self-reports and official records of arrest histories, both of which have been criticised for being 'unreliable'.

The self-report approach has been criticised because it generally relies on a subset of offenders willing to co-operate with researchers. This is open to problems of bias such as offenders misrepresenting the truth or experiencing erroneous recall. For example, a self-report study by the Rand Corporation attempted to approximate offending frequency by interviewing offenders in local prisons. This

sample was restricted because only those who had committed crimes serious enough to warrant incarceration participated (Peterson and Braiker, 1980, cited by Blumstein et al., 1986). The implication being that self-report studies are generally completed by those deemed serious offenders (as opposed to minor) and often limited to known unsuccessful serious offenders – unsuccessful by dint of their incarceration.

A major problem in using official arrest data to estimate individual offending rates is that of all crimes committed, only a relatively small number of offences end in arrest. There is an additional problem of arrest recording error (e.g. see Walsh and Ellis, 2007). For example, the ‘Carnegie-Mellon studies’ used the official arrest records of a sample of arrestees who had committed at least one index offence during the years sampled (Blumstein et al., 1986). The research design excluded those offenders who engaged exclusively in minor offending. So an attempt to estimate the frequency rates of individual offenders was conducted on an unrepresentative sample, precluding the generalisation of any findings to the wider offending population. The neglect of minor offences in criminal career research is a point that will be consistently revisited throughout this chapter.

2.3.3 Offence specialists and generalists?

There is a small but significant degree of specialization, superimposed on a great deal of versatility (Farrington et al., 1988, p.483)

In his classic study of the careers of ‘criminal types’ in California in the late 1960s (e.g. thieves, dope fiends and hustlers) John Irwin found each was defined by their distinctive offending patterns. For example, thieves engaged in theft, burglary or robbery; hustlers in various types of fraud and deception; dope fiends in drug related offences and so forth, suggesting that the criminals in this study at least specialized in their offending (Irwin, 1970). Offence specialization, can be described as ‘the tendency to repeat the same offence type on successive crimes’ (Fisher and Ross, 2006, p.151). Identifying offence specialization is important because,

If being a robber is a specialized way of being a criminal, in the same way that being a plumber is a specialized form of legitimate employment, then it makes sense to try to understand crime in terms of distinctive forms of recruitment and training, specialized knowledge and expertise, and its expression in distinctive forms of criminal behaviour that are stable over time (Fisher and Ross, 2006, p.152).

Whether offenders specialize (or not) in their offending holds no little importance for broader criminological explanations, crime control and more pertinently, for the thesis being presented. If the overall findings of studies of criminal careers generally points to a high degree of offence specialization, then crime should be responded to in ways that target specific motivations and behaviours of particular criminal types. For example, what makes robbers rob or what makes violent criminals violent. Evidence of high offence specialization makes self-selection policing a much less attractive prospect, with bank robbers, for example, robbing banks yet baulking at parking getaway cars on double-yellow lines! If a high degree of offence versatility is found (i.e. no specialization) then crime appears a more generalisable phenomenon, one based less on specialized knowledge or skill and more on classicist ideas such as opportunity and rational choice. Here less targeted general explanations for the causes of criminal behaviour are preferred. For example, economic and/or social deprivation, whereby social and economic inequality is considered criminogenic rather than individual dispositions (Fisher and Ross, 2006). The criminal career literature, with its central focus on identifying whether careers are more offence versatile than specialist, is therefore of obvious importance when exploring whether self-selection policing is a method worth pursuing.

2.3.4 Specialists or generalists: A false dichotomy?

In other words, people who commit one type of offence have a significant tendency also to commit other types. For example, 86 per cent of convicted violent offenders in the Cambridge Study, also had convictions for non-violent offences (Farrington, 2002, p.363).

Leonore Simon, in his illuminating article entitled '*Do criminal offenders specialize in crime types?*', considers offence specialization not only to be a

'myth' but one "perpetuated by researchers and legal actors who emphasise the heinous homicides perpetrated by the offender while playing down other forms of criminality" (1997, p.35). As an example, he cites the varied and extensive criminal career of US serial killer, Henry Lee Lucas, at the expense of Lucas' most heinous crimes (Simon, 1997, p.35). By 'researchers' one trusts he means those investigating criminal careers, and there is merit in his appraisal as arguably such researchers have tended to neglect minor offences and those which do not readily fit into neat crime categories.

Criminologists have traditionally expended a lot of energy trying to distinguish whether career criminals are specialists' or 'generalists' (e.g. Blumstein et al., 1986; Tarling 1993). Some have gone so far as to say that this has plagued criminology, consistently leading to disappointing results (Simon, 1997; Soothill et al.; 2000). Others suggest instead that criminologists must abandon their insistence on the false dichotomy that offenders are *either* specialists *or* generalists (versatile in their offences), in the face of overwhelming evidence that says they can be and indeed are both (Soothill et al., 2000, p. 57). To explore this proposal further we shall briefly examine research which focuses on the careers of sex offenders, who are generally thought to be the most 'specialized' of serious criminals.

Those arguably considered the most specialist of criminals are sex offenders; supposed pathological individuals, dangerous, yet identifiable, evidenced by dedicated legislation in the UK introduced to deal with them such as the Sex Offenders Act 1997, the Children (Protection from Offenders) Regulation 1997, and provision in the more generically prescribed Crime and Disorder Act of 1998. Also meriting in some quarters, specialist probation handling (Soothill et al., 2000). As such, it is a common belief that sex offenders pose many different problems in contrast to other types of offender, such as having a deeper entrenchment of offending problems and a greater risk to the community. It is not difficult to understand why this group of offenders is considered to comprise consummate specialists (Soothill et al., 2000)

In their study of the criminal careers of over 7000 UK sex offenders, Soothill et al. (2000) found evidence of differences in offence specialization and versatility between different groups of sex offender. For example, with males convicted of underage sexual intercourse (statutory rape) having a versatility taking in the spectrum of criminality. Whereas, those convicted of indecency between males were infrequent re-offenders and when reconvicted this tended to be for the same offence. Soothill et al. (2000) conclude that with regard to criminal careers, criminologists need to recognise that offending specialization and generalisation (versatility) exist at two levels, sex offenders may be specialists, generalists or both. They sum this up by way of a wonderful analogy (for those of us who follow sport anyway),

A person may play many sports, but specialize in football with a favoured position of centre forward. A person can, indeed, be regarded as a versatile sportsperson and a specialist football centre forward at the same time. A sex offender can behave in the same way (2000, p. 57).

To rehearse the review of the criminal careers literature presented so far, much of the evidence points to career criminals displaying some specialization, but overwhelmingly showing versatility in their offending, leading some to suggest that presenting a criminal career in terms of representing offence specialization or versatility, is a false dichotomy. Indeed, there are degrees of specialization and offending versatility. With regard to the present thesis, the seemingly overwhelming evidence for offence versatility firmly supports one of the main premises of self-selection.

Another important aspect of a criminal career concerns offending escalation, that is, do career criminals move from minor to serious criminality as their career progresses - sometimes termed the 'graduation hypothesis' and It has been suggest that; "a belief in escalation is probably the most widely held view of the patterns of criminal careers" (Blumstein et al., 1986, p.84).

One commonly accepted description suggests escalation is;" the tendency for offenders to move to more serious offence types as offending continues" (Blumstein et al. 1986, p. 8). Loeber and Le Blanc (1990) suggest that there are many ways that quantitative changes (e.g. degree, direction and velocity) and qualitative changes (e.g. conservation and paths) in offending can be shown above and beyond mere escalation. They criticise the 'offending cycle' as being too narrowly pre-occupied with the increasing seriousness of the offence and the tendency for offenders to modify their offending both quantitatively and qualitatively as they continue to offend throughout their career. Offenders can and do 'de-escalate' their offending, through choice, lack of opportunity or incarceration etc- this can be in frequency or in seriousness. Le Blanc and Frechette (1989) propose a definition of escalation which is less focused on seriousness, instead, "the movement on a sequence of diverse forms of delinquent activities" (cited in Le Blanc, 2002, p.102). This definition affords more support to the premise that serious offenders commit routine minor offences, the alternative being preposterous; that those offenders who 'graduate' to serious offending only commit serious offences thereafter. Escalation, therefore, should not be considered the only way of characterising an offending cycle. It is more instructive to think of a triangular distribution, with high seriousness offences more often being associated with a range of offences of lesser seriousness.

Before moving from a review of the criminal careers literature a discussion of the methods used to analyse criminal careers shall be presented. Such focus on methods used is important as it underlies research which identifies offence versatility and specialisation.

2.3.5 Methodological concerns

Wolfgang et al. (1972) introduced the transition matrices approach into criminal career analysis with their study of criminal careers, in which they concluded that there "is a weak propensity toward offence type specialization" (1972, p. 249). Transition matrices, 'assess the probability of being charged with the same

offence on consecutive offending episodes' (Fisher and Ross, 2006, p. 155). This method is well explained by Roger Tarling,

Transition matrices show the probability of committing an offence of type j , having committed an offence type i on the previous occasion. Hence, the probabilities P_{ij} indicate the chances of switching from one type of offence to another (offence i to offence j). The probability of committing the same type of offence on each occasion (P_{ii} , P_{jj} etc.) indicates the extent to which offenders specialize in their criminal behaviour (1993, p.120).

The degree of escalation or (de-escalation) in the seriousness of offending can be gauged by calculating the probability of committing a more or less serious offence on subsequent occasions (Tarling, 1993), whereby separate matrices can be constructed for successive offences at different transitions in a criminal career (e.g. first to second offence, second to third, ninth to tenth etc.).

Transition matrices are similar in process to first order Markov chains, which look at the ability to predict future behaviour from past behaviour (e.g. see Wolfgang et al, 1972; Tarling, 1993; Le Blanc, 2002). A brief discussion of this matter is now provided in anticipation of fuller discussion in chapter seven.

In the first order Markov process, generally considered the simplest, it is assumed that the next type of offence committed is dependent on the current type of offence committed. It is not dependent on the types of previous offences committed. It is, therefore, 'memory-less', in that knowing previous offences is considered unhelpful in predicting likely next future offence types (Tarling, 1993, p.134). It suffices to say here that transition matrices (and Markov) were intended to deal with offence progression and regression over a whole criminal career (i.e. from first to last offence) as well as the escalation from minor offences to serious offences. Further discussion of the processes involved is saved for chapter seven which deals explicitly with the issue of police predictions of likely next offences, but it is pertinent to now provide discussion of some of the problems and limitations identified with criminal career research.

Criminal career research is fundamentally *quantitative* depending on large amounts of offending data. Although different methodologies are employed, all take criminal behaviour as their starting point, approaching each criminal incident, which although considered unique (i.e. a unique combination of offenders, situations, victims and locations) by codifying it, so making it amenable to statistical analysis. The use of this codification enables the extraction of underlying patterns, such as similarities and differences between successive episodes of offending.

In their paper exploring methodological issues in offender specialization, Fisher and Ross (2006, p. 154) suggest the degree of specialization identified in a criminal career is often affected by four key elements involved in the codification process of criminal behaviour. These are summarised (my words) below;

1. Data sources used to represent offending- Most studies of criminal careers use 'officially' recorded data (e.g. by police and courts), the problems with taking such accurate representations of offending patterns are well documented elsewhere (e.g. Burrows et al., 2000; Kazemian and Farrington, 2006). These include the fact not all crime is first reported, second recorded and third detected. Also, how the elements of a criminal incident are officially recorded depends on interpretations placed on them by individual police officers and victims (e.g. the difference between aggravated and non-aggravated burglary, and between criminal damage to a dwelling and attempted burglary). In sum, criminal career research finds itself in the same predicament which besets much criminological research; just how representative are any findings extracted from the problematic large-scale data sets available?

2. Offence classifications – How offences are classified has an obvious effect. Violence, for example, is a commonplace category in criminal career research and is used to represent a whole host of different offences such as

murder, robbery or sexual assault; mistakenly considered similar enough to class the criminal career to which they hail as 'specialized'. The degree of generality of classification influences the degree of specialization attributed to an individual criminal career. The number of categories used is also important especially where rarer offences are 'lumped' together in order to make a total number of working categories more manageable. Violence should not, by any means, be considered the only 'bucket' crime category as minor offences, as we shall see, are often treated in an even less discriminating way, categorised at best as 'sundry offences' and at worst as simply 'other' offences.

3. The categorisation of mixed offending episodes – In order to be able to make comparisons across offending episodes it is a requirement, for most criminal career analysis, that each is represented by a single offence category (e.g. burglary, robbery or violence). This is problematic when an event comprises several offences. One accepted method (e.g. by Farrington, et al., 1988 and in Home Office crime recording conventions) is to categorise an episode according to the 'most serious offence' committed (MSO method), where each offence within a classification is given a 'seriousness ranking' - the highest ranked (most serious) offence chosen in a multi-offence episode. The most obvious problem with this approach is in representing mixed offending episodes with a single offence category (or code), it oversimplifies the episode itself, resulting in, as Lattimore et al. (1994) suggest, ignoring the fact it might be evidence of versatility in the first place, thus overstating specialization. The reverse is equally possible, for example, if our offender in episode one commits violence and drug offences, and then in episode two commits drug and property offences, then the MSO (taking the most serious offence) method would overstate offence versatility. It is perhaps more plausible, however, if we view our offender as a drug offence specialist, with the other offences (i.e. violence and property) more suitably viewed as by-products of drug offending. On balance, however, in the light of the available

literature, the writer takes the view that offence specialization identified in criminal career research is over-represented at the expense of versatility.

To revisit the argument in the context of the present thesis, the self-selection approach will find slim pickings by way of usable data from criminal career research, for the primary reason that the latter generally treats minor offending of little importance. Indeed, at best, minor offences are arbitrarily 'lumped' and categorized as 'other' or 'minor offences' or lost in the categorization of mixed offending episodes, and at worst ignored altogether.

2.3.6. Strategic offences in criminal careers

As discussed, identifying those individuals most at risk of embarking on a criminal career, as early as possible, is considered an important means of controlling and preventing crime (e.g. Farrington, 1995), with the 'risk-factor' prevention approach (e.g. Hawkins, 1999 and Farrington, 2000) probably being the most well-known method of achieving this objective. There are, however, other ways, for example:

Another way of achieving the same objective is to identify those offences whose appearance early on in a criminal career indicate that the future delinquent career will be extensive (Svensson 2002, p.395).

What is important to the present thesis is not so much that Svensson focuses on age of onset as indicative of a likely criminal career, but that he tries to distinguish whether certain types of first offence are more indicative of subsequent criminality than others. Although clearly focused on the beginning, rather than the trajectory of a criminal career, a cross-over with the self-selection approach is apparent. Both suggest that certain types of offence are more indicative of more serious and/or 'chronic' offending than others, referred to as 'strategic offences' (e.g. Wikström, 1995).

In the study of strategic offences in a criminal career context, Svensson focused on the first (and subsequent) recorded offences committed by an offender cohort (born in 1960) from data utilized from the register of persons convicted of offences in Sweden (Svensson, 2002). A relatively simple categorization of different criminal career types was used, comprised of four groups of offenders according to the following definitions (2002, p.399):

- **One-time offenders** – those persons convicted on a single occasion and then never again. This group represented 57% of the cohort.
- **Occasional offenders** – those persons convicted two to three times. This group represented 25% of the cohort.
- **Repeat offenders** – those persons convicted four to eight times. This group represented 12% of the cohort
- **Chronic offenders** – those persons convicted nine or more times. This group represented 6% of the cohort.

Although only constituting 6% of the cohort, the chronic offender group was 'identified responsible for 52% of the cohort's total registered offending' (Svensson, 2002, p.399). Therefore, lending support to prior studies that found chronic offenders responsible for over 50% of all crime (e.g. Wolfgang et al., 1972; Blumstein et al., 1986). On average, offenders in this group were found to receive their first conviction at age 16, considerably earlier than individuals in the other three groups. Again supporting research that identifies early onset as a risk factor for future criminal careers (e.g. Blumstein et al., 1986; Farrington and West, 1993). These also had the most recent convictions. The career duration of the chronic offender was found to average approximately ten years where that of the repeat offender group, by comparison, was found to be four years.

Chronic offenders were found to have committed the "largest proportion of offences irrespective of the type of offence in question" (Svensson, 2002, p.401). When offences registered to each group was partitioned according to offence

type, although chronic offenders generally accounted for 50% of all offences in each different type, particularly high were the proportions of vehicle theft (78%), drug offences (67%), theft (64%), robbery (62%), fraud (56%) and other motoring offences (52%).

These findings further support the offence heterogeneity of serious offenders, who within careers, frequently commit minor offences (e.g. other motoring offences excluding drink driving) as well as those of a more serious nature such as robbery and arson (Bouhana, 2004). The Svensson study found that those individuals with vehicle theft as the principal offence in their first conviction ran the highest risk of becoming chronic offenders (27%) - car theft appearing to have the strongest claim to being a 'strategic offence' predictive of a chronic offender career path. As regards second convictions, the finding was that one in three of those convicted of assault, threatening behaviour, drink driving and other motoring offences 'will go on to be either repeat or chronic offenders' (Svensson 2002, p.401).

More than 40% of those with a second offence of vehicle theft and roughly a third of those with robbery followed the chronic offending career path. Although generally the probability that a person with a first conviction of 'other motoring offence' would become a chronic offender was considerably lower, the same offender after a second (or third) motoring offence conviction was more likely to become a chronic offender (Svensson 2002, p. 402). The cumulative number of 'other motoring convictions' appearing to be more predictive of a criminal career than the offence type per se. This was also found in a study of drivers issued with Fixed Penalty Notices conducted by Wellsmith and Guille (2005), discussed in detail later in the chapter.

In relation to the present study, the significance of the findings of Svensson (2002) is great. First, his study provides general support for the claim that the most persistent (often the most serious) of offenders are crime versatile as

opposed to homogeneous in their offending. Second, more specifically, it illustrates the possibility that some offence types (in this case at first offence) are more indicative of serious and chronic offending than others - that is they are better predictors of further offending. The crucial difference between Svensson's approach and the self-selection approach taken by the present thesis is one of tense. The former, endeavours to identify strategic offence types to predict future chronic and serious offenders, the latter to identify concurrent chronic and serious offenders from minor strategic 'trigger' offences.

An additional approach to understanding and preventing offending behaviour (which has been adopted by UK police) is that of repeat victimization.

2.4. Repeat victimization

In this review of the literature so far, two groups of explanations for criminal behaviour have been discussed which focus on the individual (dispositional factors) and those which focus on the environment and situation in which crime occurs. There is, however, an additional perspective which focuses on the victims of crime, particularly those who have been so on multiple occasions

Research on crime victimization by Farrell and Pease (1993) found that in England and Wales, 4% of the population suffer 44% of recorded crime. This indicates that crime victimization is far from proportionate, indeed it is highly disproportionate, a small number of people being repeatedly victimized. It appears that whether one becomes a victim of crime or not, has little to do with pure chance or random 'bad luck'. Ainsworth (2001) suggests there are a number of identifiable characteristics which make some more likely victims than others some being more obvious. For example, where victims of domestic violence remain living with a violent partner, the chance of repeat victimization is a readily identifiable high risk situation. Much repeat victimization research has focused on burglary, explaining why some residences are frequently targeted where others

are not. A house may be repeatedly targeted for a variety of reasons. Research by Bennett (1995) found that if a house is targeted repeatedly it may be because it almost gives off signals inviting intrusion; referred to as the *flag* explanation (Pease, 1998). These signals obviously need to be removed so the house is perceived to be a more formidable challenge by those thinking of burgling it,

Thus a house which was originally selected as a target because it had poor locks and was left unoccupied for long periods of time may become a much less attractive target if better locks are fitted, an alarm installed and a new occupant with a large dog moves in (Ainsworth, 2001, p. 56).

Pease (1998) suggests that a first offence educates the offender, serving to *boost* the chance of repeat victimization because they are now familiar with the layout of the house (e.g. entrance and exit points), the likely rewards available and confident because they 'got away with it' last time. Flag explanations of repeat victimization therefore, focus on the environment and situation (dwelling in the case of burglary), where boost explanations focus on the offender.

Knowledge of repeat victimization would facilitate more targeted crime prevention. If police and victims know who is likely to become a victim in the future whereby 'scatter-gun' initiatives, with little prospect of success, are minimized. This has led to a more predictive crime approach, especially for burglaries (e.g. Johnson et al., 2007). So is repeat victimization just about identifying victims, or does it also help to identify offenders?

Evidence suggests that those committing crimes against the same target are primarily the same offenders. A second offence against the same target being overwhelmingly committed by the same offender who committed the first (e.g. see Ashton et al., 1998). More supported is provided by Matthews et al. (2001) who found that such offenders tended to be the most prolific of criminals, with some perpetrating the same crime against the same victim dozens of times. For example, perpetrators of domestic violence and some 'career burglars'. Those who commit repeat offences, therefore, are likely to be the most prolific and

serious type of offender where understanding and utilising knowledge of repeat victims allows police to better interpret patterns of crime and apprehend the most prolific perpetrators (Pease, 1998; Everson, 2003). Everson and Pease (2001) suggest that the research on repeat victimization offers opportunities for the detection of crime and the targeting of active serious offenders (see also Bernasco, 2008).

If repeat victimization against the same targets by the same person (or group), is indeed the work of prolific offenders as suggested, then it follows that by identifying repeat victims police stand an increased chance of detecting prolific and serious offenders. By selecting the same victims and targets, prolific and serious offenders are drawing attention to themselves. Indeed they are self-selecting themselves for enhanced police scrutiny.

Having now established theoretical and empirical support for viewing offenders as crime versatile (as opposed to specialized), this chapter will now explore this notion of offender self-selection and move to present several fledgling self-selection studies. Although currently few in number, they demonstrate the practical utility of using this additional method of serious offender identification. We begin with some 'headline-grabbing' examples of notorious offenders uncovered by dint of their committing a minor offence, before progressing to more empirically grounded studies.

2.5 Self-selection policing: An emergent method

2.5.1. A question of 'dumb luck'?

The most sensational demonstration of the versatility of serious offenders are instances when notorious repeat killers and rapists have been uncovered, not so much as a direct result of long and protracted high-profile police investigations, but instead, because they have committed offences of a much more routine and less serious nature. A famous English example, concerns the notorious

Eighteenth Century highwayman (armed robber) Richard 'Dick Turpin' wanted for a string of crimes including murder. Turpin was apprehended and imprisoned for the lesser offence of stealing a horse, but the authorities were not aware of the significance of this arrest for several weeks. When they finally realised he was Turpin, he was hanged as a murderer.

Here are just a set of more contemporary examples, from Schechter and Everitt's *The A to Z Encyclopedia of Serial Killers* (2006);

- UK serial killer Peter Sutcliffe (AKA the Yorkshire Ripper), murderer of at least 13 women, was identified because he was found to have false number plates on his car. Presumably, he committed this minor offence to maintain anonymity from the manhunt launched to identify him.
- US convicted killer Charles Manson was arrested after police visited his house on suspicion of criminal damage offences.
- The serial killer 'Son of Sam' David Berkowitz was arrested after a parking ticket put him near the scene of one of his crimes.
- US multiple killer Daniel Rifkin when stopped for a minor traffic violation had the body of his thirteenth victim in the boot of his car.
- Wanted by the FBI, US cult leader Warren Jeffs was arrested when a police stopped the car he was travelling in for not displaying the necessary State plate. He was only the passenger

There are numerous additional examples of notorious criminals being identified by dint of the minor offences they have committed. Except for being caught committing a minor routine offence, all would have remained at large longer or

possibly indefinitely. For example, the Yorkshire Ripper was arrested due to the vigilance of a policeman checking the number plate on his car and finding it incompatible with that on record for the type of vehicle concerned, rather than as direct result of a one of the biggest ever UK police investigations. If it were not for the number plate check then who knows when, or if, the chain of events that led to his eventual arrest would have began. Some dismiss this as instances of nothing more than coincidence, perhaps just 'dumb luck'. But to be detected in minor crime, one has to have committed it. What's luck got to do with it (as Tina Turner almost sang)? Luck only comes into play with the non-use of self-selection policing.

Some crime fiction writers have (perhaps somewhat unwittingly) recognised the intuitiveness of self-selection, by often demonstrating an awareness of how minor offences can lead to the undoing of active, serious offenders, possibly more so than criminologists and police officers. The writer Val McDermid, , wrote in what is arguably her most famous novel, 'The wire in the blood', as far back as 1997 (two years before the Chenery et al. study of illegal parking in disabled bays),

Criminals are often caught by accident. He knew that: he'd seen programmes about it on the TV. Dennis Nilsen, killer of fifteen homeless young men, found out because human flesh blocked the drains; Peter Sutcliffe, the Yorkshire Ripper, despatcher of thirteen women, nicked because he'd stolen a set of number plates to disguise his car; Ted Bundy, necrophiliac murderer of as many as forty young women, finally arrested for speeding past a police car at night with no lights'. (McDermid, 1997, p.63).

Such real and fictional examples are important for two main reasons. First, they show that it is common knowledge that some of the world's most notorious offenders have been uncovered by minor infractions of the law, and as such they demonstrate the intuitiveness of self-selection policing. Second, they expose those who choose to frame such events as attributable to the amazing 'bad' or 'dumb' luck of the notorious offender. Attitudes can only be modified if one knows who holds them. Self-selection policing necessitates a need to change the perception of such events from one of bad luck or 'accidents', to one of

opportunities for uncovering more active serious offenders, through the practical application of self-selection policing. The present thesis takes a humble step forward in this respect.

It is only briefly hinted at here, but self-selection is not limited to identifying active serious offenders during the commission of their crimes. For example, serial killers Charles Chitat Ng and accomplice Leonard Lok, were uncovered by a shop-theft with a victim's credit-card². Andrew Cunanan, the killer of fashion designer Gianni Versace, was identified when he tried to pawn his famous victim's jewellery.³ Arguably, this provokes a need for research into minor offences and their commission by serious offenders in what Cornish (1994) refers to as the different scenes and scripts within a crime event. For example, Sutcliffe used a minor offence (displaying false number plates) to facilitate his serious offending, where Chitat Ng and Lok, were caught committing a minor offence (using a stolen credit card) after their serious crime. However, this is beyond the scope of the present thesis, but was thought worthy of mention.

The present thesis being about self-selection policing (identifying minor trigger offences indicative of active serious criminality) is at obvious odds with the 'dumb luck' explanation. This chapter, for example, has endeavoured to construct a theoretical and research evidence base for self-selection and that is not going to be abandoned now in favour of mere 'coincidence'. Needless to say, in this section the 'dumb luck' approach is exposed as at best naïve and at worst deeply misplaced.

2.5.2. The beginning of an empirical research focus

² Found at http://en.wikipedia.org/wiki/Charles_Ng (accessed 28th July 2008)

³ Ibid

There are a number of early examples of offender self-selection. Kelling and Coles (1995) discovered that a substantial minority of 'Squeegee merchants'⁴ in New York, also had outstanding warrants for felony offences,

Thus, when an officer served a DAT⁵ for squeegeeing and the offender did not appear, that officer could make an immediate arrest, and jail time would follow. With punishment swift and certain, squeegeeing died out in a matter of weeks (Kelling and Coles, 1995, p.143)

The New York Transit Police found that by preventing individuals who jumped ticket turnstiles to avoid paying, a general drop in crime in the subway and trains occurred. The fall in crime was attributed to fare evaders also being those which committed many of the other offences (Maple, 1999).

One early piece of UK based research which demonstrated the potential utility of offender self-selection for uncovering serious criminality, stems from a pioneering local study of illegal parking in disabled bays. The findings suggested that one in five who had committed the minor offence, had outstanding warrants for the arrest of the registered keeper of the vehicle, or other characteristics which would have excited immediate police attention. When compared with 2% for legally parked adjacent cars (Chenery, Henshaw and Pease 1999). The incredibly annoying, but somewhat minor criminal behaviour, of illegally parking in disabled bays (when others nearby are available for use) was identified in this study as an indicator of active serious criminality; a link between major and minor offending established.

Another study found an identifiable link between shoplifting and burglary, concluding shop theft played an instrumental role in offending patterns of prolific burglars (Schneider, 2005). Interviews conducted with 50 prolific burglars revealed that 44 (88%) admitted to committing shop theft. Of these 26 did so

⁴ Squeegee merchant refers to those individuals who undertake unsolicited cleaning of drivers' car windcreens while at traffic lights and in traffic jams.

⁵ Desk Appearance Ticket – usually entailing an appearance at a police station to pay a fine.

daily and a further 8 did so 'several times a week'. Only 6 burglars claimed they had never stolen from shops.

Historically, the relationship between these offences within a criminal career has not been focused upon. Schneider suggests that this is due to shoplifting being considered a far less serious crime than burglary and more the province of juveniles, opportunists, drug users and those with mental health problems. As such, shoplifting is regarded of lower status than burglary amongst criminals (2005).

It would be fair to suggest that police consider shop theft a more minor crime than burglary and this is reflected in police structure. For example, robbery, violence and burglary crimes have dedicated teams or squads, but none as yet are known to the writer to be dedicated to shop lifting (a point revisited later in discussion of investigative practice). The identification of a definite link between shop theft and burglary- burglars are likely to engage in shoplifting more than burglary- leads Schneider to advise; "...that shop thieves be policed as though they were burglars on their day off rather than shop thieves pure and simple" (2005, p.3).

This research has several important implications for the present thesis. It provides added support, first to the perception of the versatile offender, second to the notion that serious offenders will not cavil at minor offences and third, that a considered minor offence such as shoplifting is indicative of active serious criminality, such as burglary. Schneider's study suggests that those who commit burglary self-select for increased police scrutiny by dint of committing, much more frequently, shop theft. Increased scrutiny of the lives of known these offenders should pay dividends in identifying many as burglars (e.g. visiting their houses may reveal the spoils of local burglaries). The findings of this study highlight shop theft as a trigger offence for identifying possible burglars and in practice this is an easier crime to detect (Schneider, 2005).

Willett's 1964 book *Criminal on the Road* was one of the first to focus on those who commit traffic offences, but Rose (2000) focused specifically on the criminal histories of serious traffic offenders. Rose explored the notion that those committing such offences were no more criminal than the average motorist, which had been the finding of a small study conducted by Steer and Carr-Hill (1967). This entailed investigation of the nature of serious traffic offending and the extent to which it is "interwoven with mainstream criminal offending" (Rose, 2000, p67).

In the Rose study, serious traffic offenders were divided into three groups; drink drivers, disqualified drivers and dangerous drivers, based on current convictions and incidents. As a group, serious traffic offenders were found to be predominantly white males, with the age profiles of dangerous drivers and disqualified drivers similar to those of more mainstream offenders with 60-75% aged between 18 and 32 years, although those in the drink driver category were found to be older (Rose, 2000). Those in lower social groups were more likely to commit licence and insurance offences. Risk factors such as family, schooling and peer groups were found to correlate with serious traffic offences mirroring mainstream offending (Rose 2000).

With regard to the crime versatility of serious offenders, Rose concludes;

An important point about a serious traffic offender profile, however, is the level of non-specialization of offence types – those repeatedly committing serious traffic offences are likely to commit mainstream offences as well. The evidence shows that serious traffic offenders cannot be thought of as otherwise law-abiding members of the public (2000, p.68).

Rose (2000) found areas of consistency with previous studies, for example, in Steer and Carr-Hill's (1967) distinction between 'dishonest offenders' and 'driving offenders'. The 'dishonest' group was found to include disqualified drivers and those driving without a licence or insurance. The latter offence is revealed as most closely linked to mainstream criminality in the findings of a simultaneous interview study (Rose 2000). However, Rose (2000) found that Steer and Carr-

Hill's (1967) 'driving offenders' are not simply 'unlucky' members of the public, but are more likely to be also serious mainstream offenders. For example, drink drivers were estimated twice as likely to have criminal records, than members of the wider population. Dangerous and reckless drivers were more likely to be involved in concurrent criminality, especially car theft.

This finding is consistent with Sugg's (1998) study of motor offenders (theft of vehicles, and driving whilst disqualified) who attended motor projects run by the probation service. Sugg's results showed that the motoring offenders were far from being 'crime specialists', but had convictions for serious mainstream offences such as, theft (75%), burglary (60%) and violence against the person (30%). Reconvictions (over a 2 year period) commonly included non-motoring offences such as theft (39%), burglary (25%) and violence against the person (15%). In a study of offenders who drive without motor insurance, 'Kevin', a principal focus of the case-study research, was arrested for an incident of robbery soon after being interviewed by the authors (Smerdon and South, 1997).

The promise that a self-selection policing approach to motoring offences holds, has been well explained by police themselves, "most drivers are not criminals but most criminals are drivers" (West Midlands Traffic Division, 1997). The Rose (2000) study focused on serious road traffic offenders and Chenery et al. (1999) demonstrated the utility of checking the criminal histories of individuals parking illegally in disabled bays, but what of other relatively minor infractions?

Rose (2000) suggests that an analysis of the criminal careers of minor traffic offenders could provide information regarding links with both mainstream and serious road traffic offending, with the most likely connections with traffic offences being those involving dishonesty. Wellsmith and Guille (2005) assessed the suitability of parking fixed penalty notices (FPN) as indicative of concurrent criminality. Recorded single offences were found to be unreliable indicators of serious offending, however, repeat FPN offences, were modestly associated with concurrent criminality relative to a random group selected from an electoral role.

The Wellsmith and Guille study experienced several problems which probably contributed to a relatively inconclusive result, for example, more than half the notices issued were not associated with a named individual (i.e. no registered keeper of vehicle). Also it concentrated on individual offending up to twelve months after the FPN and in this time some would have desisted from more serious offending. The authors conclude that more traffic offence centred research is necessary in order to fully explore the link between minor offences and serious criminality and to exploit the self-selection policing approach,

Despite the results of this study, which are readily qualified by the problems encountered, the previous research and common sense indicate that low level offending will be indicative of more serious offending, therefore the second explanation, that all traffic offences are not suitable self-selection targets is unlikely (Wellsmith and Huille, 2005, p.76).

Townsley and Pease (2003) attempted to execute self-selection by 'Operation Safeguard'. In collaboration with Merseyside Police, the DVLA and a local taxi association, a vehicle inspection programme was introduced where over the course of a four- hour period on a selected day, any driver seen not wearing a seatbelt would be pulled over. Where the 'non-use of seatbelt' self-selection trigger was used for private vehicles (n=62), 3% of drivers were immediately arrested, 14.5% were found to have committed a Vehicle Excise License offence (VEL) and 11% where issued a dangerous 'unroadworthy vehicle' prohibition notice. A staggering 50% of taxis (and private-hire cars) stopped during the operation were issued with vehicle defect and stop notices, where the licensed for private- hire plate was removed until such time as the vehicle was deemed 'roadworthy'.

By way of comparison, an operation was conducted that did not deploy the non-use of seatbelt self-selection trigger, where officers stopped all vehicles of a specific age, at a specific time of day (selected for likelihood of theft). Those found offending amounted to approximately 5%, demonstrating that the non-use

of seat-belt trigger had a much greater hit rate than random stop checks by at least factor of ten (Townesley and Pease, 2003).

In a more recent self-selection study, Townesley, Smith and Pease (2006) looked at DNA matches relating to detected homicides and sexual assaults and identified a link between these as a second offence, and drugs possession and dealing as a first, thus providing more evidence that serious offenders perpetrate minor offences.

To rehearse the argument thus far. Research has shown that using offender self-selection can identify active serious offenders at a greater hit rate than picking individuals randomly (Maple, 1999; Chenery et al., 1999). The principle, as established so far in this chapter, is that career criminals commit a wide spectrum of offences that range in both seriousness and frequency. By focusing attention on those who frequently commit common minor offences, then attention is also placed on those who engage in active serious criminality. Some specific minor offences, which if discerned from all those possible, could be used to uncover them. The beauty of self-selection is that, by dint of the commission of a minor offence, the offender makes him or herself justifiably eligible for official police attention.

2.6. Identifying active serious offenders by extant police methods

This section represents a review of extant methods used to identify active serious offenders, ranging from the targeting of known offenders to investigative practice. The conclusion is that self-selection should be a welcome complement to extant policing methods providing certain conditions are met, such as minimizing inconvenience to public and police.

2.6.1. The targeting of known offenders

Police have traditionally identified serious offenders from information supplied by the public or by targeting 'known' offenders. The notion of targeting probably brings to mind,

sting operations in which the police devote special effort to become and remain aware of the location and actions of those believed to be frequent offenders (Chenery et al., 1999, p. 1).

While the efficacy of this approach is not questioned here providing those targeted are indeed active prolific/serious offenders, it does tend to rely upon accurate knowledge of offending patterns and can degenerate into harassment (Chenery et al., 1999). Let us deal with accurate knowledge of offending patterns first.

Townsley and Pease have suggested that such practice whereby police officers nominate prolific offenders may be imperfect for four basic reasons:

- the offenders selected for targeting are not prolific
- offenders not selected for targeting are prolific
- offenders' rates of offending vary across time
- rates of co-offending are high, so that the imprisonment of one of three people who offend together will have little effect in so far as his co-offenders continue in his absence (Townsley and Pease, 2002, p.325)

In a corresponding study they found in a selected sample area that there was little evidence to suggest that a group of police nominated individuals contributed significantly to the level of crime in that area (calculated by comparing number of crimes occurring while nominated were at liberty with number of crimes in an area when they were incarcerated). Put another way, there was no evidence to suggest that those nominated were indeed prolific offenders, questioning the logic of relying solely on a local targeting approach to prolific offender

identification. Besides, if targeting known offenders is the sole approach taken then two problems arise: first, only those known would be targeted leaving those who have not yet come to police attention 'un-targeted', second, many of those targeted might have desisted from crime raising some problematic human rights implications for forces, what Matza (1969) has referred to as 'policing by suspicion', echoed by Chenery et.al. (1999),

Such human rights violations can be indefensible if directed at those that are not current offenders and undesirable when it spills over to relatives of current offenders (Chenery et al., 1999, p.1).

Townsley and Pease (2002) conclude that becoming a police target is not a matter to be taken lightly and that as such, it must be done fairly, sparingly, and consistent with crime reduction aims and the preservation of human rights. Arguably the importance of the latter makes alternative offender targeting methods more attractive. A point we shall return to very shortly.

Targeting the 'usual suspects' can also include locations and victims (e.g. people, places and times) most likely to experience crime. Wellsmith and Guille (2005) suggest that recent trends in crime reduction policy have increasingly located responsibility for location and victim targeting with local Crime Reduction Partnerships, established since the introduction of the Crime and Disorder Act 1998 to establish a partnership approach to reducing crime in communities, where targeting of the offender has remained essentially the responsibility of the police.⁶ The point is that although traditional methods of rounding up the usual suspects can (and does) often lead to known suspects being appropriately identified for specific crimes, it should not be used solely, nor lightly, since it is far from an exact science and, by many, an affront to individual human rights.

The self-selection approach is different in that it is the action of committing a minor offence which awakens the attention of police, not suspicion based on previous offending or a police 'hunch',

⁶ For information on the Crime and Disorder Act 1988 for England and Wales see for example http://www.opsi.gov.uk/acts/acts1998/ukpga_19980037_en_1 (accessed 23rd January 2009)

The advantage of this approach is that because individuals volunteer for police attention, officers do not waste time on innocent people, there is no basis for allegations of harassment and more people come in contact with the police who are already subject to police powers (Townsend and Pease, 2003, p 207).

Allegations of harassment are therefore minimized by the fact that the individual has selected his or herself by dint of committing a minor offence. Self-selection is a much more subtle way of targeting offenders, but the important distinction must be made between minor offences being used to self-select and lesser charges made against serious offenders because of lack of evidence. The gangster, Al Capone, for example, did not self-select for police attention because he did not pay his taxes. The police were well aware who he was and what he did, it was just that tax evasion was all he could be charged with (by the Internal Revenue Service). This is not an example of self-selection policing, more an example of desperate enforcement. An exploration of criminal investigative practice is now presented for the dual purpose of reviewing how in practice UK police identify active serious offenders and ascertaining how and where self-selection policing might complement extant methods. Until very recently, there has been little by way of systematic research into how criminal investigations are conducted (Newburn, 2007), although a glance at a list of forthcoming publications suggests that this might be about to change.

2.6.2. The evolution of investigative policing

When Robert Peel and other architects of British Policing introduced the New Police in early nineteenth century, criminal investigation was eschewed in favour of a mandate to maintain public order and prevent crime (Emsley, 1996; Newburn 2007). Maguire describes;

Indeed, detective work was widely regarded with suspicion, and unobtrusive investigation in plain clothes was officially frowned upon, owing to its perceived association with autocratic governments and 'continental' methods such as the use of agent provocateurs and informers (2008, p.432).

Although those charged with 'policing' had displayed criminal investigative practice before and after this time, it was not until the Home Secretary rather grudgingly approved the development of a formal police department with an investigative function in the 1840s, that the professionalisation and bureaucratisation of criminal investigation began (Newburn, 2007; Morris 2007). From then on established as "a major plank of the policing agenda" (Maguire, 2003, p.432). Over time, a public perception evolved of the police function to one of prevention, investigation and detection of crime, affected no doubt by popular myths fuelled by fictional accounts of detectives provided readily by the entertainment industry coupled with the dissemination of investigative success by the media, such as the bringing to justice of the notorious Krays by 'Nipper of the Yard'.

Successful criminal investigation, therefore, has not just become important to authors, film-makers and alike, but simultaneously, in reality, also to a general public who increasingly see the delivery of successful investigations as one of the key promises of the modern centralised state, where legitimacy rests on the promise of providing effective security to its citizens (Garland 1996, 2001). Given the importance of security- never more acute than in the present climate of fear fuelled by terrorism - the police have a strong interest in portraying a picture of criminal investigative effectiveness, where crimes are solved and offenders caught, particularly with regard to serious offenders, such as rapists and murderers; criminals who capture public imagination and arouse fear (Maguire 2008). With investigative success being of no little importance, particularly symbolically (Morgan, 1990), identification of serious offenders is arguably the most necessary step in the process.

The popular perception of how police investigate crime is one where detectives solve a case by performing a 'Sherlock Holmes' type of role, where first, a member of the public reports a crime; second, detectives examine the scene for clues, interview victims and witnesses and make other inquiries, and third, a

suspect is identified and confronted with incontrovertible evidence (Maguire, 2003, 2008). This somewhat stereotypical public view of how cases are solved, Maguire, suggests, implies a number of important assumptions about the nature of criminal investigations:

- that it is reactive (i.e. police respond to a crime complaint from the public rather than generate the investigation themselves)
- that it is focused on an offence which has already taken place
- that the offence which is being investigated is clear from the outset
- that the inquiries are geared to uncovering the 'truth' about what happened
- that it is carried out by detective (CID) officers
- that the main investigative skills lie in discovering and interpreting 'clues' to find out 'who did it' (Maguire, 2003, p.367; 2008, p. 434)

Although these assumptions prove indisputable in cases where the offender is readily identifiable (e.g. from victim and witness statements), for those offences of a serious nature perpetrated by strangers to the victim (sometimes referred to as 'stickers' or 'whodunits' (Innes, 2003; 2007) they appear less so. It is these cases which often require lengthy criminal investigation as such, as opposed to building cases against readily identified suspects.

In the absence of any immediate potential suspects from the victim's family and friends, police will instigate what has been referred to as a 'bureaucratic mode of suspicion' (Matza, 1969) through which they "will look at the characteristics of the crime and match them to known local active offenders" (Innes, 2007, p.263). That is, they target those often crudely referred to as 'the usual suspects' (Maguire, 2003; Newburn, 2007) as discussed earlier in the chapter.

This method of criminal investigation, dubbed 'traditional' in the literature, is a suspect-centred approach (McConville et al., 1991) whereby a case is constructed against 'known offenders' – principally individuals who have "built up

a set of previous convictions and have been well known to the local police” (Maguire, 2007, p. 435). It is common, for example in the case of sex offences, for a Senior Investigating Officer (SIO) to scrutinise the movements of known sex offenders in the local area and for burglars with a particular modus operandi (Innes, 2007). Indeed, fictional ‘cop shows’ often serve to reinforce this perception of detective ‘work’ in depicting scenes where known ‘villains’ are ‘felt up’ by police eager to solve recent crimes, often without any evidence to link them to the specific offences in question. Historically, police have detained and interviewed known suspects, in the hope that they will either unwittingly incriminate themselves or provide information about the ‘real’ offenders, simply because it has been found to work on many occasions.

The Police and Criminal Evidence Act 1984⁷ (PACE hereafter) was introduced as a result of numerous high-profile miscarriages of justice such as the ‘Birmingham Six’ and ‘Guildford Four’. PACE introduced specific measures designed to balance the rights of police and citizens, including the police recording of suspect interviews, the right to legal representation and systems for the storing and presenting of physical evidence. It was seen as a way of cleaning up policing in general, and criminal investigation in particular. As such, the targeting of known offenders has become, in theory at least, more thoroughly scrutinized, where, for example, targeting known offenders in relation to a specific offence based simply on familiarity and not on evidence, has opened police up to accusations of harassment and of breaching the Human Rights Act (HRA) 1994. Some are more sceptical taking the opposing view by suggesting that PACE regulations are no real ‘justice’ safeguard as in reality they are easily circumvented (for a fuller discussion see e.g. Sanders and Young, 2007). I shall return to the issue of identifying active serious offenders and human rights in our summing up of the merits for self-selection policing at the end of the chapter.

⁷ For more detail on the PACE see for example <http://police.homeoffice.gov.uk/operational-policing/powers-pace-codes/> (accessed 24th January 2009)

The traditional suspect-centered approach moves from suspect identification to building a case against a prime suspect, often at lightning speed, carrying the inherent danger of moving too quickly before a list of all possible suspects has been sufficiently investigatively exhausted (e.g. Stelfox and Pease, 2005; Rossmo, 2009). More broadly, the notion of case construction against suspects has called into question whether an “objective search for the truth” (Maguire, 2008, p. 435), has been replaced by the pursuit of organisational aims (e.g. detection ‘clear up rates’) and the culture of police work (McConville et al., 1991).

The targeting of usual suspects’, as discussed previously, has and continues to pay dividends and in the past twenty-five years, research has supported this practice. For example, with the seemingly universal finding that around 20% of offenders are responsible for 80% of crime (e.g. see Blumstein et al., 1986). Such evidence led the UK Home Office recently to instruct police and their local partners (established under the Crime and Disorder Act 1998) to focus on those which they called ‘prolific and priority offenders’ (POPO) for this exact reason - a glowing endorsement to focus on the usual suspects by another name? It is not disputed here that shaking the ‘known offender-tree’ often does pay dividends, especially if conducted within a contemporary crime analysis and intelligence-led approach (e.g. Ratcliffe, 2008). However, as discussed a little earlier, the degree to which police exhibit knowledge of local crime patterns and serious and prolific offenders has been disputed (e.g. Townsley and Pease, 2002).

2.6.3. The organisation of modern UK police criminal investigations

There are two broadly different approaches to the use of investigative resources. *Reactive* approaches give priority to responding to the ‘day-to-day demands’ of the public (i.e. dealing with reported crime) – crimes which have already occurred; *Proactive* approaches prioritise police agendas and longer-term planning (e.g. surveillance and intelligence gathering) - crimes often yet to occur (Maguire, 2008, p. 437). The traditional targeting of the usual suspects in respect of a specific crime generally represents a reactive investigation, although of

course, it can be about intelligence gathering in anticipation of future offences. The important point being made here is that the targeting of known offenders is usually reactive and the first step is the identification of a putative offender for a specific crime.

The structure of criminal investigations generally comprises three organizational units, described briefly below:

- 1. Criminal Investigation Departments (CID)** structured to some extent to be able to deal with any significant crimes reported in area, for example, in the case of murder, are very much reactive and 'driven by events' (Maguire, 2008: 440). Research has shown it common for CID officers working under this system to not follow through all their individual cases rigorously (e.g. if no immediate suspect then a case is 'spiked') (see e.g. Steer, 1980; Maguire and Norris, 1992)
- 2. Specialist squads** formed due to a belief that certain offenders (e.g. bank robbers and sex offenders) and certain forms of crime (e.g. prostitution and robbery) require special measures rather than routine responses as they are usually less visible and more organised forms of crime (Maguire, 2008). Specialist squads are generally tasked with identifying and targeting key groups (and individuals) involved in the more serious types of crime.
- 3. Major Inquiry Teams (MIT)** developed during the twentieth century as a reactive investigation resource in response to an apparent series of serious offences, such as serial murder, where the offender is not readily identifiable (as in the case of five prostitutes murdered in Ipswich in 2006, although Steve Wright was convicted the next year). MIT detectives can be working on a case for many months or years (Maguire, 2008).

The purpose of briefly outlining the organisational structure of the three units of criminal investigation is of importance to the present thesis, not simply because all three target known offenders when investigating specific cases, but to show how on the whole, it reflects a police cultural understanding that offenders are predominantly homogeneous in their offending (Schneider, 2005). Most notably, the specialist squads appear designed to 'do what it says on the tin' and investigate known offenders according to a specific crime type rather than as versatile offenders. The case built in this chapter is that serious offenders and career criminals are heterogeneous in their offending, so one can only hope that the robbery squad is in constant contact with the vice and drug squads, in order that the serious offender does not remain unidentified because he did not fit nicely into one of the specialist squad's remit. Specialist squads are, by their nature, put together to focus on serious crime committed by serious criminals. They focus on gathering information on, for example, known bank robbers and their possible plans for future robberies and not on their commission of other offences, some minor which are far more probable.

With regard to the identification of active serious offenders, the organisation of police into specialist squads rests primarily on the fact that a known offender is of a particular type, rather than on the knowledge that serious offenders are heterogeneous in their offences and so identifiable by any crimes they commit. Including minor offences. Potentially, with many serious offenders failing to be identified for specific offences because they are considered homogeneous in their offending, for example, those targeted as robbers not targeted for burglary or drink driving. The writer will return to this point.

2.6.4. Intelligence-led policing

From the mid 1980s, despite considerable investment in personnel, resources and technology, there was an increasing frustration in government and at senior police levels with a perceived failure to reduce crime and increase detection

rates, as crime continued to rise (John and Maguire, 2007). The Audit Commission (1993, cited by John and Maguire, 2007), for example, claimed,

The police and the rest of the criminal justice system are caught in a vicious circle of reactive policing in which crime threatens to overwhelm them' (1993, p.40).

Arguments grew for the adoption of more 'proactive' methods for reducing crime such as those aimed more generally at society such as Situational Crime Prevention where individuals are responsible for taking necessary precautions against crime (e.g. Clarke, 1997) and those aimed at more 'intelligence-led' proactive policing, where reactive policing was considered as failing to produce the goods, particularly for crimes yielding little by way of crime scene evidence (e.g. a burglary scene without fingerprints).

The Audit Commission was by no means alone in seeing a particular role for intelligence-led policing in reducing crime by targeting 'prolific and priority' offenders (those responsible for disproportionate amounts of crime, much of it serious - Home Office, 2004). Senior officers and government ministers also saw the potential, with intelligence seen as key to this new proactive approach.

Adopting a more proactive, 'intelligence-led' stance was considered a way of overcoming traditional 'reactive shortcomings' such as evidential limitations (particularly the reduction of uncorroborated confessions), pressures for the more efficient use of resources and an increased focus on serious crime⁸ as potentially providing "powerful alternative forms of evidence", such as the surveillance records of targeted suspects, records of suspect's financial dealings and better collated use of information from informants (John and Maguire, 2007, p. 201).

Traditionally, as discussed, most police 'intelligence' has been the result of information supplied by the public, often in the official reporting of crimes, or

⁸ For more details see e.g. John and Maguire (2003, 2004) and Tilley (2003).

more recently through schemes such as 'Crimestoppers' or 'Crimewatch' (BBC Television) where information can be given to police anonymously, for example, witnesses and victims helping police to identify active serious offenders.

Since the early 1990s, the tactical use of intelligence has grown considerably, demonstrated in the collection and use of intelligence becoming a priority for mainstream as well as investigative policing. This 'intelligence-led' approach has influenced not just the tactical and operational use of intelligence, but also, more strategically, it has formed the basis for managerial decision-making and resource prioritisation within police forces (John and Maguire, 2004, 2007), exemplified by the 'National Intelligence Model' (HMIC, 1997). Commonly referred to as the 'NIM', all forces had to become National Intelligence Model compliant, embedding NIM in every police Basic Command Unit (BCU) in England and Wales by April 2004.

The NIM identifies the "core business of policing as managing crime, managing criminals, managing localized disorder, managing enforcement and community issues and reducing opportunities for crime" (John and Maguire, 2007, p. 210). The NIM takes a much wider view of criminal intelligence encompassing more than the traditional 'proactive policing' approach of targeting the usual suspects, it calls for the drawing of intelligence from much wider sources such as 'community' and 'contextual' intelligence, as well as intelligence on crime and criminals (John and Maguire, 2007). Though the detailed examination of the core elements of the NIM are beyond the scope of the present thesis, what is more pertinent is that as it is concerned with intelligence at all levels of policing, (1) local area; (2) force/regional and (3) national, the NIM represents a standardized framework for policing practice in the UK and with particular regard to the systematic use of intelligence in identifying, investigating and bringing to justice, active serious (and prolific) offenders.

Adoption of the intelligence-led policing approach and the implementation of the NIM has led to a much more analytical, dare I say scientific, approach to understanding and reducing crime, nowhere more than in the collation and analysis of intelligence. Cope (2003) considers crime analysis as involving,

The synthesis of police and other relevant data to identify and interpret patterns and trends in crime, to inform the police and judicial practice (2003, p.340).

The collection, maintenance, analysis and dissemination of information, made possible by advances in information technology, has had a big impact on policing, especially by facilitating a more joined-up approach to criminal investigation and the identification of active serious offenders (Ratcliffe, 2008). Where in the past, information about a crimes and criminals generally remained confined to individual officers and was rarely collated, with 'one-off' tips rarely producing good intelligence (John and Maguire 2007). The collation of investigation data has also been identified as an area of investigative failure by several high profile enquiries such as the Yorkshire Ripper investigation (Byford, 1981)⁹ and the Soham murders (Bichard, 2004)¹⁰.

Now information can be stored, cross-referenced and collated across forces. Seemingly disparate, small pieces of information when linked together can be of considerable importance to a criminal investigation (Ratcliffe, 2008). For example, when investigating a spate of burglaries where the offender has used a suction-cup to remove a kitchen window, it is now relatively simple to produce a list of possible suspects using the same modus operandi. Although, still focusing on known suspects, the suspect pool now can be drawn from beyond just the local area and specifically targeted by MO, thus minimising possible harassment of the 'usual suspects' with 'previous' for burglary.

⁹ Byford, L. (1981).: http://www.homeoffice.gov.uk/documents/1941-Byford_part_1.pdf?version=1 (accessed 12th January, 2006)

¹⁰ <http://police.homeoffice.gov.uk/publications/operational-policing/bichard-inquiry-report?view=Binary> (accessed 23rd January, 2008).

Innes et al. (2005, p.44) differentiate four different modes of intelligence:

- Criminal Intelligence: detailing the activities of a 'known' suspect or suspects.
- Crime Intelligence: enhancing the police's understanding about a specific crime or series of crimes.
- Community Intelligence: based upon data provided to the police by 'ordinary' members of the public.
- Contextual Intelligence: relating to wider, social, economic and cultural factors that may impact upon levels of crime and patterns of offending.

The purpose of the present thesis is not to criticise traditional and extant police methods of identifying serious offenders, by calling for wholesale change. This would be to refute the fact that traditional methods can and do yield results time and again, although such methods are not without their limitations. Instead, it is about exploring how, as a complementary investigative method, self-selection policing might advance effectiveness in this area. For example, as discussed previous, the effectiveness of the traditional targeting of known offenders has been questioned (Townesley and Pease, 2002).

2.6.5. Offender profiling

A relatively new method of identifying unknown serious offenders for specific (often serial) offences sometimes employed in criminal investigations is the offender profiling approach. A detailed examination of offender profiling is provided elsewhere (e.g. Ainsworth, 2001; Alison et al. 2007) and is not warranted for the present thesis. A quick look shall suffice here.

Although no universally accepted definition of offender profiling appears to exist (Gudjonsson and Copson, 1997), in simple terms it constitutes use of the characteristics of an offence to infer characteristics of the offender (e.g. personality). Offender profiling comprises several different approaches to

identifying often serious unknown offenders, including that developed by such diverse groups as the US Federal Bureau of Investigation (FBI), psychiatrists and clinical psychologists and geographers (see e.g. Ainsworth, 2001 for an excellent account). Regardless of the preferred approach, profiling relies on a series of common assumptions. What is important to the present thesis is not the detail of the approaches but what they generally have in common, to differing degrees; homology and behavioural consistency (Alison et al., 2007; Woodhams et al., 2007). It is suggested that offender profiling operates on a central assumption which Mokros and Alison term the 'homology assumption',

The same behavioral dispositions that determine the style of the crime scene behavior are reflected in more general, non-offense patterns in the individual's life (2002, p.118).

For the profiling of unknown offenders to be feasible, an individual's behaviour must remain consistent across a number of crimes. For example, if he talks to his victims while sexual assaulting them he should do this with each consecutive victim (Woodhams et al., 2007). There is much evidence of behavioural consistency demonstrated by research on rape and burglary (e.g. Alison et al., 2007) and serial murder (e.g. Salfati and Bateman, 2005; Woodhams et al., 2007). In a recent review of the literature which seeks to link criminal offences to serious offenders by behaviour exhibited at the crime scene, Woodhams et al. (2007) conclude that this approach is far from an exact science. They conclude that linking offences to offenders by behavioural analysis is fraught with difficulties. None are greater than the unreliability of offender behavioural consistency.

Evidence for offender homology is more contested (see e.g. Mokros and Alison, 2002). Homology assumes that where two different offenders are of the same 'personality type' they will commit a crime in the same way (Alison et al., 2007). The FBI profiling approach, for example, maintains that if two crime scenes are the same then the same type of individual committed them. This is a major

contention between different profiling approaches and beyond the scope of this chapter, suffice to say that to different degrees, serious offenders are considered consistent and homologous, more specialized than heterogeneous.

Minor offences do not feature very high in offender profiles. As part of a profile, hypothetical offence histories are generated for unknown offenders, but often minor offences are only mentioned as probable juvenile 'first offences', representing the beginning of an escalation process (e.g. torturing animals being indicative of later violent offending). Minor offences representing 'stepping stones' in a serious criminal career.

Some mention is made, however, in the offender profiling literature, of concurrent minor offending, for example, a paedophile lying about qualifications in order to get a job giving access to children, or a serial killer displaying false number plates on their vehicle (e.g. Peter Sutcliffe). Some have gone further, in suggesting, for example, that in cases of child abduction police look at traffic violations committed in the area in question on the day of the offence, with particular emphasis on those caught speeding around the time of disappearance (Alison, 2005; Alison et al., 2007).

The significance of minor offences committed by active serious offenders is generally, therefore, given little consideration by offender profilers. Where it is, however, it provides support to the self-selection approach. For example, Bouhana (2004) found when profiling arsonists that they tended to be offence versatile, committing minor as well as serious offences. Again, the aim of the present thesis is not to question the efficacy of offender profiling, but to indicate the possible complementary role for the self-selection approach (addressed in chapter eight).

2.7. Chapter summary

This chapter has constituted a review of the criminological literature pertinent to the idea of self-selection policing. This has included a review of supporting theory, self-selection studies and the criminal investigation process. However, for self-selection to be accepted by police and scholars alike as a complementary method for identifying active serious offenders certain conditions must be met (Wellsmith and Guille, 2005, p.41)

- Police enforcement attention is distributed according to the acceptance of opportunities to commit minor crimes or infraction of regulations
- The minor crime or infraction of regulations shall be known as the trigger:
- Triggers shall be chosen according to three criteria;
 - their acceptability in themselves for police attention
 - their empirical association with further and future criminality
 - their unobtrusiveness in use, since the majority of those targeted will not be active serious criminals.

These conditions are explored throughout the present thesis, with particular focus on how self-selection policing can be implemented presented in chapter eight.

The present thesis

The chapters that follow endeavour to further strengthen the case for the crime versatile serious offender, seek to identify more reliable minor 'trigger' offences indicative of active serious criminality and suggest how self-selection should be implemented by police.

The preceding chapters represent different empirical studies employing differing research methods and involving different datasets and participants. All studies presented in this thesis were subject to the relevant University College London

ethics committees and panels, and all were satisfactorily approved prior to beginning the research.

Discussion of what is meant by 'serious crime' and 'serious offenders' (e.g. whether there is universal meaning) is presented in the next chapter. This is followed by the study of a large Police National Computer (PNC) dataset, the results of which provides additional empirical evidence for the versatile offender hypothesis which lies at the heart of self-selection policing and the present thesis.

CHAPTER THREE – Serious crime, serious offenders and establishing offence heterogeneity

3.1 Introduction

The image which the writer constantly has in mind is that of a police officer engaging with a member of the public. The officer has a choice of how far to delve into the bona fides of person and vehicle, many pressures of time and pragmatism operate to minimise the extent of the interaction. Sir Tony Bottoms introduced the notion of bifurcation, when a preliminary classification of offenders into serious and trivial drives criminal justice action (Bottoms, 1977). The rash of police video-based programmes currently televised often makes reference to an officer's sense of 'something being wrong' leading to deeper delving than might at first sight seem appropriate. Officers will privately refer to a person as 'failing the attitude test' which has the effect of extending the stop. Actions based on officer intuition are vulnerable to charges amounting to discrimination. Given the essential truth of offending heterogeneity, understanding which minor offences have a non-trivial probability of revealing serious offending and explicit policy based upon such understanding, potentially defuses such criticism.

The present thesis seeks to explore the utility of self-selection policing as a complementary means by which active serious offenders can be identified. In the previous chapter theoretical and empirical foundations for self-selection policing were presented. In this chapter an empirical case for self-selection policing has been furthered, whereby evidence of offender heterogeneity is presented, by way of an exploratory survey and analysis of a large database of offenders and their offences.

First, what constitutes 'serious crime' and 'serious offenders' is examined. This is considered a precursor to any exploration of the feasibility and utility of self-selection policing. These key terms must be unambiguously understood by the reader. Serious offenders are those who commit serious crimes, whereby in

contrast petty, minor, low-level (insert your own adjective here) offenders commit non-serious crimes. Define serious crime and by implication you define a serious offender. So what is serious crime and who decides what it is?

3.2 Defining serious crime and serious offenders

People sometimes take advantage of each other, by force or fraud. Where this is deemed sufficiently disruptive of the social fabric, the state intervenes (selectively). The tool by which this is done is the legislation of certain actions as crimes, rather than civil wrongs (see e.g. Hawkins, 1999). The position taken in this thesis is pragmatic. Crime is about 'harms' (see e.g. Walsh and Ellis, 2007). The scope of the criminal law, currently unquestionably partial and selective, is a matter for political debate in which criminologists as citizens should engage. Once that scope is established, the criminologist has to decide whose side she is on (Becker, 1967) and act accordingly. The position taken here is that most of what is deemed serious offending under current criminal law represents behaviour we would be better off having less of, and attempts at enforcement are generally to be applauded. Self-selection policing affords one route to the identification of active serious offenders, and facilitating enforcement action against them.

Research has consistently shown that substantial agreement exists amongst the populations of modern societies, across cultures, with regard to the 'seriousness ratings' given to a variety of criminal offences (e.g. see Walsh and Ellis, 2007 for a good review). Thomas (1976) conducted a survey of over 3000 households in the US, and found a high consensus (across age, gender, ethnicity and socio-economic status) on the seriousness of 17 different offence types. Borg (1985) carried out a comparison of the average seriousness ratings of criminal acts in the USA between the 1920s, 1950s and 1980s, and found that seriousness rankings had only changed very slightly. With an increase in the seriousness rating of white collar offences and a decrease in those for offences associated with 'abnormal' sexual behaviour' (namely homosexuality) being notable

exceptions. This research identifies that a general US consensus appears to exist regarding what constitutes serious crime.

Other studies have shown that people agree what serious crimes are across time within a culture (e.g. Krus and Sherman, 1977) across social groups within a culture (e.g. Rossi et al., 1974) and across cultures (e.g. Akman et al., 1967; Rossi et al., 1974).

In 1988, a Home Office report examined whether the findings of the 1984 British Crime Survey (BCS hereafter) were consistent with regard to earlier research findings which showed a high level of relative agreement between social groups in their judgements of serious offences (Pease, 1988). Here a sample of crime victims and non-victims were asked about the 'seriousness' of a number of standard offence descriptions in the 1984 BCS. Participants were asked to give a 'seriousness score' from 0-20 (0 being least serious through to 20 being most serious) for each offence described. Consistency with previous research was found and the report concluded "offence seriousness is, then, something whose measurement is difficult, but about which people have been found generally to agree" (Pease, 1988, p.2)

Universally considered serious offences are referred to as *mala in se* crimes by criminologists, which roughly translates as 'inherently bad'. Those crimes which are more culture (and time) bound are described as *mala prohibita* crimes, 'bad because they are prohibited'. Walsh and Ellis distinguish *mala in se* from *mala prohibita* crimes further, by suggesting that with *mala in se*;

While millions of people seek to be 'victimized' by prostitutes, drug dealers, bookies, or any number of other providers of illegal goods and services, no one wants to be murdered, raped, robbed, or have their property stolen. Being victimized by such actions evokes physiological reactions (anger, helplessness, sadness, depression, a desire for revenge) in all cultures, and would do so even if the acts were not punishable by law or custom (2007, p.6).

Mala in se crimes seemingly transcend the social constructionist argument, with universal condemnation of such behaviours seen perhaps more as a product of evolution (the reproductive success of our ancestors) than of law (e.g. Roach and Pease, 2009 in press).

To rehearse the argument, it appears that a core of serious offences is held in opprobrium across time, geography, culture and different social groupings; these include murder, assault, rape and theft (Interpol, 1992). Although there are some differences around about what form these take, it has been suggested that any such difference (e.g. exactly what constitutes murder every time) is so minor it should be considered an irrelevance (Walsh and Ellis, 2007). With no need to further the debate here, it is enough to say that sufficient consensus on what constitutes serious crime appears to exist for the purposes of the present thesis, at least over the last century, and there appeared suitable justification to test on a small-scale whether this was still the case in 2008.

Next a small study of agreement on offence seriousness is presented in order to gauge whether this consistency still holds in the present, in the UK at least.

3.3. A contemporary study of offence seriousness

3.3.1 Method

The survey method is typically passive in that it seeks to describe and analyse (and explore) some aspect of the world “out there as it is” (Robson, 1993. p.124). The experimental method differs in that it actively changes something to see what happens. The survey method was considered the most appropriate way of canvassing opinion from a large group of participants with regard to opinion of offence seriousness held. Researchers appear to often hold polarised views of the importance (and place) of the survey method, some seeing it as a ‘real world’ strategy where others see it as producing “data of dubious value” (Robson, 1993, p.125). There are of course both advantages and disadvantages with employing

this method. When a survey is well designed (e.g. with questions comprehensible and unambiguous then) *internal validity* is high (e.g. in this case whereby valid information is collected about respondents' opinions of offence seriousness). *External validity* is secured when a suitable number of respondents are employed so that findings can be reliably generalised to a wider population. Survey reliability is established, for example, by presenting all respondents with the same standardised questions (Robson, 1993; Gavin, 2008).

A short questionnaire was designed asking participants to provide a 'seriousness rating' for twenty different described offences (see appendix 1 for copy of full questionnaire). Most data were numerical as participants were asked to provide a score from 0-10 (0 being not serious at all through 10 extremely serious).

3.3.2. Participants

Over 100 students attending a scheduled lecture were asked to take part in a study designed to identify which crimes people considered serious and serious offenders by dint of committing them. Those that agreed to take part were studying for criminology or psychology with criminology BSc (honours) degrees at a university in the North of England. Participant selection was not random in that a sample 'cluster' was identified, but it could not be predicted exactly who would attend (i.e. be there on the day). It was anticipated that 100 plus students were likely to attend, so providing a fruitful number of willing participants. 120 copies of the questionnaire were printed for use in the study.

3.3.3. Procedure

Those participants who kindly agreed to take part in the study were asked to complete the Serious Offenders Questionnaire (questionnaire hereafter) a full version of which is attached at Appendix 1. The first part of the questionnaire

comprises four questions which ask participant gender, age, course of study and whether they have a criminal record.

The second part of the questionnaire (question 5) asks participants to rate the 'seriousness' of 20 different offences described by giving each a 'seriousness score'. This entailed giving a score from 0-10 with 0 being not a serious crime at all through 10 being very serious.

In the third part (question 6) participants are asked to list in order of seriousness three offences they consider to be the *most* serious, from the aforementioned list of 20 crime types, and to briefly explain why. The purpose was to ascertain what made participants choose their three offence types as most serious, and to test the consistency of their answers (i.e. question 6 answers should be the same as those deemed most serious in question 5). Therefore, providing some test of internal consistency.

Finally, in the last part (question 7) participants are asked the question '*should those who persistently commit minor offences be considered serious offenders and to please explain their answer*'. The reason for including this question was to enable a gauging of the extent to which participants considered persistent low-level offenders (sometimes referred to as prolific or chronic offenders) warranted being called serious offenders. Debate exists in the literature as to whether offence seriousness is additive across events. For example, whether two offences are considered twice as serious as a single offence of similar type (e.g. see Selin and Wolfgang, 1964; Pease et al., 1974; Wellford and Wiatrowski, 1975; Wagner and Pease, 1978). The question of offence seriousness additivity will be discussed later in the chapter.

On completion and return of the questionnaire all participants were thanked for their time and cooperation, then more information was provided verbally with regards the purpose and aim of the study. The study was carried out according to

British Psychological Society Guidelines for conducting research (BPS, 2006). Participants were considered to have given informed consent to take part in the study by returning a completed questionnaire. All blank questionnaires were numbered and participants asked to make a note of the number should they wish to withdraw participation at a later date, whereby the participant would give the writer their number and their questionnaire and data be identified and withdrawn. All questionnaires were anonymised (i.e. participants were not asked for their name) and all data was stored on a university (network secure) computer. Participants were fully informed about what the study would entail prior to their consent, and all were given more information about the purpose on completion of the questionnaire. Participants were also made fully aware of the opportunity for a de-briefing at a later stage.

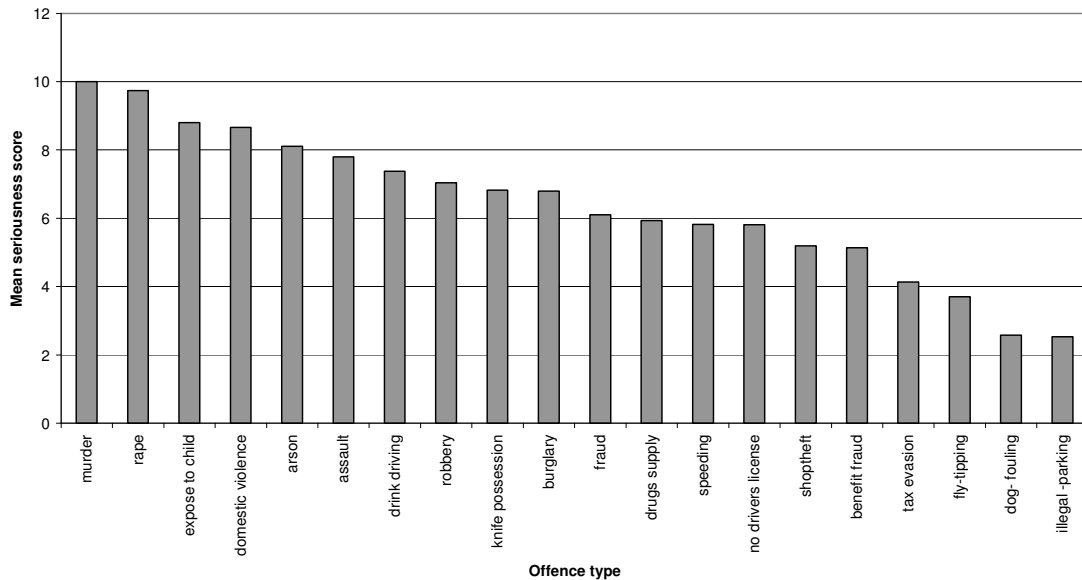
3.3.4. Results

A total of 90 questionnaires were completed and returned from a possible of 120 issued to potential participants, representing a 75% return rate. Analysis of the first part of the questionnaire (the 4 'demographic' questions) indicated 81% (n=73) of the sample were female and 13% male (6% did not answer the question!). This was expected and reflects the gender balance of the two courses being studied (criminology and psychology) currently more popular with female students. The mean age was found to be 21.4 years (range 20-37 years and a standard deviation of 3.6 years). A one-way ANOVA was conducted to test for a significant difference in age between male and female participants. No statistically significant age difference was found $F(1,82)=0.29$, $p>.005$, $\eta^2=0.02$). In total, 97% (n=87) of participants stated that they did not have a criminal record.

In the second part of the questionnaire (question 5) participants were asked to give a 'seriousness score' from 0 to 10 for 20 given crime types (0 being not serious at all through 10 extremely serious). The mean seriousness scores for all

20 crime types are displayed in figure 3.1 (means, standard deviations and range are presented in appendix 2).

Figure 3.1. Mean seriousness scores for twenty offence types



As can be seen from figure 3.1, overall participants indicated that they considered murder, rape, exposing self to children, domestic violence and arson to be the most serious types of crime, which appears consistent with those categorised as *mala in se* crimes and with the findings of the research previously discussed (e.g. Pease, 1988).

When those crime types with a mean score of 6 or less are taken as representing less serious offences; shop theft, tax evasion, bogus benefit claims, drug possession, illegal parking, dog fouling, fly tipping and speeding in a vehicle, were identified as being of low seriousness by participants. Again consistent with previous research discussed previous. In the writer’s experience, these types of offences are frequently identified by local communities as minor (yet important) offences, when asked by police and local authorities as part of community safety audits (see Crime and Disorder Act, England and Wales, 1998). To take mean seriousness scores as sole evidence of an identifiable difference in participant opinions regarding offence seriousness is not be appropriate. For example,

differences in seriousness scores might be instead attributable to poor questionnaire design (i.e. not a valid and reliable measure of offence seriousness) or drawing conclusions from an unrepresentative sample. This is known as sampling error (Dancey and Reidy, 2002). Therefore, a simple comparison of mean scores does not indicate the possible level of variation between and within them, and so the apparent difference between offence types cannot be taken for granted.

To examine whether a true difference in seriousness levels existed between the different types of crime, a one-factor ANOVA was conducted. This is the parametric equivalent of the t-test for more than two groups (Dancey and Reidy, 2002), the 'one-factor' here being offence type. A repeated-measures ANOVA was conducted as the same participants provided seriousness scores for the 20 different offence types. In a repeated-measures ANOVA the variability in scores due to individual differences and random error, as well as between individuals, is calculated providing comparison of each participants' overall scores with other participants' overall scores (Gavin, 2008).

A repeated-measures ANOVA was carried out on the data. The Greenhouse-Geiser row of output was used as it does not assume sphericity where other tests do. To assume sphericity where it is not present can lead to a type 1 error where the null hypothesis is rejected incorrectly. The results showed that the difference in seriousness between the crime types was unlikely to have arisen by sampling error $F(19,1615) = 163.6, p=0.001, \eta=0.66$ showing that 66% of the variation in error scores can be accounted for by the different degrees of seriousness. One pairwise comparison was carried out in order to double-check that a real difference between the seriousness of offence types was found. This was between the offence types shop-theft and arson. The mean difference was 2.91. The t-value of 12.88 (DF= 89) had an associated probability level of <0.01 . It can be concluded therefore that participants considered there to be a genuine difference in seriousness between shop-theft and arson. The confidence interval

showed that the population mean difference is likely (95%) to be found between 2.46 and 3.36. In sum, it is fair to assume that the differences in offence seriousness found represent true statistically significant differences and not the result of sampling error.

In part three of the questionnaire (question 6) participants were asked to list the three offences they considered to be most serious and to explain why. A paired comparisons t-test was conducted comparing each participant's answers to question five and six as both were concerned with deciding on the seriousness of types of crime, and no statistically significant difference was found between an individual's three highest three serious offence types in question five and those selected in question six. Thereby, participants consistently selected the same top three most serious types of crime for both questions. This is evidence of the stationary nature of what constitutes most serious crimes, as has been found with previous research (e.g. Thomas 1976; Borg, 1985).

An ad hoc content analysis was conducted on the second part of question six, which asked participants for their explanations as to why they considered these crime types to be most serious. This showed that 97% considered the taking of a life or the causing of emotional, physical and psychological trauma to the victim to be indicative of a serious crime. For example, it was common for respondents to explain seriousness as constituting the 'destroying of another's life' either consciously as in murder, or more unconsciously perhaps as with drink driving offences. These explanations fit with the *mala in se* differentiation of serious crime.

Inter-rater reliability concerns the validity and reliability (e.g. consistency) of the rating of qualitative data. In this case, this is whether the writer's interpretation of participant explanations for choosing those they consider the three most serious crime types can be considered valid and reliable. To test for this an inter-rater reliability test was conducted, whereby another rater (a colleague of the writer)

independently looked at participant answers to question six. From a random sample of questionnaires (n=20) they were asked to group the explanations given. For example, where a participant had put that an offence was serious because it involved the taking of another's life. Several categories were initially suggested by the writer, but the second rater was free to devise their own if they felt necessary. An inter-rater agreement level of 0.85 was achieved between the two raters, representing an 85% agreement level, which is usually considered satisfactory (Robson, 1993).

As explained earlier in the chapter, question seven was included in order to gauge participant opinions with regards the seriousness of persistent minor offending. The question asked was, 'should those who persistently commit minor offences (e.g. shop theft) be considered serious offenders? Please explain your answer briefly'.

It was found, again after conducting an ad hoc content analysis, that 58% (n=52) of participants thought minor offenders should be considered serious offenders when they persistently re-offend. Again to test for the reliability, a random sample (n=20) of participant answers were rated by a colleague of the writer, who was simply asked to categorise answers given into yes I believe persistent minor offenders should be considered serious and no I do not think so. Inter-rater reliability agreement level for question 7 was found to be a satisfactory 95% (.95) (Robson, 1993) as some participants answers were ambiguous or the handwriting indecipherable.

Answers given suggested that these participants overwhelmingly considered these offenders to be serious because they felt

- it was only a matter of time before these offenders 'graduated' to more serious crime and that they should be dealt with before they had the chance too;

- clearly these offenders could not stop themselves, and although only committing minor offences, these had a cumulative effect on the community and so they should be taken seriously and dealt with accordingly.

Those who considered persistent minor offenders not to be serious offenders (42%, n=38), explained that they were of this opinion because,

- minor offenders may be committing their offences out of desperation (e.g. stealing to survive) and as such they should be considered minor not serious offenders despite their persistency;
- most young people offend but grow out of it and to label them serious offenders would be counterproductive.

Arguably, the most intriguing finding from answers to question seven is the split of opinion between those who consider persistent minor offenders as serious and those who do not. This suggests that people universally define the seriousness of a crime by its severity. For example, violence and the emotional and physical trauma it causes. Less agreement exists as to whether persistent offenders (sometimes referred to as prolifics) who commit less serious offences should also be considered serious offenders. A one-way ANOVA was conducted to discover whether those participants who considered persistent minor offenders to be serious offenders, also considered crime to be serious in general. The independent variable being persistent minor offences considered serious/not serious and the dependent variables being seriousness scores across all twenty offence types. No statistically significant difference was found, suggesting that those that regarded persistent minor offenders as serious offenders, was not an artefact of them seeing crime in general as serious.

A recent policy initiative by the UK government has targeted such persistent, low-level offenders as a serious crime reduction priority, with the government being seen to clamp down on persistent and priority offenders (POPO), where

persistent low level offending is regarded as serious to communities (e.g. Anti Social Behaviour Orders or ASBOs).

As alluded to earlier in this chapter the findings of previous research on crime seriousness has provoked a stimulating debate as to whether offence seriousness is additive. That is whether one offence is half as serious as two, or two offences are twice as serious as one offence of the same type. In 1964, Sellin and Wolfgang published 'The measurement of delinquency', which yielded, for a first time, a system for scaling offence seriousness, accurately representing the judgements of seriousness for all offences. Later studies (e.g. Pease et al., 1974; Wagner and Pease, 1978) cast doubt on offence seriousness additivity, consistently finding in their experiments that two offences were rarely considered twice as serious as one single. Indicating, therefore, that offence seriousness is not additive (Wagner and Pease, 1978). Participant answers to question seven demonstrate a level of disagreement on whether offence seriousness is additive by the even split of opinion as to whether persistent minor offenders should be considered 'serious' and in the marked difference in reasoning shown in the comments above.

3.3.5 Discussion

In sum, the findings of this small contemporary study show evidence of strong support for the findings of previous research of the same ilk, which stretch across cultures and the decades. There is an identifiable consistency of consensus with regards what it is people consider serious crime to be. *Mala in se* crimes, if you will, appear stationary. Less consensus exists, however, with regard to those crimes considered less serious, with opinion probably influenced by experience as a victim as found by Pease (1988) and the additivity of offence seriousness (e.g. Pease, 1988). Nevertheless, it can be argued that sufficient consensus exists with regards what constitutes serious crime and serious offenders, for the purposes of the present thesis. Self-selection policing seeks to

identify active serious offenders by dint of their commission of minor offences and it appears that sufficient agreement exists as to what constitute serious and minor offences, to make self-selection workable.

In the second part of this chapter a study conducted by the writer is presented which explores further the hypothesis that those who commit serious crimes also commit minor offences. That is, offenders display more offence heterogeneity rather than specialising in one type of crime such as robbery or arson (i.e. offence homogeneity). As the reader is well aware, a need to fully establish offenders as offence heterogeneous is necessary for self-selection policing to be considered viable.

3.4 Serious offenders and crime heterogeneity

3.4.1. Introduction

Created in 1974, the Police National Computer (PNC hereafter) initially had information of stolen vehicles as its first database but has since grown exponentially to offer a wide range of facilities and information potential for UK law enforcement organisations. For example, all UK territorial police forces (excluding N. Ireland), MI5 and the newly created Serious and Organised Crime Agency (SOCA). In 1995, it was further developed to serve wider operational policing needs which led to the PNC becoming more of an investigative tool rather than a record keeping one (its original purpose). As of July 2006 there were in excess of 97 million records held on the PNC, including persons, driving licences and vehicle details with police records prior to 1995 being integrated retrospectively (Newburn and Neyroud, 2008) . Although all forces are compelled to contribute local data to the PNC, it is currently maintained and run by the National Policing Improvement Agency (NPIA).

The PNC differs from other extant offence and offender databases (such as the Home Office Offenders Index (OI)) in that it contains additional information pertaining to police cautions and warnings and dates of offences (Francis and Crosland, 2002, p.4). As a dataset the PNC is not beyond criticism. Some question its suitability for research into criminal histories, “as weeding of records takes place periodically” (Francis and Crosland, 2002, p.4) while others raise ethical concerns with regards its indefinite retention of old convictions and cautions (e.g. Liberty).

Putting the criticism and concern to one side, it was decided by the writer that the PNC database held suitable data with which to test further the heterogeneous serious offender hypothesis, prior to exploring the utility of self-selection policing. Details of this now follow.

3.4.2. The PNC dataset

The data used in the study was a sample from the UK PNC and was kindly provided by the Research, Development and Statistics Department (RDS) of the UK Home Office. The PNC data comprised of information of 392,978 offences by 30,820 individuals, committed within a 10 year period (1/1/1995 to 31/12/2005). No personal details were supplied other than a unique identifier (assigned PNC number), gender and date of birth. The data were anonymised prior to receipt. Analysis entailed using a multitude of specially written queries.

3.4.3 Results

As stated, in total the PNC data comprise information pertaining to 392, 978 offences (rows) across 20 data fields (variable columns). The number of individual offenders was 30,820 with (mean number of offences= 12.8, range= 1-362). It was found that males had committed 88% (n= 346,754) of offences in the data and females 12% (45,991). 92.5% (n= 363,824) of offence disposals were listed as resulting in conviction, caution, an impending prosecution, reprimand or

warning. The PNC data comprise 10 main offence categories (see table 3.1. below), 1-10 are considered (to differing degrees) serious crimes, with categories 11 and 12 representing 'minor' (less serious) offences. Taking serious offences first, the PNC data comprise a total of 206,383 serious offences (i.e. categories 1-10). These are detailed in table 3.1.

Table 3.1. The number of crimes per PNC category

Offence category (PNC)	Number of offences
Theft and Handling stolen goods	80,472
Other indictable	32,324
Burglary	24,113
Drug offences	19,010
Violence to the person	18,093
Fraud and forgery	13,733
Criminal Damage	12,085
Robbery	2,764
Indictable motoring offences	2,129
Sex	1,660
Total	206,383

As can be seen from the above the offence types committed most were theft and handling stolen goods, other indictable offences (little information was available as to what these comprise), violence against the person and drugs offences.

The mean number of offences for an individual per offence type was crudely calculated by dividing the number of offences in each category by the number of individuals who had committed it at least once. These are illustrated in table 3.2 which shows that those who had offences for theft and handling stolen goods, burglary and fraud and forgery on average committed these crimes more frequently. This, however, must be taken tentatively as range and standard deviations were not calculable from the data available. In short, burglars and thieves are on record as doing more burglary and theft than, for example, robbers rob.

Table 3.2. Mean number of offences per individual in each PNC crime category.

Crime type	Mean number of offences per individual
Violence to the person	2.0
Sex	2.3
Burglary	4.0
Robbery	1.7
Theft and Handling stolen goods	5.8
Fraud and forgery	3.4
Criminal Damage	2.1
Drug offences	2.4
Indictable motoring offences	1.3
Other indictable	3.5

To briefly take stock of the analysis so far. The PNC data presented to this point has been of a descriptive nature in order to give context to the next analysis presented, which focuses on the number of different offence minor offence types perpetrated by those who have committed serious offences.

Serious offenders and offence heterogeneity

Overall, as stated, the data comprise of 206,383 serious offences (i.e. PNC categories 1-10 above). A total of 127,632 minor offences were also present. These comprised of summary (non-motoring) and summary motoring offences (i.e. PNC categories 11 and 12 respectively).

In terms of number of offenders 17,976 were found to have committed at least one offence in the summary (non-motoring) offence category, and 10,401 at least one offence in the summary motoring category. Although many had committed offences in both minor crime categories, this did not determine whether offending was homogeneous. For example, whether serious offenders committed only serious crimes and minor offenders only committed minor crime (homogeneity).

To test for this, those who had an offence history comprising of at least one serious offence were classified according to whether they were also on record as having committed at least one minor offence. Thereby identifying the number that

had committed both (i.e. serious and minor offences) and providing a further exploration of our heterogeneous offender hypothesis. The results are shown in table 3.3.

Table 3.3. The number of individuals with a specified serious offence type and also a minor offence type

<i>Serious offence type</i>	<i>Number also with minor offence history</i>	<i>% of those with the specified serious offence and a minor offence</i>
Theft and handling	10220	74
Other indictable	8073	86
Violence A. P.	7168	81
Drug offences	6118	78
Burglary	5405	90
Criminal damage	5050	88
Fraud/forgery	3726	79
Indictable motoring	1540	94
Robbery	1470	90
Sexual Offences	537	74

Heterogeneity of offending appears to be substantial. Consider the third column in table 3.3. This represents the percentage of those offenders (within a specified serious offence type) who also have a minor offence history (i.e. summary or summary motoring). However a caveat must be entered here. Table 3.3 demonstrates that those a significant proportion of those who commit serious offences also commit minor offences. It does not show that this occurs concurrently as self-selection demands. The writer shall return to this point in due course.

To rehearse the findings. A vast majority of offenders within any of the specified serious offence categories above also have at least one minor offence in their criminal history. In the case of those with markers for burglary, robbery or

indictable motor offences at least 90% have committed a minor offence. Despite being generally considered to be the least versatile of serious offenders (see Soothill et al., 2000), 74% of sex offenders in this data also have a history that includes minor (summary) offences.

The summary offences (excluding motoring) category is by definition a catch-all minor offence dumping point. Small wonder perhaps that most individuals that committed a serious offence also committed a minor 'summary' offence due to the vastness of this category. The PNC data sample obtained does not afford much exploration of the summary offences category, particularly with regard to the identification of those offences within this category which are committed most by serious offenders, due to the lack of detail provided on minor offences. They are merely dismissed as summary offences. This is symptomatic of how little importance is attached to the recording of minor offences generally by police, a point discussed in the literature review presented in chapter two.

Summary motoring offences, however, represent a minor offence category possessing more clarity. While it does comprise a host of different offences (e.g. illegal parking, speeding and driving on bald tyres) by definition they are all linked to motoring and driving. Taking previous research into consideration (discussed earlier in chapter two), it was felt that using the PNC data to explore a link between serious and summary motoring offences would be more advantageous than focus on summary offences per se. A cross-tabulation was performed to identify those within each of the PNC serious offence categories that also committed a summary motoring offence. The results are displayed as table 3.4.
(over)

Table 3.4 Individuals per PNC offence category also with a recorded summary motoring offence

<i>PNC offence category and number of offenders</i>	<i>% per category of offenders with a summary motoring offence</i>
Indictable motoring (1633)	91
Burglary (6019)	58
Robbery (1632)	55
Other indictable (9334)	54
Fraud/forgery (4687)	52
Criminal damage (5751)	52
Drug offences (7804)	47
Violence A. P. (8797)	46
Sexual Offences (721)	43
Theft and handling (13,792)	42

As can be seen in the above, at least 40% of offenders comprising any of the PNC categories had a summary motoring offence listed. The highest percentage was found to be for those with indictable motoring offences, where 91% were identified as also having a summary motoring offence. This suggests that those who commit serious (indictable) motoring offences certainly do not cavil at committing minor motoring offences supporting previous research of this ilk (e.g. Rose, 2000).

This finding provides wider support for research which identifies that minor motoring offences are committed by serious offenders (e.g. Chenery et al., 1999; Wellsmith and Guille, 2005). Those who commit serious motoring offences, therefore, demonstrate heterogeneous offending by committing a whole gambit of motoring related offences; both serious and minor. More obvious support for wider offence heterogeneity is provided by the finding that a large proportion of those with a burglary or robbery offence (58% and 55% respectively) also committed summary motoring offences. This supports opportunity focused

theories of crime causation which suggest that offenders offend as and when opportunities present. For example, with the Routine Activities approach of Cohen and Felson (1979). Such overlap of serious and minor offending also echoes Gottfredson and Hirschi's (1990) 'General Theory of Crime' whereby offenders are not offence homogeneous, as high levels of impulsivity influence decisions to offend rather than any specialized crime knowledge.

Again we must return to the previous caveat. The findings of the PNC analysis provides support for two of the central premises of self-selection; that serious offenders are offence heterogeneous and that they do not cavil at committing minor offences. The findings here, however, do not provide support for the third central premise that the commission of certain minor offences can be used to uncover more serious criminality. Although evidence of offence heterogeneity was found it was not possible to ascertain the degree to which serious and minor offences coincide. That is, for example, whether the motoring summary offences committed by those that committed a serious offence were concurrent with the serious offending. Incomplete offence dates in the PNC data rendered such analysis impossible. This is not the only limitation of the PNC analysis and findings worthy of mention.

Shortcomings and limitations of this study of PNC data must be acknowledged in order to provide suitable context for the findings. The vast amount of data supplied also brought problems. First, it was too large in its entirety for dedicated statistical software packages to handle and so analysis was constrained. Second, the data itself was patchy in places, especially with regards dates of offences, where large omissions made any utilisation of offence dates unworkable. Third, the way the data was provided did not facilitate suitable analysis of individual criminal careers, for example it could not be discerned the extent to which individuals offended across crime categories, such as how many had offences across all categories (i.e. extreme heterogeneity).

However, the analysis which was possible provides strong support for the heterogeneous offender hypothesis, with a majority of individuals in the sample having committed offences in different categories over the ten year period. It also provides strong support for the theoretical and empirical underpinning of self-selection policing, whereby serious offenders do not cavil at minor offences. With most serious offenders had committed a summary offence (especially motoring) at some point.

3.5. Summary and discussion of chapter

In this chapter the concept of 'seriousness' has been explored, in particular an agreement has been presented as to what constitutes serious crime and therefore serious offenders. Serious appears synonymous with physical harm and emotional/psychological trauma, congruent with the *mala in se* categorisation of those crimes an individual would least like to be affected by, where minor (less serious) crime represents crimes of a more nuisance nature, or *mala prohibita* crimes. Such agreement as to what serious crime is reduces any ambiguity about those whom self-selection policing seeks to identify. The present thesis, is therefore, concerned with identifying active serious offenders such as those who commit murder, sexual offences and other violent crimes.

In this chapter support for offender heterogeneity has been demonstrated by a study of a large PNC dataset, where it was found that serious offenders commonly commit less serious (termed summary) offences, thereby providing added support for the working hypothesis of the present thesis that active serious offenders will not cavil at committing minor (less serious) offences. Having now presented further empirical evidence for this to be placed alongside that established in the literature review in chapter two, it now remains to identify which minor offences are most frequently committed by active serious offenders. This has not been possible in this chapter, nor was it envisaged that it would be.

The question of base-rates needs discussion first, and will be continued throughout the remainder of the thesis.

If everyone in the country has a summary offence then findings that serious offenders commit minor offences is meaningless because serious offenders would not be differentially picked out from those who commit only minor offences. To overcome this obstacle, what is needed is a search on minor offences for the whole population to see the odds ratio of a serious offender being picked out relative to an ordinary citizen. This was not permissible, so all that can be said from the above study is that the chances of a serious offender also being a minor offender is high, but not necessarily higher than an average citizen, as the writer has not found any literature on the prevalence of minor offending (symptomatic of the little importance attached to minor offending per se). Of course, it is implausible in the extreme that the overlap of serious offenders and minor offences is as big in the general population.

The next three chapters attempt to deal with both the lack of minor-offence 'base-rate' information and the degree of concurrence between serious and minor offending. This is done by making a concerted attempt to identify minor offences frequently committed by serious offenders, that is, specific 'trigger' minor offences for self-selection policing.

CHAPTER FOUR – Operation Visitor and offender self-selection: an exploratory study¹¹

4.1. Introduction

Having now carved out a rationale for the present thesis in previous chapters by presenting theoretical and empirical support for the offenders as offence heterogeneous and provided clarity for what is considered to constitute serious crime, chapter four moves to try and identify further self-selection trigger offences. Essentially, this chapter represents a well planned exploration of minor offending, with those offences perpetrated by visitors to a prison being the focus of attention. Moreover, offences they perpetrate whilst en route or at a penal institution.

One's first reaction to that notion of targeting people who visit relations, friends and acquaintances resident in penal institutions, is probably that it is unfair, unjustifiable and has little to do with self-selection policing as it is clearly not against the law to visit people in prison. Although this is no doubt true, the decision to target visitors to penal institutions was based on more careful consideration than might at first appear.

First, from conversations with police and prison staff, the writer became aware of a common perception that those who visit prisoners are themselves often active offenders. Despite this somewhat general belief of people on the ground, the writer has found no mention of this, let alone substantive evidence, in the extant criminological and police literature. Nevertheless, those believing themselves to be 'in the know' were sufficiently convinced that a focus on visitors to prisons would quite probably also be one on active serious offenders.

¹¹ A version of this chapter has since been published as, Roach, J. (2007) Those who do big bad things also usually do little bad things: Identifying active serious offenders using offender self-selection, *International Journal of Police Science and Management*, Vol. 9, (1) p66-79.

Second, the writer was directed to the fact that police in Lancashire had found from stop and search operations on visitors to a Young Offenders Institute (YOI hereafter), that a high number of visitors were found to be offending whilst visiting inmates. These offences mainly came to light by use of an Automatic Number Plate Recognition System (ANPR hereafter)¹² and by way of physical searches of visitors. When checked for, a significant percentage of visitors stopped were found to feature on the Police National Computer (PNC hereafter) for prior offences, including some serious crimes. Unfortunately, the YOI operations had never been evaluated, but the officer in charge estimated that in every such operation (each lasting two hours) at least ten visitors were caught committing offences. Offences found ranged from less serious, minor offences (e.g. no vehicle tax) to the more serious (e.g. possession of stolen credit cards or drugs). There were on average three arrests per operation.

The apparent success of the police YOI operations led the writer to form the idea that if visitors to prisons are a) often known offenders (in terms of the PNC) and b) committing offences while visiting the YOI, then this promised a fertile sample from which to develop self-selection policing further by identifying those common minor offences committed by those found to be active serious offenders. Using YOI operations would also comply with the necessary requirement of self-selection that of justified police scrutiny as it is usual for visitors to prisons to be searched and those found offending would not be targeted simply because they were visitors, but by dint of their committing of a minor offence identified by the ANPR or by search. The ethical issue is resolved as follows.

¹² As a vehicle passes through an ANPR camera, it takes an image of the number plate. Those details are then fed into a system which checks them against sources such as the Police National Computer (PNC), Driver and Vehicle Licensing Agency (DVLA), Local Force Intelligence systems and motor insurers databases. If the number plate is matched to one of the sources, the ANPR equipment will sound an alert. Source http://www.thamesvalley.police.uk/news_info/departments/anpr/index.htm (accessed 22/11/09)

- These operations were due to happen anyway.
- The principle of blanket targeting visitors to prisons is not necessarily endorsed by the writer except as a response to the institutions' presenting problems
- Insofar as minor offending is associated with concurrent major offending, and self-selection policing were adopted, there would be no need or justification for blanket targeting of prison visitors

To rehearse the argument, it was decided that a focus on visitors to prison would provide a platform from which to explore more detailed questions regarding the nature and extent of the crime versatile serious offender, such as whether some visitors offend en route to penal establishments, and if so what kind of minor infractions of the law they commit? This is important because if it transpires that a substantial number of offenders indeed commit *specific* minor offences en route to (or whilst at) penal institutions, then such minor offences may be generalisable as self-selection 'triggers' usable in the identification of serious offenders in the wider environment.

To revisit theory briefly; the hypothesis that a significant number of visitors to penal institutions will offend en route to or whilst visiting, has strong theoretical support, especially from Routine Activities Theory (RAT). This theory developed by Cohen and Felson (1979) suggests that a majority of offenders commit their crimes as the opportunities to present themselves. Rather than as the result of dedicated searching in unfamiliar areas, occurring therefore, typically near an offender's home, place of work or places of leisure. The need to visit a friend or associate in prison, for example, is easily incorporated into everyday routine activities for some. Visiting a prison brings with it criminal opportunities. For example, for some the opportunity that an unlocked car presents, stumbled upon on the way to a train station, or continuing to drive without the appropriate licence or insurance, will prove too tempting to resist, particularly when faced with the alternative of an expensive rail journey, perhaps punctuated by several bus trips,

to visit a prisoner friend for just a few hours (penal institutions are often built in remote locations). This is consistent with psychological theories of moral disengagement (Bandura, 1986) which suggest offenders are able to ignore moral social codes at given times (e.g. 'You've got to do what it takes to visit your mate in prison'), offender neutralization theory (Sykes and Matza, 1957) (e.g. 'It wasn't me who put the prison in the middle of nowhere') and Rational Choice Theory (Cornish and Clarke, 1986, 2006, 2008), which states that the vast majority of offenders should be regarded as rational calculators of risk and reward, acting to minimise the risks, whilst simultaneously maximising the rewards (e.g. 'I'll get there quicker and the chances of me getting caught for not having a licence are small). The financial rewards for supplying a prisoner with drugs, or the personal pleasure of seeing an old colleague 'inside', might be perceived as greater than the relatively minor risk of being caught in a stolen car or without appropriate motor insurance etc.

In sum, the rationale for selecting visitors to penal institutions, as a pool in which to 'fish' for self-selection offences, was based on police and prison staff knowledge of offenders, broader criminological theory and the results of targeted police operations that had been conducted in an ad hoc fashion for several years which were, in the words of the officer in charge, "crying out for a more systematic analytical approach". This paved the way for result Operation Visitor.

4.2 Operation Visitor

4.2.1. Background

In 1997 two Lancashire police officers surmised – both as product of experience and anecdotal evidence - that a nearby Young Offenders Institute (YOI) was attracting criminals to the area visiting incarcerated friends and family.

Intelligence suggested that some were offending either while visiting inmates, or in the surrounding area on their way to and from visits. The YOI by its own

admission at this time was experiencing a problem with visitors bringing drugs in (probably no more than is the case in similar establishments).

As a response to these perceived problems, Operation Visitor was established. This entailed stop and search of all YOI visitors on designated days. During the first two operations, arrests were made for a variety of offences, some anticipated (such as possession of illegal drugs), but a significant number for unanticipated vehicle-related offences. In fact, officers found that so many visitors were committing road traffic offences that a team of specialized road traffic officers was added to future operations.

Until April 2004, Operation Visitor continued sporadically in an ad hoc fashion, 'as and when' dictated by police priorities and resource availability. Operations consistently continued to produce a significant number of arrests (drugs and traffic offences especially), serving to justify the resources (e.g. officer numbers) needed for each operation. However, Operation Visitor continued to be sporadic and to escape systematic analysis and evaluation. It remained relatively unknown even within the Lancashire force.

In April 2004, the writer met with Lancaster North Divisional commanders who kindly consented to conduct Operation Visitor in a fully resourced, regular and more coordinated way. The police would, for the first time, receive an evaluation of the effectiveness of operations (provided by the writer) and the writer would use data collected to identify self-selection 'trigger' offences. The relationship was therefore one of reciprocal benefit but would certainly not have happened if the previous operations had not 'produced results' and enthused officers involved.

The aims of Operation Visitor for Lancashire Constabulary were clear policing ones, set out in the operation proposal document prepared for senior officer approval. These were:

1. To target criminals visiting the YOI and detect and prevent crime being committed by them.
2. To prevent contraband products and substances from being taken into the YOI.
3. To identify those road traffic offences committed by visitors to the YOI.
4. To deter criminals from visiting the YOI and becoming familiar with the area.
5. To collect sufficient data to determine whether the YOI acts as a *crime attractor*.

It was agreed, at an initial meeting, that Operation Visitor would be conducted on a monthly basis over a twelve month period and that it would be fully resourced entailing a substantial group of officers and specific resources such as control room staff and an Automatic Number Plate Recognition (ANPR) mobile unit.

4.2.2. *Research hypotheses and aims*

The research aims and hypotheses chimed with those of the police, but with additional emphasis in some areas:

- To provide an empirical test of whether significant numbers of prison visitors are either active or past offenders and to explore the diversity and severity of their offending. If substantiated, this would elevate the 'offenders visiting prisoners' hypothesis from a police given to empirical criminological knowledge.
- To provide testing of a second hypothesis that, since many prisons are located in remote and inaccessible places, a significant number of prison visitors will find the temptation to arrive there via illegal means too great to resist (e.g. stolen cars, no insurance, tax etc.). In this scenario prisons can be seen as '*crime attractors*' attracting offenders to offend en route, or whilst at the establishments themselves. If so, then an opportunity to work

in partnership with police and YOI authorities will be taken to reduce the occurrence of visitor offending, particularly with regard to the smuggling of drugs into prison.

If the above were found to hold true, it will afford exploration of whether those prison visitors with criminal histories and those caught offending en route to prisons signify a homogenous offending group. In other words: are known offenders who visit prisons those most likely to offend either en route or whilst at penal institutions? If this proves to be the case, then efforts can be focused on identifying minor infractions of the law - such as driving without road tax, motoring insurance or MOT – which might serve as self-selection triggers for serious offenders in the wider environment (i.e. not just those visiting prisoners).

It was against this backdrop that a research framework for ‘Operation Visitor’ was devised.

4.3 Method

4.3.1 Procedure

Prior to each individual operation, the consent and co-operation of the Divisional (BCU) Commander and the Governor of the YOI was obtained. Over the twelve month period April 2004 to April 2005, ten visitor operations were conducted by police at the YOI. Most were conducted on one day per calendar month (excluding Wednesdays when visiting was not permitted) between the hours of 12.30 and 15.30 (coincident with YOI visiting hours). In practice it proved difficult to run one operation each calendar month due to unforeseen demands on resources (e.g. a major murder inquiry was launched in one month) and bad weather (which was believed to deter visitors as well as make operations more difficult). Although, often at the mercy of resourcing exigencies, comparison with visitor numbers and demographics provided by the YOI for the previous year,

indicated that a representative sample of prison visitors was achieved. Table 4.1 gives the date of all operations and the number of visitors and vehicles searched on each occasion.

Table 4.1 Operation Visitor dates and number of visitors and vehicles searched

Operation Number	Date	Day	Other Factors	Number of vehicles stopped	Number of visitors searched
1	26/04/04	Monday		23	61
2	04/05/04	Tuesday	After B/H	15	43
3	13/05/04	Thursday		21	60
4	04/06/04	Friday		18	57
5	30/09/04	Thursday		25	76
6	28/10/04	Thursday		24	75
7	11/01/05	Tuesday	Bad	20	58
8	13/01/05	Thursday		26	57
9	03/03/05	Thursday		22	60
10	19/03/05	Saturday		16	70
Total				210	617

Dates of operations were decided in advance, and shared with the Governor of the YOI, but were not publicised. It was anticipated that if operations became known to inmates, 'visitor offenders' would be deterred with the better informed 'villains' keeping away.

An additional consideration with regard to the dates of operations was that if it became public knowledge that only one operation was to be conducted per month, the more astute visitors would wait until the operation had occurred in the month, before visiting, in the knowledge that they were 'safe' until the next calendar month. This concern was dissipated by the fact that the high prisoner churn (turnover) rate would preclude details of Operation Visitor scheduling from becoming common knowledge amongst inmates. The average stay at the YOI

was just eight days during the twelve months of operations (inmates were either released or moved on very quickly as a matter of procedure). It was hoped, therefore, that operations would all contain the same element of surprise, since prisoners would not be at the YOI long enough to get wise to the operations or discern any patterns.

The Operation Visitor team consisted of approximately 16 officers, comprising a police sergeant, police constables and a team of specialist road safety officers. On the morning of each operation, a full briefing was given to the team by the operation leader, to ensure that each team member knew not only the overall objectives, but also his or her role within it. It was felt that by introducing compulsory briefings, the team would function more efficiently than previously.

During operations, visiting vehicles passed the police ANPR as they approached the YOI (along its driveway i.e. the only route in) which alerted officers of any 'suspicious' vehicles and drivers. Regardless of whether an ANPR 'hit' occurred (whereby the PNC information relating to the car registration plate excited police attention) all drivers were directed to the YOI car park to have documents and vehicles checked by the team of officers. If the driver did not have relevant documents to hand (e.g. drivers licence, MOT, insurance) and these could not be determined at point of contact (via the control room) then a Home Office Road Transport Form 1 (HO/RT1) was issued, which gave the driver seven days to present the necessary documentation at a police station for verification.¹³

All drivers and passengers were searched, apart from those under fourteen (age was established by ID necessary to obtain visitor entry). The legality of this procedure was established by police solicitors at the operational planning stage and was considered compliant with the Police and Criminal Evidence Act 1984 (PACE 1984 hereafter), S. 8 of the Prison Act 1952, and the YOI rules of entry (Prison Rule 71/YOI rule 75) where it is a condition of entry to all penal

¹³ Discussion of HO/RT1 is provided later in the chapter.

institutions that visitors consent to being searched. If they decline it is prison policy to refuse entry. All visitors to prisons are made aware of the conditions of entry and should be prepared to be searched and to bring necessary documentation to prove identity (e.g. passport). They were not expecting to have their vehicles searched and examined for 'roadworthiness' (i.e. the ANPR unit could not be seen until the vehicle was on the private approach road) but this was also covered by PACE (1984). Those visitors arriving by foot or by bus were physically searched in exactly the same way, affording a comparison of public transport users, pedestrians and motorists

The ANPR had checked vehicle registrations for 'process offences' such as driving without road tax or motor insurance, as vehicles passed. Next, all visitor vehicles were subject to rigorous examination by road safety traffic officers to establish their condition with regard to safety. Driver details given were also checked by officers at the scene via communication with the central control room. All drivers and passenger visitors were asked to produce appropriate visiting orders and suitable personal identification, both of which are necessary to gain entrance to the institution. Names and addresses were then as practically possible checked with the Police National Computer (PNC) and with the Lancashire Constabulary intelligence system, 'Sleuth'.

A note of caution should be raised here as several confounding factors were encountered. In total, over 70% of visitors arrived at the YOI between 1300 and 1400 hours overwhelming, on occasion, both officers' ability to PNC check every visitor, and the ability of control room staff to deal with the concentrated demand for PNC searches. To some extent some of the practicalities were ironed out from operation six onwards, reflected by the greater number of PNC histories checked than in operations one to five.

4.3.2. Materials

The police resources used have already been discussed. To facilitate more systematic data collection, dedicated recording sheets were developed for police use in operations. At the planning stage, police officers highlighted the need for a visitor recording sheet that was both practical and easy to use (user friendly) and of minimum inconvenience to the public. A compromise was struck (after several draft examples) by which visitor data would be collected using the simple recording sheet (see appendix 3) and passed to the writer on conclusion of each operation.¹⁴ Data collected represented all visitors and vehicles during operations and was stored and analysed.

4.4. Results

The results of Operation Visitor are presented below, sample descriptors first.

4.4.1. Visitors and their vehicles

The twelve month period saw ten individual operations carried out, culminating in a total search of some 617 visitors and 210 vehicles. The mean age of visitors was found to be 33.8 years (standard deviation of 14.5 years with a range of 14 to 81 years). Those aged 14-20 years comprised the largest percentage (28%) of visitors with those less than 14 years not included in the study and, as noted above, not subject to search. Visitor demography was even across all ten operations and consistent with official YOI figures for the previous year (2003), with regard to the composition of visitor gender, age and ethnicity and should be considered representative.

Analysis of visitor drivers according to age showed that 78% were aged 31+ years, where 57% of passengers and 63% of bus passengers were found to be aged 17-30 years.

¹⁴ Although, the writer would have liked to have had more visitor details recorded than were, pragmatism was called for.

Table 4.2 details visitor transport by gender, though there were more female visitors in total, the ratio of male to female drivers was 2:1.

Table 4.2- Visitor transport and gender

	Males	Females	Totals
Visitors	223	344	617
Drivers	137	73	210
Passengers	116	246	362
Bus Passengers	16	17	33
Pedestrians	4	8	12

4.4.2. Total number of offences committed by visitors

The number of visitors and vehicles searched across all ten operations was found to be consistent with an average of 61.7 visitors and 21 vehicles searched per operation (see table 4.3 over), with week 2 being the notable exception with a lower number of visitors recorded, probably a consequence of the operation coming directly after a bank holiday, which are often the bumper visitor days, alongside weekends.

As can be seen from table 4.3 (over) a substantial number of visitors were found to have committed offences (hereafter referred to as visitor offenders) across the ten operations. In total 58 offences were detected, representing a ratio of approximately 1 in 10 visitors found committing a prosecutable offence, 25 of which necessitated arrest

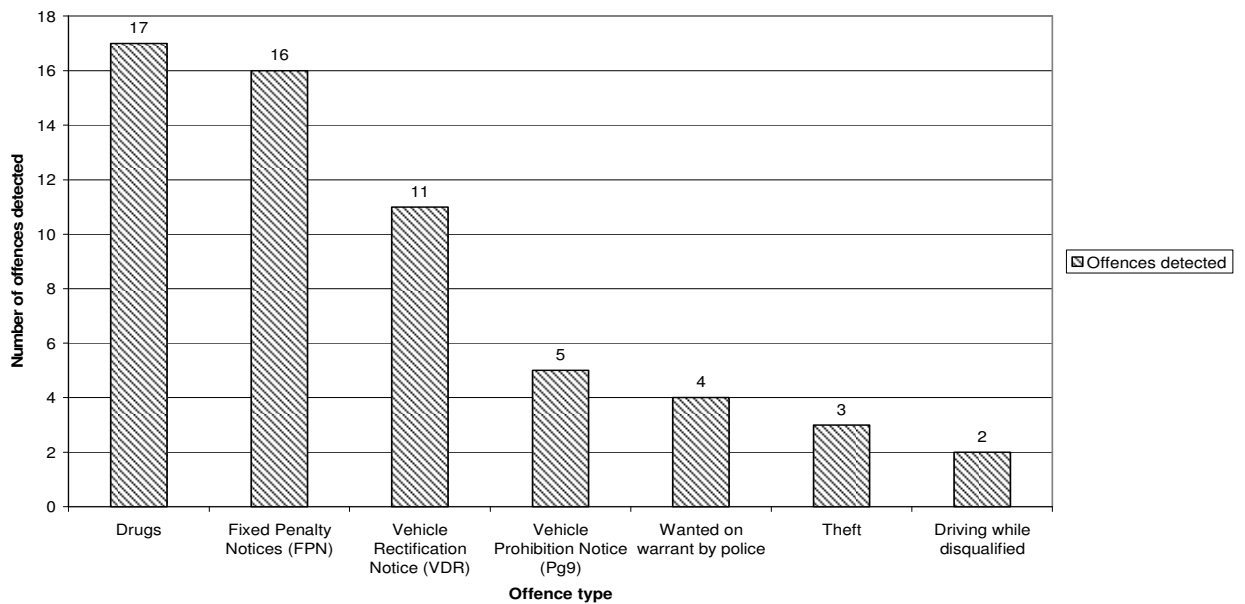
Table 4.3 Operation Visitor dates, number of visitors stopped and the total number of offences identified per operation

Operation Number	Number of vehicles stopped	Number of visitors searched	Prosecutable offences detected	Number of arrests
1	23	61	17	11
2	15	43	2	0
3	21	60	7	2
4	18	57	7	2 + caution
5	25	76	3	1
6	24	75	12	5
7	20	58	4	1 + caution
8	26	57	2	0
9	22	60	3	3
10	16	70	1	0
Total	210	617	58	25

4.4.3. Type of offences committed by visitors

A breakdown of the 58 detected offences detected by Operation Visitor by type can be seen in figure 4.1.

Figure 4.1. Offences detected by Operation Visitor



Almost a third of offences were drugs related (17 out of 58), giving a ratio of 1 in 36 visitors committing a drug offence. All instances were for possession with intent to supply 'class C' drugs (i.e. cannabis). Those found with amounts small enough to be considered for 'personal use' were cautioned or simply had the drugs confiscated. However, two out of every three arrests during Operation Visitor were for drugs possession with intent to supply (i.e. involving more substantial amounts). Motoring and road traffic offences (commonly termed 'process' offences) accounted for over 58% of offences committed by visitors. These included:

- 2 Visitors *Driving whilst disqualified*
- 16 *Fixed Penalty Notices (FPN)*, for example not having valid motor insurance or vehicle tax.
- 11 *Vehicle Defect Rectification Notices (VDR)* for vehicles with minor defects.
- 5 *vehicle prohibition notices (Pg9)* where vehicles are confiscated on the spot because they are deemed un-roadworthy.

The remainder of the offences detected comprised seven offences where all involved were arrested: three visitors for a suspected theft of a credit card (found during a vehicle search), four were wanted on warrant by other police force for previous offences (2 individuals for auto-theft offences, 1 for theft offences and 1 for a plethora of different offences (the later was identified by the ANPR unit which indicates that he travelled in a car registered to him).

4.4.4 Those visitors found offending

It was not rare for large numbers of visitors to appear at the same time, which threatened to overwhelm the capacity of officers on the ground (and station control room staff) to deal with the large demand for PNC and SLEUTH checks. As a consequence, on these few occasions, visitor details were not as thoroughly verified as would have been liked and some were not checked at all. As a

consequence, the complete details of 45 visitors found committing offences were available (from a total of 58).

A major attraction of self-selection is its focus on the actions of individuals (i.e. the breaking of a specific law) rather than on discriminatory variables such as age and gender, but such descriptives are presented here for the reader to appreciate the sample of visitors involved.

The mean age of visitors found offending was 31.6 years (standard deviation 10.9 with a range of 17- 55 years). No statistically significant relationship was found between age and PNC marker (discussed below).

A simple 2x2 contingency table with male/female and offence committed/no offence committed was constructed to discover whether there was a significant relationship between gender and visitors committing offences at the YOI. Chi-square analysis signified a statistically significant relationship between visitor gender and the commission of an offence, with males in Operation Visitor found committing significantly more offences ($\chi^2 = 10.64$, $DF=1$, $p=0.001$). The observed count for male visitors committing offences was 30 where the expected count was 20 and for females observed was 14 where expected was 24. Phi is a measure of effect; it is a correlation coefficient, meaning that it gives the strength of a relationship (Dancey and Reidy, 2002). In this case it gives the strength of relationship between gender and commission of offence. Phi was found to be 0.13 indicating that the association between whether visitors offended was accounted for by gender, was weak. This represents an offending ratio of 1:9 male visitors and 1:25 for female visitors.

Similarly, a 2x2 contingency table was constructed to discover whether a significant relationship existed between a visitor gender and whether they are known to the PNC for previous offences (male/female and known to PNC/not known to PNC). Chi square analysis identified a statistically significant relationship between gender and whether known to PNC. For males known to the PNC the observed count was 21 where the expected count was 13, and for

females known to the PNC the observed count was 15 where the expected count was 7. More than two-thirds of visitors, for who it was possible to discern for definite whether they had a PNC marker or not, were male ($\chi^2=9.09$, $DF=1$, $p=0.003$). Phi was found to be 0.15 indicating a weak association between whether a visitor was known (or not) to the PNC was and visitor gender. Of course this was to be expected as crime statistics consistently indicate that 80% of crime is committed by males (e.g. see British Crime Survey, 2008).

However, a statistically significant relationship was not found between gender and offence type, suggesting that female visitors – fewer of whom had committed offences relative to their male counterparts proportionally – committed the same mix of crimes, namely vehicle related and drugs offences.

Prior research has shown (discussed in chapter two) that focus on minor driving related offences as self-selection triggers, is useful in identifying active serious offenders (e.g. Chenery et al., 1999; Wellsmith and Guille, 2005). Therefore, visitor divers were given particular attention during Operation Visitor. Drivers were identified as having committed two-thirds of all offences detected by Operation Visitor, with a remaining third of offences committed by car passengers (except one offence committed by a pedestrian). No bus passengers ($n=33$) were found committing offences. Table 4.4 shows a summary of visitor offences and mode of transport and more detailed analysis is provided over.

Table 4.4. Visitor transport and visitor offences committed

Mode of travel	Drugs	Motoring	Warrant	Theft	Total
Drivers	4	33	1	1	39
Passengers	13	0	3	2	18
Pedestrians	1	0	0	0	1
Bus	0	0	0	0	0
Total	18	33	4	3	58

It was found that *visitor drivers* committed significantly more vehicle related offences than other types of offences (85% of offences by drivers were for vehicle related offences). The ratio of offending to non-offending drivers was 1:5. The ratio of visitor drivers committing just vehicle related offences as opposed to those not committing an offence at all was approximately 1:6. The high number of driving offences found as a result of Operation Visitor suggests a higher prevalence rate for prison visitors than the general population (discussed later). No visitor driver was found to be travelling in a stolen vehicle. This result has to be qualified by reference to how ANPR detection works. The databases are loaded *before* the ANPR unit takes to the road, so vehicles stolen in the few hours before arriving at the YOI (perhaps for the purpose of the visit) would not be recognised as such by the ANPR system.

The *passenger visitors* mainly comprised those travelling with visitor drivers, but extended to those travelling by taxi. As can be seen in Table 4.4 above, passenger visitors were responsible for committing the vast majority of drug offences that were detected, indeed over 70% of passenger offences were for 'drugs possession with intent to supply'. Three passenger visitors were wanted on warrant by another police force and a further two were arrested on suspicion of the theft of a credit card. In terms of all visitor passengers, the ratio of those

found committing an offence by Operation Visitor 1:20, with the number of passengers found committing a drug offence approximately 1:28.

Comparison of offending visitor drivers and passengers must, of course, discount the latter from motoring offences. However, drug offence ratios for these two groups are comparable, with the ratio of passengers found committing a drug offence found to be twice as high for passengers as for drivers (1:28 and 1:52 respectively).

No *bus passenger* visitor was found to have committed an offence during the operations, yet all were subject to the same physical search procedure as visitor drivers and passenger visitors (as shown in table 4.4). Whereby car passengers tended to travel with people they were acquainted with, bus passengers were more likely to travel alone. A reasonable conclusion might be that those travelling alone were perhaps less inclined to try and import drugs into the YOI due to an increased perception of risk (e.g. see Cornish and Clarke, 1986). For example, having no immediate choice but to travel with drugs hidden about your person is considered far 'riskier' than having a vehicle to hide them in? An alternative hypothesis being, that they were simply more successful at not getting caught.

From a total of 12, only one pedestrian visitor was found offending - a 20 year old male, caught in possession of cannabis.

What must be acknowledged is that with the best will in the world not every visitor offender was going to be caught. As will be discussed a little later in the chapter, occasionally practical issues prevented police from searching every vehicle and visitor with the same degree of thoroughness.

4.4.5. The offence histories of visitors

Where practical, visitor names, addresses and vehicles were checked on the Police National Computer (PNC). Although, where a visitor had a historic marker on the PNC it did not necessarily imply that they were criminally active, it was felt that this gave an overall indication of the type of offence history which could then be matched to offences detected by Operation Visitor (testing the major-minor offending link). It was anticipated that checks would identify active, prolific and serious offender visitors (e.g. four had outstanding arrest warrants). As discussed previous, as many visitors as was practically possible were PNC checked, a total of 63% of total visitors. Of those checked, 62% produced a definite result where visitors clearly had either a PNC marker or not (the remaining 38% of visitors were either not checked for practical complications (e.g. a 'log jam' of requests at the control center as discussed) or a PNC search returned an ambiguous result that was not resolvable during the operation.¹⁵.

Although only 62% of visitors PNC checked produced a definite result (i.e. on PNC/not on PNC) 26% of these were found to have a marker and 36% were 'unknown' (not on PNC), which equates to 1:2.5 visitors (who were checked) having a PNC record, so providing support to the view that a significant number of visitors to prisons themselves have criminal records. Further analysis was required to determine active criminality.

4.4.6 Offending visitors and their criminal histories

The writer was kindly permitted access to the Police National Computer in order to further analyse offence history. 30% of those visitors detected offending by Operation Visitor, were found to have records of previous offences. A simple 2x2 contingency table was constructed consisting to discover whether there was a significant relationship between those visitors known to PNC those found offending at the YOI (i.e. known/ not known to PNC and found/not found offending. Chi-square analysis indicated a statistically significant relationship

¹⁵ For example, several visitors had names where the PNC check produced dozens of 'possibles' and it and discerning if the visitor was a known offender in the allotted time was difficult.

between visitors known to the PNC and those found offending by Operation visitor ($\chi^2 = 10.97$, $DF=1$, $p=0.01$). The observed count for those known to the PNC found offending by Operation Visitor was 20 where the expected count was 12. Where the observed count for those not known to the PNC found offending was 8 but the expected count was 16. Phi was found to be 0.17 meaning that 28% of the variation in whether visitors offended at the YOI was accounted for by whether they were known to the PNC previous. A full discussion of reconviction rates is provided in chapter seven. It suffices to say at this juncture that those with criminal histories appear to be less likely to cavil at committing minor offences, than those without a known criminal history.

Although the finding that a significant number of visitor offences were perpetrated by those with an offence history is important to the present thesis, this neither proves that these individuals were still criminally active at the time of Operation Visitor (apart from their offending during Operation Visitor) nor that they were serious offenders. The next section of results looks more specifically at the type of offences which comprise the offending histories of this group, focusing on offence versatility, frequency, recency of offending and offence seriousness; aspects of offending careers vital to the self-selection approach.

Offence versatility

The 15 visitor offenders on the PNC were found to have varied offence histories, providing further evidence to support the heterogeneous offender approach taken by the present thesis. It was identified that

- 4 had committed previous drugs offences
- 4 had committed offences which included violence
- 6 had committed theft,
- 7 had committed a wide array of offences (e.g. theft, TOMV but not violence)
- 2 had committed criminal damage
- 3 had stolen a motor vehicle.

Frequency of offending

For this group of offending visitors it was found that:

- 5 had a PNC record of one or two previous offences
- 2 had a PNC record of three or four offences
- 6 had a PNC record of more than 5 previous offences (for the two remaining visitor offenders the number of previous offences was undeterminable).

In total 8 from this group had committed three or more previous officially processed offences, with 6 found to have committed 5 or more offences in their criminal history. Further analysis was conducted to determine if any should be considered 'serious' and/or 'active' offenders - a principal objective of the study as self-selection is about identifying such offenders.

Active offenders?

To determine the extent to which this group of visitor offenders could be considered active and/ or serious offenders the offence records of all 15 individuals found offending by Operation Visitor were examined using the Lancashire Constabulary 'Sleuth' database (this incorporates criminal intelligence as well as PNC listed offences). This analysis was conducted in conjunction with a senior officer kind enough to help classify them as 'criminally active', 'criminally inactive' or 'activity unknown'.

To be considered criminally active, it was agreed that a visitor offender was to have committed an offence within 18 months of being found by Operation Visitor (or intelligence to suggest they might have done so). Seven of the 15 were considered active, five as criminally inactive (although two were imprisoned soon after Operation Visitor so would perhaps be better referred to as 'resting' than

inactive) and three as activity unknown (it was not possible to class them as either of the above due to a lack of current criminal intelligence on them).

Five of the criminally active were found to be well – known offenders of the ‘usual suspect’ variety, having committed a large number of previous offences, including violent crime. Additionally, the senior officer who assisted with analysis knew all five names instantly. Furthermore, two showed as ‘Prolific or Priority Offenders’ (POPO) a recent Home Office label for those causing most harm in their local community and subject to intensive scrutiny by police and other agencies, such as the National Offender Management Service.¹⁶ One received a three- year custodial sentence for burglary and drugs offences as a result of being arrested by Operation Visitor for possession with intent to supply drugs.

An examination of the Operation Visitor offences committed by the 15 visitor offenders with criminal histories, shows two were found driving whilst disqualified (a serious offence in itself), six committed a drugs offence (intent to supply), four committed a motor/road traffic offence and three were wanted on warrant by another police force. The visitor offenders with an outstanding warrant issued by other police forces and those committing drug offences offer clear support for the hypothesis that offenders visit offenders and that scrutiny of prison visitors does indeed pay dividends as all can be classed as ‘active’ offenders with two with a string of auto-theft offences whose whereabouts had been unknown to police.

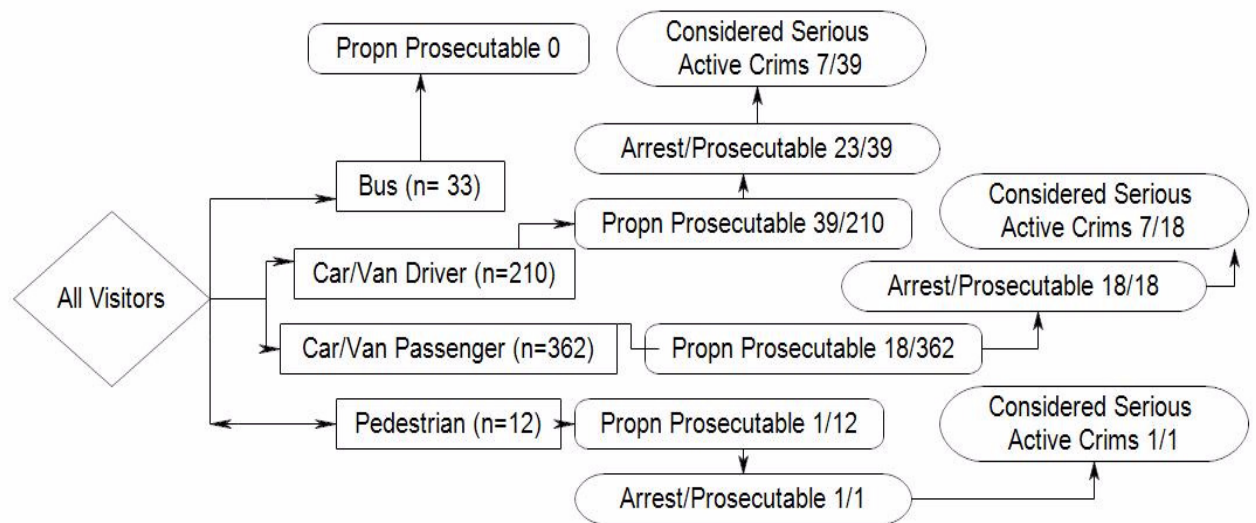
Although offending visitors were identified by virtue of Operation Visitor, the offences they committed might also have been detected by routine policing (e.g. vehicle related offences such as driving on bald tyres or with a faulty tail-light). These visitors self-selected themselves for further scrutiny by dint of minor infractions of the law, not because of the uniqueness of Operation Visitor. One seemingly minor offence which presented as worthy of further consideration by

¹⁶ For more information see for example, <http://police.homeoffice.gov.uk/operational-policing/crime-disorder/persistent-offenders.html> (accessed 28th January 2009)

self-selection policing, was an outcome of the decision to trace all the Home Office Road Transport 1 (HO/RT1) forms issued to all visitor drivers during Operation Visitor. This is discussed later in this chapter and constitutes the subject of the next.

The writer is fully aware of an accusation that the results presented reflect an academic perspective, predominantly to support the main hypotheses of the present thesis. As such, it does not make palatable reading perhaps for the police officers charged with deciding whether to mount an Operation Visitor like scheme, or those trying to convince others of the benefits that such an operation holds. To help our officer with this task, a flow-chart summarising the findings of Operation Visitor is presented in Figure 4.1. over, followed by a brief explanation.

Figure 4.2 A flow-chart showing a summary of the findings for Operation Visitor



As can be seen from in the Operation Visitor flow-chart, the proportion of visitor drivers who committed prosecutable offences was 39/210 (roughly 25%). Of these 23 where arrested or prosecuted, seven could be considered, with

justification, active serious offenders. The findings strongly suggest that a focus on visitor drivers does not only identify a significant number committing minor offences (often vehicle related), but more importantly, the probability of identifying an active serious offender by dint is roughly 1:30 (7/210) which is a hit-rate which justifies the resources necessary to conduct such operations.

4.4.7. HO/RT1 non-compliance

As was briefly mentioned, one unanticipated finding from Operation Visitor was that it indicated to the writer how police currently use (or don't) the Home Office Road Traffic 1 form (HO/RT1) and how it might be used in a more productive way. The writer is excited by the prospect that the HO/RT1 could be the most promising self-selection tool for identifying active serious offenders so far. First a brief explanation of what a HO/RT1 is and its purpose is warranted.

Police officers are permitted to order drivers to stop if they notice or suspect that an offence is being committed (e.g. a faulty brake light, cracked number plate etc). On stopping a driver, police are entitled to see their driving/motoring documents (e.g. driver's licence, MOT etc.) if these are not to hand police can issue the driver with a Home Office Road Traffic 1 form (HO/RT1). The driver of the vehicle is then legally compelled to present their driving licence, Ministry of Transport certificate (MOT), insurance details and vehicle ownership documents at a police station convenient to them, within seven days. To fail to do so, or to only part produce (i.e. produce some but not all the required documents) is a prosecutable offence.

In total, 134 (64%) of visitor drivers during Operation Visitor were issued with a notice HO/RT1. These had been unable to produce the relevant documentation during an operation and a PNC check had not identified any offence such as not possessing valid motor insurance or vehicle tax. If the PNC had for example,

identified them as driving without vehicle tax or insurance, the probable outcome would have been a Fixed Penalty Notice (FPN). Without discrimination, all drivers who could not provide the appropriate documentation were issued with a HO/RT1.

A sample of 44 drivers issued with HO/RT1s during operations five and six was taken in order to establish whether an identifiable relationship between HO/RT1 disposal and offending history might exist. The hypothesis was that those drivers not complying with HORT 1 conditions (i.e. they did not present all the required documents within 28 days), would be those most probably with something to hide (e.g. actively engaged in crime, possibly of a serious nature or had given a false name).

In total, 75% (n=33) of visitors complied fully with HO/RT1 requirements, producing all necessary documentation within the allotted time period. However, of the remaining 25% (n=11), all committed a prosecutable offence, with six only 'part-producing' (i.e. produced some but not all the required documents) and five not complying at all ('no-shows').

Emphasis was placed on whether HO/RT1 non-compliance indicated further criminality, by focusing on the offending histories of this group of 11 drivers. One driver who had not complied with the HO/RT1 was later identified as a well-known offender, with a string of convictions for disqualified driving and theft which had led to custodial sentences in the past, as recently as the month prior to Operation Visitor. The other 10 'non-compliant' drivers were not found on the PNC (which is not irrefutable proof of their non-criminality) but nevertheless the 1:11 'hit rate' should not be underestimated as a potential self-selection trigger and is the focus of the next chapter.

4.5. Discussion

First and foremost, as a police strategy, Operation Visitor led to the detection of 58 offences committed by YOI visitors, culminating in 25 arrests. This in itself has been considered a success, worthy of continuation beyond the research period.

Although few in number, the proportion of visitor passengers caught offending, yielded a high proportion of arrests (mainly for drugs), almost half of whom were found to be active serious offenders. Significant crime prevention effects may be had if information about the operations (but not their dates) were to be widely publicised.

The ratio of visitors flagged as having offending histories (via the PNC), compared with those without, was found to be 1:10, supporting the premise that this would be a fertile group with which to learn more about offending patterns. In particular, an extremely high ratio of 1:6 visitor drivers found committing a driving/motoring offence when compared to estimates of the general population, where a study by the Jill Dando Institute (2004 University College London) estimated that the ratio of illegal to legal cars on the road was 1:20, but this does not take account of all driving offences, concentrating more specifically on road-tax and motoring insurance infractions, so arguably not the most favourable of comparisons. Jim Fitzpatrick, M.P., Minister for Road Safety (Police Professional, 2009) in an interview stated that recent estimates suggest that around 6.5 per cent of motorists drive uninsured, and that uninsured and untraced drivers kill 160 people and injure 23,000 every year in the UK. How many of these illegal drivers are active serious criminals is of course unknown and is the focus of the next chapter, so I leave further discussion for later

With regards to its importance for the present thesis, Operation Visitor was used to identify whether any specific visitor offences could serve as offender self-selection 'triggers'- those warranting further police attention - for identifying active, serious, offenders. As discussed above, 15 visitor offenders showed on the PNC (and/or Sleuth). Although analysis of types of offences detected by

Operation Visitor and visitor offence histories did not single out any specific trigger offence, this was likely due to the relatively small numbers involved and the high number of offence categories used. Some promise was shown as has been presented (e.g. VDR notices).

Further research is required to determine just how reliable a self-selection trigger drugs possession could be in identifying serious (and prolific) offenders because during Operation Visitor, this was also found to be a common first offence - particularly with younger visitors. One must also bear in mind that only class C drugs possession was detected in Operation Visitor and class A possession might be a more robust indicator of any additional serious criminality. Recent research focusing on DNA and criminal histories found that those who had committed violent crimes (including murder), quite often had committed previous drug offences (Townnsley, et al., 2006). The use of the offence of drugs possession with intent to supply as a self-selection trigger, therefore, should be regarded as promising, but requires further research to establish utility and robustness.

As with the offence of drugs possession discussed, specific motor/road traffic offences as self-selection triggers for identifying serious offenders did not prove statistically significant, again probably due to the sample size. However, several offence types did show some promise. First, for example, two visitors issued with a Fixed Penalty Notice (FPN) were found to have offending histories, one for a plethora of what could be considered serious crimes, supporting the findings of recent research on FPNs and concurrent criminality (Wellsmith & Guille, 2005). Second, two visitor offenders issued with Vehicle Defect Rectification Notices (VDR) were also found to have offending histories, one being a known 'active' burglar. Lastly, one visitor arrested for driving whilst disqualified had committed this same offence three times in the past, suggesting that perhaps a significant number of those committing this offence are inclined to do so persistently, as was found in a previous study of traffic offending (Rose, 2000).

Operation Visitor provides empirical support for what was previously a notion, that offenders visit offenders (or at least that a significant number of prison visitors themselves have offending histories). With regards to the idea of offender versatility the findings support the hypothesis that at least some serious offenders also commit more minor offences, motoring ones in particular, and that these might be used to uncover them as more serious offenders. Four visitors were wanted on warrant at the time of the operations, whereabouts otherwise unknown. It is probable that more visitors offended than were caught, especially when one considers the occasional log-jams during some operations, where it was not possible for police to conduct checks as stringently as at other times.

At this juncture consideration must be given to some of the perceived limitations of the Operation Visitor research, namely that it represents a relatively small study of visitors to one penal institution in England. This is fair point and it is hoped that further research can be conducted which incorporates a greater number of diverse penal institutions.

Last, and perhaps most important, the Operation Visitor research identifies the potential for HO/RT1s to be used more extensively as a self-selection tool for uncovering active serious offenders, due to the high number who appear not to comply and the little police effort expended to find out why. HO/RT1s should instead be considered a useful police tool with which to establish the identification of illegal motorists. However, Operation Visitor research has uncovered that the 'real' use of HO/RT1s by the police is far from clear and that it is seldom used in such a productive way.. Why individuals fail to comply should be of paramount importance but it is not, especially when the brief analysis presented here suggests that it is because there is a high probability they are concealing their active serious criminality.

The findings from Operation Visitor, however brief, were sufficient to ignite interest in further exploring the potential use of HO/RT1s to identify active serious offenders – that is HO/RT1 non-compliance might be indicative of active serious offending - a self-selection trigger. A dedicated study was felt warranted and represents the focus of the next chapter. The exploration paid off.

CHAPTER FIVE - Non-compliance with Home Office Road Transport Form One (HO/RT1) as self-selection¹⁷

5.1. Introduction

The present thesis has demonstrated that much of the extant research on self-selection policing has focused on the commission of road traffic (motoring) offences (e.g. Chenery et al., 1999; Wellsmith and Guille, 2005) and not without good reason. Operation Visitor, the subject of the last chapter, found that several minor motoring offences, such as travelling in an 'unroadworthy' vehicle (in need of rectification), continue to show promise.

The reason for the current pre-occupation with identifying those motoring offences that might be indicative of active serious criminality is a simple one, and has been eloquently summed-up by a previous Chief Constable of the West Midlands force;

Although only a minority of drivers are criminals, a vast majority of criminals are drivers (West Midlands Police, 1997)¹⁸

The challenge for the offender self-selection approach lies with identifying which minor traffic offences serve as the most reliable indicators of more serious offending, that is, those which can appropriately be used as 'trigger' offences in that their commission warrants further police attention as most likely to pay dividends in uncovering active, serious offenders without alienating large numbers of (relatively) honest drivers. To emphasise the point, as will be discussed in detail in the final chapter, they must impose minimal inconvenience upon members of the public to whom the logic of self-selection policing must be communicated (Chenery et al., 1999; Wellsmith and Guille, 2005). Operation

¹⁷ A version of this chapter has since been published as, Roach, J. (2007) HO/RT1 culture: Cultivating police use of Home Office Road Traffic 1 form to identify active serious offenders. *International Journal of Police Science and Management*, Vol.9 (4) 357-70

¹⁸ West Midlands Police, (1997) found at <http://www.west-midlands.police.uk/pdfs/publications/annual-reports/.pdf> (accessed April 14, 2005).

Visitor, for example, was on the margins of the emerging self-selection literature in that visiting a prisoner friend or relative is not criminal, and may be helpful in retaining wholesome community ties. While the context yielded a high 'hit rate' of identified criminality, it should not itself be used as trigger. In many (but not all) cases ANPR scrutiny provided the trigger, not the visit per se.

As discussed in the previous chapter, an incidental finding from the Operation Visitor study was that 25 per cent of drivers issued with Home Office Road Traffic 1 (HO/RT1) failed to produce (i.e. did not comply). The HO/RT1 required them to produce their documents (e.g. driver's licence and insurance certificate) on request or at a police station for checking within a seven day period. The question raised was why so many failed to produce? Was it because they had something to hide, such as active serious criminality? Was it a general contempt for criminal justice? In short, is it that a 'little bad thing' of failing to produce is a flag of the 'big bad things' in which they are also engaged? The answers were beyond the remit of Operation Visitor.

Their possible active criminality is deemed worth exploring and this chapter presents a dedicated study of those who fail to comply with an HO/RT1, generally considered a minor infraction with offenders not vigorously pursued. There is real case evidence that the police have generally not grasped the importance of this typically lost opportunity, as the following tragic example illustrates.

An inquiry by the Independent Police Complaints Committee (IPCC) published in 2006, into the murder of Hayley Jane Richards (by her ex-partner, Hugo Quintas) detailed a complaint that there had been at least one opportunity to arrest him when local traffic police stopped him for having a damaged nearside tail light.¹⁹ The officers concerned were not unduly suspicious and simply issued him with

¹⁹ Found at www.ipcc.gov.uk/hayley_richards_report.pdf (accessed 20/8/2006).

an HO/RT1. A Police National Computer (PNC) check was carried out to ascertain the owner of the vehicle but a force intelligence check was not requested. Had it been, it would have identified Quintas as wanted by police for a serious assault on Hayley Jane Richards and the subsequent tragic events may never have unfolded as they did. Quintas had been issued with another HO/RT1 two months previous to the murder, with which he failed to comply. The Criminal Justice Unit had failed to take any action.

This chapter explores the utility of HO/RT1 non-compliance for self-selection policing by detailing a study focused on a wider sample of motorists issued with a HO/RT1 than was available in Operation Visitor.

The hypothesis is that failure to comply with this routine legal requirement reflects chronic and possibly serious criminality in a proportion of those so failing. Reasons mooted for non-compliance with HO/RT1 are likely to include the driver

- not having had any current motor insurance
- not having had a current Ministry of Transport Certificate (MOT) for their vehicle
- travelling in a stolen vehicle
- having an identity other than that disclosed to the police officer
- being prevented from complying by another party (e.g. criminal spouse)
- not wishing to draw any police attention to themselves for fear of exposing serious criminality
- general belief in the impotence of policing and criminal justice, often all too justified amongst those imbued in criminality.

All these putative reasons except the fourth assume that the police will not pursue someone for failure to produce documents as required by HO/RT1. In many cases (see below) the writer has observed this to be a fair assumption.

Before moving to explanation of the method used in this research, it is pertinent to introduce the purpose of the HO/RT1, legal requirements it imposes and its current level of use in routine policing.

5.1.1. The HO/RT1 process

Sections 164 and 165 of the Road Traffic Act 1988²⁰, as amended by the Road Traffic Act 1991²¹, enable a police officer to demand the production of a driving licence, insurance details, Ministry of Transport test certificate (MOT) and other relevant documents, from the driver of a motor vehicle. If not to hand, the driver must 'produce' at a police station within seven days, failure to do so being a prosecutable offence. The form is thus colloquially known as a producer.

Where the offence appears to the officer to involve obligatory endorsement, and the driver concerned does not produce the requested documents at the scene, an officer may issue a Form HO/RT1 requiring the individual to produce within seven days at a police station convenient to the driver. Officers should conduct a PNC check of the vehicle and driver and can at their discretion also conduct local force intelligence checks before the HO/RT1 is issued. In cases where an individual is charged with a substantive offence, it appears commonplace not to issue a HO/RT1 - the more serious crime, for example driving whilst under the influence of alcohol, taking precedence,

Generally, there is some consensus on HO/RT1 usage between forces at least in terms of policy. However, in some respects it appears to be a matter of individual force emphasis with differences existing mainly with regards to the wider utility of HO/RT1 (i.e. beyond just checking insurance documents and

²⁰ For further information please see http://www.opsi.gov.uk/acts/acts1988/Ukpga_19880054_en_1.htm (accessed on 23rd January 2009)

²¹ For further information please see http://www.opsi.gov.uk/acts/acts1991/Ukpga_19910040_en_1.htm (accessed 23rd January 2009)

vehicle ownership) and the administrative burden associated with extensive use. Devon and Cornwall Constabulary (2005), like most forces, has issued guidance to its officers, that if drivers are unable to produce documents at the scene, HO/RT1s *must* be issued to all drivers of motor vehicles in the following circumstances with the request to 'record details':

- At the scene of all road collisions, even if no further action is anticipated against any of the drivers.
- When reporting a person for any offence other than by way of fixed penalty ticket.

South Wales Police Authority (2004) states that HO/RT1s for the production of driving documents can only be issued by officers in the following circumstances:

- To persons involved or suspected to be involved in a road traffic collision.
- To persons who are reasonably suspected of committing a road traffic offence.
- Officers may issue a HO/RT1 to the driver/keeper of a motor vehicle or person supervising a provisional licence holder, who fails to produce immediately any relevant documentation for inspection.

There is also individual officer discretion to 'muddy the waters' a little more as the IPCC report (mentioned earlier) into the murder of Hayley Jane Richards acknowledges;

An officer has a certain amount of discretion when it comes to stopping a vehicle and that it is not always necessary to do a PNC check on its occupants. It would be down to the circumstances and the type of offence committed (2006, p.52).

As result of conversations with several officers (it is acknowledged this may be considered anecdotal evidence), the writer has found that officer discretion, in practice, is paramount to deciding whether a driver is issued with a HO/RT1. One officer (who shall remain anonymous) when asked by the author to help clarify

the thought and decision processes which officers engage in when stopping a vehicle, described it thus;

Once stopped and the driver cannot produce his documents, there and then, the officer then has the option of issuing a HO/RT1. However, first the officer would normally check PNC to see if there is any insurance for the vehicle in question. If it comes back 'insurance held' and the driver appears legitimate the officer will probably use discretion and not use an HO/RT1. If however, the driver cannot produce his licence or there is no insurance for the vehicle held on PNC, the officer has the discretion to issue the HO/RT1. If the officer stops a car and is not happy with the driver, and the driver cannot prove who he is then the officer has the option of arresting the driver for no documents....Once identity has been established the officer could decide to release and issue an HO/RT1. Basically, if the person is arrested for any offence we would try to establish he had documents for his car whilst in custody. If this is not possible then a HO/RT1 could be issued. (Anon)

The HO/RT1 issue process, therefore, does not appear driven by specific policing policy or guidance. Indeed, in the words of the officer above, "So as you can see the issue of a HO/RT1 is very much at the discretion of the officer and there are no fixed rules" (anon). Officer discretion should therefore, be considered an important confounding variable to be discussed in a section to follow.

Once issued, the front of the HO/RT1 must not be altered in any way. If a mistake is found, or an officer is asked to clarify a discrepancy, corrections must be made by way of statement. In their notebooks, officers should record the circumstances of issue of the HO/RT1 for use in any subsequent court proceedings.

When the required documents are produced at a police station (as a result of an HO/RT1 issue) the form HO/RT2 is completed immediately. When none (or only part) of the required documentation is presented, a reminder is sent and if not acted upon, then the force central ticket office issues a court summons to the offending driver. The writer found evidence to support the view that this does not

always happen or is indeed possible, particularly when a driver has given false details. The police do not have time to exhaust every avenue in pursuit of those deliberately failing to comply with the HO/RT1 process and as such a significant people are never traced, still less prosecuted.²²

Recently, with regard to many police forces in England and Wales, if officers have any doubts about a driver's identity they are permitted to inform them of their intention to take a thumbprint or photograph alongside HO/RT1 issue.

This chapter details the proportion of individuals who do not comply with HO/RT1 requirements, suggests reasons why not, and establishes a link between HO/RT1 non-compliance and serious criminality. The chapter, therefore, focuses on the extent to which HO/RT1 non-compliance can be considered a tool of offender self-selection, assisting police to uncover more serious criminality from the relatively minor infraction of not producing vehicle/driving documents.

5.2. Method

5.2.1. Participant Sample

The sample of people issued with an HO/RT1 constituted all HO/RT1s issued by the Lancashire Constabulary Central Ticket Office on December 1st 2004. Senior officers permitted the writer only one day's data. The date was not chosen randomly as it was decided, at the time of study (in 2005), that selecting this day allowed suitable comparison of an individual's criminal behaviour both before and after HORT1 issue on December 1st 2004. In total 129 HO/RT1s were issued on this date across Lancashire and those individuals constituted the sample tracked, with individual outcomes and offending careers analysed (i.e. the data used in the study).

²² Based on a conversation with the manager of the ticket office in question.

5.2.2 Procedure

A database was created. Variable fields were created for HO/RT1 issue number, name, address, postcode, vehicle registration number, reason for issue, and whether the individual complied with the HO/RT1, part complied, or entirely failed to comply.

The December 1st, 2004, HO/RT1 disposals were tracked five weeks after issue (to adjust for the effects of the Christmas holiday) using the Lancashire Constabulary Central Ticket Office computer system. The outcomes were entered on to the database accordingly. This period was considered long enough to establish an outcome of the process flowing from HO/RT1 issue as the recipients were required to comply with HO/RT1 conditions and to present at a police station within seven days. Disposal outcomes distinguished those who had 'complied fully' from those considered 'possible prosecutions', as they had either produced only part of the required documentation, or had not produced any at all.

The writer, alongside police staff from Lancashire Constabulary, then conducted background analysis of all individuals (as discussed above), with particular focus on known offending history or intelligence suggesting such a history. This information was entered onto the database, allowing linkage of whether the individual complied/did not comply with the HO/RT1, had a history of offending and whether they should be considered active, serious offenders at the time of HO/RT1 issue. All data was stored on a police networked compute, with no personal data taken by the writer off police premises.

Those issued with HO/RT1s on the designated date were not made aware of the study, as it was for the purposes of research that individual HO/RT1 outcomes and personal details were tracked, and not as an intrinsic part of police operations. In conducting this research the writer fully complied with the current

research guidelines laid down by the British Psychological Society²³ and with relevant police data policy and the Data Protection Act (1998). All personal information (i.e. names, addresses, and vehicle registration numbers) remained on the Lancashire Constabulary computer system/network, with the writer only taking an anonymous dataset away for analysis (e.g. individuals were given a number from 1 to 129). All criminal history checks were conducted by the writer and police staff using the PNC and SLEUTH (Lancashire Constabulary Intelligence database) on police premises (i.e. at a police station). Officers were considered as 'only doing what they should have anyway,' by responding to HO/RT1 issues, by senior officers.

5.2.3 *Materials*

The initial dataset represented information obtained from HO/RT1 issue sheets and the Lancashire Constabulary Central Ticket Office computer system. Additional data on individuals was obtained using the Police National Computer and the Lancashire police 'Sleuth' intelligence system.

5.3. **Results**

Of a cohort of 129 individuals, 81% (n=105) were issued to male and 19% (n=24) to female drivers. Driver age ranged from 17-83 years, with a mean of 32 years and a standard deviation of 12 years.

38% (n= 49) of those issued with a HO/RT1 failed to produce the required documentation within the 28 day period (herein after termed 'no shows') and were therefore considered 'prosecutable', leaving 80 (62%) who had fully 'complied' (herein 'shows').

²³ See [http://www.bps.org.uk/document-download-area/document-download\\$.cfm?file_uid=5084A882-1143-DFD0-7E6C-F1938A65C242&ext=pdf](http://www.bps.org.uk/document-download-area/document-download$.cfm?file_uid=5084A882-1143-DFD0-7E6C-F1938A65C242&ext=pdf) (accessed on 18/11/2006)

Background recorded offence checks (PNC analysis conducted by the writer with police staff) identified that 34% (n=44) of the cohort had a recorded offence marker, leaving 66% (n=85) who did not (i.e. had no previous recorded offence so were unknown to police). A simple two by two contingency table analysis was constructed for record/no record against HO/RT1 compliance/non-compliance, which showed a statistically significant association between no show group and the existence of a PNC criminal offence history ($\chi^2 = 18.65$, DF = 1, $p < 0.001$). The expected count for no-shows with a PNC mark was 16.7 but the observed count was much higher at 28. Phi was found to be 0.38 showing that 14% of the variation of whether people showed (complied with HO/RT1) or not was accounted for by whether they were known to the PNC (or not). It can be concluded, therefore, that there was a significant association between HO/RT1 compliance and known to PNC, with 57% of those who failed to show (comply) were found to have a criminal record.

5.3.1. Shows and no shows

Sex (gender) and age were not found to be associated with whether an individual complied with the HO/RT1 requirements (i.e. show or no show) as an independent t-test produced a non-significant result.

Criminal history checks conducted, identified a total of 360 offences on record against members of the whole cohort of 129 drivers, with 75% (n=269) committed by those who did not comply (no show group). These were found to have a number of recorded offences almost five times greater than the shows (no shows mean 5.7, SD= 11.2; shows mean 1.2, SD= 4.8). An independent samples t-test indicated a significant difference between the two groups with regard to number of recorded offences ($t = -3.193$, DF = 124, $p = 0.001$, two-tailed). See table 5.1 below (number of recorded offences are as per Police National Computer on April 10th 2006).

Table 5.1. A comparison of recorded offences for show and no show HO/RT1 groups.

Group	Total number of people in group	Total number of recorded offences	Mean number of recorded offences	Range of number of offences	Std dev
Shows	79	91	1.2	0-39	4.8
No show	47	269	5.7	0-58	11.2
Total	126	360	2.9	0-62	8.5

It was found that not only did significantly more of the no-show group have recorded offence histories, but that this group had a much higher rate of recorded offending. Since, as discussed, there was no significant age difference between the two groups (the no shows were no older than the shows (indeed they were on average two years younger), so the difference was not attributable to having longer to accumulate a criminal record. Further, 42% (n=20) of the no-show group had offence records which comprised more than three separate offences, where this was only 6% (n=5) for the show group.

A difference was found between the show and no show groups with regard to the types of offence they committed. In volume, the no show group had committed significantly more offences against property, theft, fraud and deception, driving whilst disqualified, and weapons offences than their compliant 'show' group counterparts. This group had also committed significantly more of what are commonly categorised as *police, courts and probation offences* (PCP), where the individual fails to comply with a stipulated condition, such as failing to turn up to a compulsory meeting with the probation service or to attend court for trial, or sentencing or bail hearing. In sum, 30 % of the no show (non-compliant) group had a history of non compliance with offences within the police, courts and probation offences category. This contrasts with less than 4 per cent of the show group. In light of this finding it is was perhaps no surprise that those with a history

of failing to comply with specific legal requirements and conditions, also failed to comply with the HO/RT1 legal requirements, symptomatic perhaps of a 'chaotic' lifestyle, or a wish to conceal probably more serious criminality. Or (perhaps most likely) a realistic appreciation of how imperfectly the criminal justice system follows up those who flout their legal obligations to it.

Giving false personal details to police and other criminal justice agencies also falls within this category. It can be hypothesised that that to lie about your name and address may be symptomatic of a wish to conceal the extent of your criminality (or to protect others) from police, or a (possibly experience-based) contempt for police capacity to find the deceiver. This hypothesis is explored fully in the next chapter.

5.3.2 *The timing of offences – Distinguishing active and non-active offenders*

A simple contrast of criminal records between shows and no shows does not in itself indicate that the no shows were criminally active at the time of HO/RT1 issue, and as discussed in previous chapters, this is a necessary condition for self-selection policing to be viable. A temporal analysis of offences perpetrated by both the show and no show groups relative to HO/RT1 issue is now presented.

As previously noted, all PNC checks were carried out in April 2006, with the time of HO/RT1 issue being 1st December 2004. This time frame afforded the opportunity to conduct analysis of individual offending both before and for a non-trivial period after HO/RT1 issue, providing a criminal career window incorporating offences prior to and after the date of HO/RT1 issue.

All individuals were assigned to one of four categories:

1. Non-offenders (i.e. had no recorded offence history)
2. Those who had recorded offences only *before* HO/RT1 issue

3. Those who had recorded offences *before and after* HO/RT1 issue²⁴
4. Those who had recorded offences only *since* HO/RT1 issue

Table 5.2 details the number of individuals in each category by show and no show status.

Table 5.2. Offending histories before and after HO/RT1 issue

<i>Offender categories</i>	<i>HORT1 shows</i>	<i>HORT1 no show</i>
No offence history	64 (75%)	21 (25%)
Before HORT1 issue only	9 (43%)	12 (57%)
Before and after HORT1 issue	3 (21%)	11 (79%)
After HORT1 issue only	3 (50%)	3 (50%)
Total	79* (62%)	47* (37%)

*3 criminal histories were incomplete (1 show and 2 no show) so a complete analysis was impossible

A general estimate of HO/RT1 non-compliance in the UK driver population is hard to find. Cheshire Constabulary estimates that approximately one third of drivers fail to comply for one reason or another²⁵, which is in line with the 37% found in the HO/RT1 sample here. Recent estimates suggest that 6.5% of drivers do not have insurance (Police Professional, 2009) which undoubtedly contributes to the high level of non-compliance. We can add the finding here that half of those who failed to comply with the HO/RT1 had an offence history (i.e. were

²⁴ Up to PNC checks conducted by writer with police staff in April 2006

²⁵ <http://www.cheshire.police.uk/showcontent.php?pageid=431>

known to the PNC at time). Whether HO/RT1 non-compliance best predicts an offence history or more recent (concurrent) offending is now explored.

Analysis of recency of offending, using recorded offences listed on the PNC, indicated that the no show group had a mean of three years since their last recorded offence where the show group's last offence mean was over 6 years prior to HO/RT1 issue. At face value at least, more of the no shows appear to have committed offences more recently than the shows (1 in 3 no shows and 1 in 12.5 shows respectively). This finding suggests that a significant number of those who do not comply with HO/RT1 go on to feature on the PNC for other offences. Non-compliance appears predictive of future offending.

Of the no-shows (non-compliant) almost one third should be considered actively criminal in the sense that they were officially processed for offences during the eighteen months *following* the no-show. This contrasts with a mere 8% of shows (compliant). Further analysis concentrated on those who offended in up to a year after HO/RT1 issue to gauge the extent to which the no show group represented an active criminal contingent. Table 5.3 (over) details those who committed recorded offences in 2004, 2005 and 2006 and whether they belonged to the show or no show group. As can be seen, considerably more of those from the no show group committed a recorded offence in 2005 (up to a year after the HO/RT1 issue) than those from the show group, suggesting that a significant percentage of those who do not comply with a HO/RT1 are committing other offences, or go on to commit further offences within twelve months. Non-compliance appearing indicative of concurrent offending. Less of those in the no show group offended the year prior to, or more than a year after, HO/RT1 issue. Those who do not comply with HO/RT1 are most likely to be concurrently offending and for the present thesis, thereby demonstrating the utility of HO/RT1 non-compliance as a self-selection offence.

Table 5.3 The percentage of shows and no shows offending in year before, year of and year after HO/RT1 issue.

<i>Year</i>	<i>HO/RT1 show group</i>	<i>HO/RT1 no show group</i>
2003	15%	57%
2004*	10%	90%
2005	7%	30%

* HO/RT1 issued in December 2004

In order to examine this finding further, the offender categories were next collapsed to just two by including 'the before and after HO/RT1 issue with 'after only'. The logic of this approach is that the key issue is whether criminality followed HO/RT1 issue. Whether there had been recorded criminality before issue is of limited interest. Indeed, it might be said that HO/RT1 no show provides a particularly useful flag of active criminality in the absence of prior recorded offending

A simple 2x2 contingency table was constructed consisting of offence before/after and show/no-show. The results of chi-square analysis were found to be statistically significant ($\chi^2=10.87$, $DF=1$, $p<0.01$) with no shows predominating in the collapsed 'later offending' group. Phi was found to be 0.48, therefore 24% of the variation in whether people went on to offend after HO/RT1 can be explained by whether they complied with the HO/RT1 issued. The criminality of the no shows is therefore not one of mere historical interest.

Those who comprise the 'before and after' and 'after only' categories could justifiably be considered '*active*' offenders (hereafter termed 'active group'). To revisit, the overall finding was that 28% of no shows would be active offenders. Consequently, further police scrutiny of HO/RT1 no shows would pay huge dividends with regard to identifying active offenders for minimal effort (discussed more comprehensively later in the chapter).

Having identified a link between no shows and active offending, focus was switched to a more detailed analysis of criminal careers and whether the active group was committing serious crime.

5.3.3 Criminal careers

A criminal career duration to date was calculated for those individuals with at least two offences separated in time, comprising of a last and first offence dates²⁶. A career was calculated by subtracting the date of first offence from the date of last (e.g. last offence, 2004 minus first offence 2000 gives a career of 4 years). The mean career length for the no show group was found to be more than double that of the show group (2.8 and 1.3 years respectively). Although, the result of an independent means t-test was marginally short of the conventional threshold of statistical significance ($p=0.06$) the finding that no shows tend to have longer criminal careers than shows again lends support to HO/RT1 non-compliance as a self-selection tool for uncovering more serious criminality.

5.3.4. Offence types committed by the 'active offender group'

Analysis was conducted which focused on the type of offence committed by the 'active group'. Table 5.4 (over) summarises the offence types for the 'active' offender category, comprised of 14 individual offence histories

²⁶ This was a simple calculation and not of the Markov Chain variety.

Table 5.4. A summary of recorded offences (per type) for the HO/RT1 non-compliant 'active' offender group

Type of offence	% of active offender group who have committed offence type (n=14)
Theft and kindred	79% (11)
Police, Courts and Prison (PCP)	71% (10)
Public disorder	64% (9)
Offences against property	50% (7)
Offences against the person	50% (7)
Driving whilst disqualified	36% (5)
Drugs	36% (5)
Fraud and kindred	29% (4)
Air-guns/weapons	21% (21)

It can be seen from Table 5.4 that the PNC histories of the active offender group indicates both offence versatility and is suggestive of frequent participation in serious criminality. For example, half this group had committed offences against the person (including violence); two-thirds had committed public order offences (including threatening behaviour) and a third had drugs convictions. Also important was the high proportion of this group who had committed theft (79%). The prior offence of most interest when discriminating those likely not to comply with a HO/RT1 is PCP. The commission of this category of offences, as discussed previously, goes some way to explaining a no show. Further analysis of HO/RT1 disposal outcomes was conducted.

5.3.5 HO/RT1 disposal outcomes

To enable an officer to access criminal history information, the driver must have at least supplied his name (or a plausible identity). There is a case for saying that those who could not be traced may be more active and prolific than other no shows.

Analysis of HO/RT1 disposal outcomes for the 49 no shows suggested that nine had been classed as 'untraceable' by police, meaning the individual had given a false name and/or address to the issuing officer, with the intention of avoiding a subsequent court summons. Two HO/RT1 false detail givers were later traced and found to have committed offences within six months of the HO/RT1 issue. This still left seven complete unknown individuals who were potentially active, serious offenders of whom the police had no knowledge. If the previous finding that 57% of no shows group have criminal histories is applied to this group of untraceable no shows, then approximately four should be considered likely serious offenders, worthy of tracking by police. The fact that they gave false details indicates mischievousness at best, active criminality at worst.

So what does it mean when someone who does not comply with a HO/RT1 is considered 'untraceable' by police? The writer checked addresses given by those non-compliant with HO/RT1 and said to be untraceable by police, with the electoral register for 2004 (the period of study). It was found that half of the identities given matched names and addresses on the electoral register. The names were registered at the addresses given, but this does not mean that these were the real details of those actually issued with the HO/RT1. For example, it could be that these were names and addresses of people known to a no show driver but not those of the driver him or herself. What is not known here is the extent to which police *really tried* to trace these individuals. Only one driver was eventually convicted of 'deception' for giving false details to police. Those not on the electoral register, were more understandably untraceable. False detail giving is the focus of the next chapter, but shall be briefly discussed later in this chapter.

From the remaining 40 no shows, all received penalties for having failed to provide evidence of adequate motor insurance, and/or M.O.T. Some failed to produce a driving licence. A discussion of the findings and implications for policing now follows

5.3.6 Predicting active serious offenders from no shows

Perhaps, at this juncture, it is pertinent to provide a brief recapitulation of the findings of this small study to this point as a basis for the next analysis. It was found that no shows differed from shows with regard to

- having a recorded offence history comprising of,
- a greater number of recorded offences,
- of both a serious nature and more recent in occurrence.

To identify which of the above variables was the most significant predictor of a no show (and in reverse, what would be predicted about an offender by a HO/RT1 no show) a *logistic regression* was employed. Logistic regression is a statistical technique used to predict values of a dichotomous (binary) *criterion variable* (DV) from continuous and/or categorical *predictor variables* (IV). It also determines the proportion of the variance in the criterion explained by the predictors and ranks their importance and assesses any interaction between them and any covariates (Gavin, 2008, p.229).

A logistic regression was conducted whereby the criterion (dependent) variable selected was *show/no show* and the three predictor variables (IVs) were, *number of offences committed, offended after HO/RT1 issue date* and *length of criminal career*. A backward selection method was selected which enters all of the predictor variables into the model and then removes the weakest and recalculates the regression (Gavin, 2008). If the model is weakened then the predictor variable is re-entered and so on. A summary of results is shown below as Table 5.5 (including beta coefficients and standard errors) and as can be seen the strongest predictor variables of a HO/RT1 no show are *number of offences* and *length of criminal career*, when the weakest predictor variable is removed (*offending after HO/RT1 issue*). The regression analysis is shown below.

Table 5.5. Logistic regression Beta coefficients and standard errors

		B	S.E.	DF	Sig.	Exp(B)
Step 1(a)	Number of offences	.280	.132	1	.034	1.323
	Length of criminal career	-.291	.130	1	.025	.748
	Offended since HO/RT1 issue	-.574	1.143	1	.615	.563
	Constant	.209	.512	1	.684	1.232
Step 2(a)	Number of offences	.289	.133	1	.029	1.335
	Length of criminal career	-.298	.129	1	.022	.743
	Constant	.121	.480	1	.801	1.129

a Variable(s) entered on step 1: number offs, career length, offended since HO/RT1

The results suggest that the length of an individual's criminal career and the number of offences committed within it best predict whether they are likely to comply (or not) with a HO/RT1 (statistically significant at the 0.05 level). If we reverse this statement, then it appears that those who do not comply with a HO/RT1 are likely to have long criminal careers comprise of a high number of offences. Non-compliance with a HO/RT1, therefore, should be regarded by police as indicative of individuals entrenched criminal careers (categorised by Moffitt (1997,1999) as 'life-course persistent' offenders) and not simply as minor transgressors unworthy of much attention.

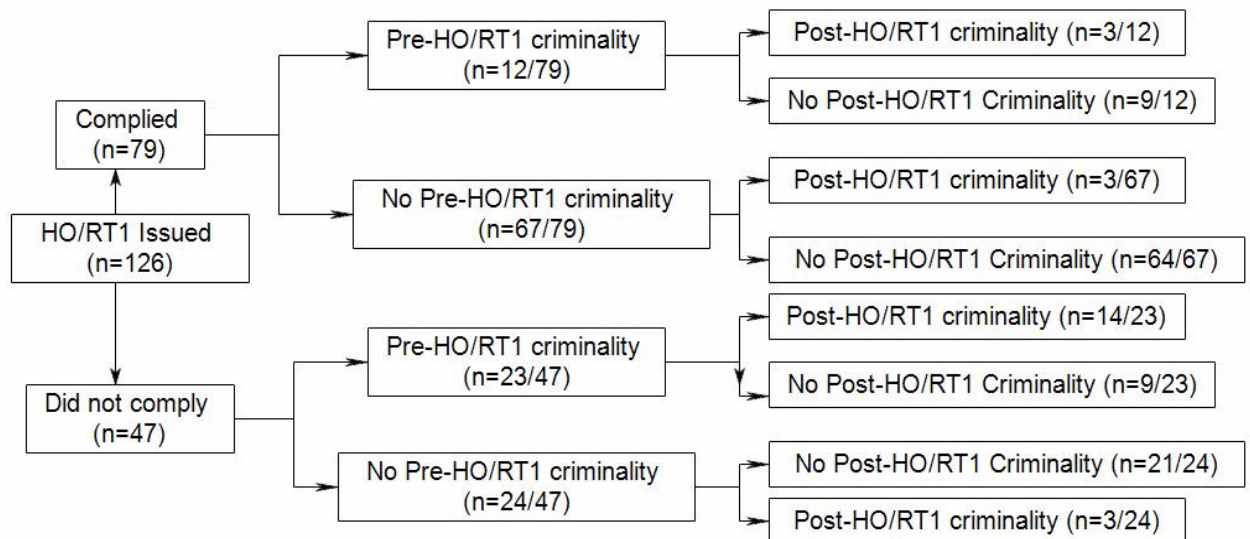
It was anticipated that offending recent to HO/RT1 would be the best predictor variable but this was not found to be the case. This was probably because offence dates were incomplete in places (or only court dates were listed) and so it was problematic determining those offences which were committed close to HO/RT1 issue date (concurrent) as opposed to those some time after HO/RT1 issue. As such, it was only possible to create a binary variable offended/did not offend since HO/RT1 issue (as shown in the regression analysis above). In short, although recency of offending was not tested in the regression analysis as such, analysis already presented in this chapter is sufficient to sustain the writer's optimism. This is discussed further in the next section.

5.4 Discussion

5.4.1 Why police should focus on no shows

The main hypothesis of the HO/RT1 study was that a significant proportion of those who fail to comply do so because they engaged in active criminality which includes serious crime. This was supported. Again the writer acknowledges that the presentation of results may be more suited to academics than police officers. In order to rectify this situation, a flow- chart (figure 5.1.) is provided to illuminate the findings of the HO/RT1 study along with a descriptive summary paragraph.

Figure 5.1. A flow-chart depicting HO/RT1 outcomes



No shows were found significantly more likely than shows to have recorded offence histories (on the PNC). Additionally, it was found that no shows had significantly more offence histories comprising two or more offences than shows (many had three or more). No shows were found to have offended significantly more recently than shows (post HO/RT1 criminality), especially those who were found to have a pre-HO/RT1 offence history. No shows were found to have an offence history which often included serious offences (e.g. violence against the person). A significant number of no show disposal outcomes were not traced,

suggesting the commonality of no-shows giving false names and addresses to police, to evade identification, possibly in order to hide active serious criminality. The offending of no shows typically followed HO/RT1 issue, demonstrating that their offending was more current than historical – they were active offenders. The full implications of this last finding are discussed more fully in the next section.

Some will argue, with a degree of justification, that the study presented here is somewhat limited and possibly ‘unrepresentative’ as it was based on a small sample of individuals issued with HO/RT1 on a single date in one county in the North of England. There are no dedicated studies with which to compare findings, but the proportion of HO/RT1 no-shows (38%) appears reasonably consistent with estimates made by Cheshire Police)²⁷. The HO/RT1 study presented at the very least provides police with a rudimentary profile of who is and who is not likely to not comply with a HO/RT1 and several brief recommendations for issuing officers are tentatively made.

- If a PNC check shows a history of three or more offences then the individual is likely to not show and be engaged in active criminality, possibly of a serious nature. Scrutiny should be directed at these individuals.
- If PNC checks indicate recent offences of theft, burglary, public disorder and PCP then further background scrutiny should be employed.
- Scrutiny of those who do not comply with HO/RT1 is likely to pay dividends in uncovering offending of a more active and serious nature.

The demonstrated utility of focusing on HO/RT 1 no shows to uncover serious offenders invites police to take HO/RT1 use seriously, both at the point of issue

²⁷ Cheshire Constabulary estimate found at <http://www.cheshire.police.uk/showcontent.php?pageid=431>

and in the tracing of no-shows. Hopefully, by showing that a high proportion of no shows are likely to be active serious offenders, this may go some way to convincing police to use them more productively, instead of dismissing no-shows as simply minor offenders of low priority.

Of course, these recommendations are not mutually exclusive. For example, when a cursory scrutiny of a no-show indicates that they have committed a recent burglary and they have a history of other offences, they should be made a priority for more intensive scrutiny (i.e. lifestyle, associates etc.) as the likelihood is that they are actively engaged in concurrent serious offending. This is why they do not comply with the HO/RT1.

Although the findings and subsequent recommendations of the HO/RT1 study hopefully make a compelling case for smarter use of the HO/RT1 by police, enthusiasm must be slightly tempered as they must be considered in an appropriate context. Non-compliance, on many occasions may be the result of the driver not possessing motoring insurance and it has been estimated that 1 in 20 drive without insurance in the UK (Greenaway, 2004)²⁸. Although in itself a prosecutable offence, it would not be considered serious by many and would in all likelihood result in a fine and points on a licence. However, this consideration must be measured against those with criminal inclinations, who may take their chances driving 'illegally' (as for example did the serial murderer Fred West) There is no reason to doubt the research literature that this relatively minor infraction of the law is not symptomatic of a wider disregard for the law (Kelling and Coles, 1995).

Using HO/RT1 as a self-selection tool does not immediately identify a serious offender from a minor infraction, but the findings do indicate strongly that failure

²⁸Greenaway, D. (2004) Uninsured driving in the UK: A report to the Secretary of State for Transport found at <http://www.dft.gov.uk/pgr/roads/miud/uninsuredDrivingintheUKa.pdf> (accessed 7/1/2009)

of police to actively pursue no shows would be foolhardy, as was tragically identified by the IPCC inquiry (2006) in to the murder of Hayley Jane Richards. This will be expanded upon in chapter eight, but suffice to say that more research is warranted in this area. Preferably this will be on a much larger and wider scale than was possible here, expanding to cover HO/RT1 issue across the whole country, therefore allowing a wider testing of utility. That said, the results of the present study seem worthy of immediate application by police forces across the country. One officer, for example, who was involved in the study, when shown the recommendations by the writer said, “What have we got to lose, we should be doing this anyway” (Anon).

Another point merely raised here but dealt with more extensively in chapter eight, is that the application of these findings will depend upon public cooperation. Recent years have seen much criticism of the police for strict enforcement of motoring offences. Self-selection policing will require citizens (especially motorists) to be prepared for and not resentful of fuller police checks being made when their vehicles are stopped. This consideration is discussed further in the last chapter, it suffices to make the point here that this was noted in the (2006) inquiry into the Hayley Jane Richards murder, with regard to the complaint that police failed to arrest the wanted Quintas before the murder. The inquiry report concludes that,

A police officer could declare that all drivers stopped under section 163 of the Road Traffic Act 1988 would have their identification details checked against the PNC and the local force intelligence database. Such a ‘trawl’ would undoubtedly, from time to time, lead a police officer to those liable to arrest and, no doubt, some arrests would follow. However, this was not the rule in Wiltshire Constabulary at this time and, were it to become so, it would need to enjoy public confidence if it were not to be perceived as just another unreasonable and oppressive extension to police surveillance, particularly by members of minority communities.’ (2006:55)

Another significant finding from both the HO/RT1 study and Operation Visitor, was the high number of people in both whose whereabouts were unknown to

police. These were suspected of having given false details. It was surmised by the writer that these individuals must include a significant proportion of active serious offenders trying to conceal their criminality. The writer decided that those who give false details are blatantly self-selecting for the police scrutiny which they are keen to evade. The difficulty here of course is discerning false detail givers from genuine detail givers. This is the subject of the next chapter.

CHAPTER SIX – False address giving to police as self-selection

'A lie can travel halfway around the world while the truth is putting on its shoes'
(Mark Twain).²⁹

6.1 Introduction

In the previous chapter it was found that a significant number of those who failed to comply with a HO/RT1 were untraced by dint of giving false details to police. These individuals, by giving incorrect details, thereby volunteer themselves for warranted police scrutiny – they self-select. The problem for police of course is to discern at point of contact whether the individual is telling the truth or telling lies as to their home address, or tracing them after the fact when their details have proven false. This chapter focuses on the false detail giver self-selecting for police scrutiny by virtue of the attempt to conceal his or her true address.

A dedicated study of false address giving is presented. The primary focus is the cognitive process involved when fabricating a false address spontaneously, with the aim of assisting police to recognise the self-selecting false detail giver stopped for a minor infraction.

The chapter begins with a review of the literature pertaining to the psychology of lies and deceit to set a context for the false details study that comprises the bulk of the chapter. The chapter concludes with some tentative suggestions for operational policing.

²⁹ Found at <http://www.twainquotes.com/Lies.html> (accessed 12 May 2007) - *This quote has been attributed to Mark Twain, but it has never been verified as originating with Twain. This quote may have originated with Charles Haddon Spurgeon (1834-92) who attributed it to an old proverb in a sermon delivered on [Sunday morning, April 1, 1855](#). Spurgeon was a celebrated English fundamentalist Baptist preacher. His words were: "A lie will go round the world while truth is pulling its boots on."*

6.1.1 *The psychology of lies and deceit*

To deceive, or to lie, has been described as ‘an essential part of everyday social interaction’ (Vrij 2000, p.1). Research has found it to be ‘a daily life event’ perpetrated by all, for reasons ranging from the selfishness of personal ambition, through to those of more altruistic orientation (DePaulo, et al.,1996). One has only to think of a recent social interaction in order to recall a deceit of some kind, for example, when one complimented the host on his cooking ability when really you wished that you had taken the trouble to eat before you arrived (or brought indigestion tablets). Or perhaps, when you thanked your ten year-old grandson for the aftershave he had bought you on your last birthday, when the minute he left, you sprang into action and used it to strip the last of the stubborn paint from that rather irksome banister rail³⁰. These are examples of deceit and lying, however they might double as kindness, politeness and ‘the right thing to do’. Indeed, the social world would certainly run less smoothly, or would quite possibly even collapse, without them (Vrij, 2000, 2008).

Evolutionary psychologists suggest the human ability to deceive represents an adaptive strategy for survival and reproductive advantage, known as the *Machiavellian hypothesis* (Premack and Woodruff, 1978, Whiten and Byrne, 1997). Some go so far as to proclaim that ‘psychopaths’ - where symptoms include callousness and a lack of empathy (Hare, 1993) – perhaps represent ‘natural born winners’ as they have an ability to deceive without self-reproach (Roach and Pease, 2009 in press). Take heart. We all tell lies, it is in our make-up.

What constitutes a lie, or a deception, is not without dispute. Some offer simple definitions, such as Mitchell (1986, p.38, “a false communication that tends to benefit the communicator” and some more complex, “a successful or

³⁰ If interests the reader, the writer is the grandson in question, who out of malice still buys the same aftershave every birthday for his unscrupulous Grandfather. The banister in question is on its third redecoration now. The war of attrition continues.

unsuccessful deliberate attempt, without forewarning, to create in another a belief which the communicator considers to be untrue” (Vrij, 2000, p.6). Although, the difference between the two proposed definitions of deception is not merely one of semantics, in the context of giving a false address to police one can assume both equally valid. Presumably, one deceives in giving false details simply to avoid some sanction, or police attention. As such, ‘self-deception’ is of no relevance here.³¹

The question of *why* people lie has received particular research focus. In a comprehensive study of ‘lying in everyday life’, researchers found it to be an extremely common part of social interaction (Depaulo et al., 1996). The participants in the DePaulo et al. study comprised students and other community members asked to keep diaries of the lies they told during all social interactions over the course of one week. The results, universal across the two groups, showed participants lied approximately twice a day and in 25% of their interactions with others, culminating in 34% of all interactions over the week. Participants also reported that they felt more uncomfortable telling lies to those to whom they felt emotionally close and so told fewer lies to this group. The DePaulo et al. study suggests people generally find strangers easier to lie to than those closer, possibly because strangers are less likely to detect lies than intimates (Vrij, 2008). There are however, exceptions which can depend on the nature and severity of the lie being told and the reasons for it (Depaulo et al., 1996, Taylor and Hick, 2007)

Although, a seemingly endless list at first glance, researchers have condensed reasons for lying to two main purposes, those which are ‘self-orientated’ and those which are ‘other-orientated’. Vrij (2000, 2008) elaborates further. Self-orientated lies include:

- to make a positive impression on others, or to avoid embarrassment
- to obtain advantage (e.g. embellish a C.V.)

³¹ Except perhaps in the case of an individual experiencing mental ill-health or amnesia.

- to avoid punishment (lying to police during a murder enquiry).

Other-orientated lies include:

- to make others look better or for another's benefit (e.g. telling your boss a colleague is not at work because she is ill, when really she is 'hung-over')
- for the sake of social relationships (e.g. "Your new haircut looks great". When really you think it looks like the aftermath of an encounter with Edward Scissorhands).³²

Two studies covering the use of false and other people's identities have estimated that identity crime costs the UK economy between £1.3 and £1.7 billion per annum (Cabinet Office July 2002, Home Office Identity Fraud Steering Group, 2006). Offenders use false personal details to commit what the UK Home Office refers to as, *identity crime*. The generic term comprise crimes of identity theft, creating a false identity and committing identity fraud.³³

Identity crime, in this instance, refers to the use of false, or another's details often to facilitate financial crime such as credit card or benefit fraud, it does not as readily refer to its use as facilitator of other serious crime such as terrorism, whereby false identity is a means by which criminals go undetected (e.g. Salaheddine Benyaich and Dhiren Barot, BBC 2007)³⁴. Unsurprisingly, due to a narrowness of interpretation, research on false identity crime as a 'smoke-screen' for more serious criminality is scant by comparison to financial related crime. This chapter, with specific focus on false address giving to police as a means of avoiding detection, represents an effort towards restoring some balance.

³² My examples, not Vrij (2000).

³³ See for example <http://www.identity-theft.org.uk/faqs.html> for a fuller explanation (accessed July 2007)

³⁴ Salaheddine Benyaich had obtained a false UK passport and was later convicted of a bombing in Morocco. Dhiren Barot had also obtained a false UK passport and was sentenced to life for conspiracy to murder – he admitted to planning a major UK terrorist attack.). BBC News, found at, http://news.bbc.co.uk/1/hi/uk_politics/6470179.stm (accessed 16/07/07)

There are significant differences between assuming a known identity and giving false details. The assumption of a known identity entails a degree of forward planning, for example, that sufficient corroborative information is known (or is suitably fabricated) which can give the authentication necessary, for say a bogus passport application.³⁵

Giving false details to police when stopped is taken to be a much less sophisticated, more spontaneous process whereby 'unprepared' individuals have a minute period of time in which to fabricate plausible false information. In such situations 'top-down' cognitive processing is likely, this is relying on pre-existing cognitive schemas (Eysenck and Keane, 1995). Schemas being mental representations of people and things (e.g. a table generally has four legs and usually comes with chairs).

Arguably, seasoned criminals are more likely to have an alias and false address prepared in advance to cover 'occupational hazards' such as being stopped by police and although an important (and concurrent) research area, it is not the immediate concern of this paper. The cognitive process associated with the spontaneous generation of a false address is the writer's primary focus. Put simply, the questions addressed here are: when false details are given with the aim of deception then to what extent does the deceiver unwittingly give clues as to their true place of residence? Consequently, if clues are indeed unintentionally given, what and how much effort is required to decipher them and what is the likelihood of tracing the putative offender?

Presumably, those who give a false address to police lie to avoid punishment, although to benefit another could also be a reason, if for example, protecting a partner, family member, friend or associate (e.g. Mum couldn't bear the shame of a police officer's visit to the family home). The DePaulo et al. (1996) diary study found that most of the lies told were self-orientated in nature. Vrij (1995) found

³⁵ For example, details of date and place of birth and knowledge of application procedures.,

the opposite in a similar study, that most lies were other-orientated, although he acknowledges that people often tended to underestimate the number of self-orientated lies told. DePaulo et al. (1996) found a significant gender bias in their study with male participants telling more self-orientated lies, despite similar levels of lying overall.

An overwhelming majority of the psychological research pertaining to lies and deceit focuses on the search for tell-tale signs which give the deceiver away, particularly the *non-verbal*. Non-verbal communication, such as body language, has long been a preoccupation with psychologists (e.g. avoiding eye-contact, playing with hair) alongside tests of body function such as the polygraph test, seen as involuntary indicators of the strain of deception (see Vrij, 2000, 2008 for an excellent review). Some have focused specifically on the ability of 'professional lie-catchers', including police officers and security service personnel to detect lies, and although small enhanced ability has been found in comparison with student samples (e.g. Ekman and O'Sullivan, 1991; Porter et al., 2000; Hartwig et al., 2004) evidence suggests that on the whole most people are not very good at detecting deception with accuracy generally between 45 and 60 per cent (Taylor and Hick, 2007, Vrij, 2000, 2008). Taylor and Hick (2007) suggest that this is probably the result of a time-lag between popularly held stereotypical cues for detecting liars, such as 'gaze avoidance', and an increase in movement and the results of decades of research for example, showing that liars often maintain more eye-contact with the person to whom they lie and actively reduce their movements (Vrij, 1995; Vrij and Mann, 2001) As such, what are commonly believed non-verbal cues to deception can be considered somewhat outdated in the arms-race between those trying to deceive and those trying not to be deceived..

Research has focused on verbal communication and the identification of verbal characteristics of lying (e.g. slow speech and frequent pausing), much of it directed at police interviews with suspects (e.g. Gudjonsson, 2007). A review of

the literature identifies several verbal criteria which appear fruitful in discriminating between deceit and truth, particularly when a liar has to instantly invent an answer. Deceptive statements might for example be *short* and *factual* (possibly unconvincing), *negative* (e.g. 'I am not a criminal') and *impersonal* (i.e. do not refer to themselves explicitly because they have not experienced what they claim to have) (Vrij, 2000, 2008).

The present study, although irrefutably still within the realm of lies and deceit, is concerned with those who give a false address to police. The aim is not to discern how deception can be recognised from non-verbal cues, or even from the manner in which things are verbalised, but to focus instead on whether *what* is said can be used to identify the false address giver's true place of residence which they are trying to conceal. A detailed exploration of the cognitive processes involved in the generation of a false address and how an understanding can inform current police practice is the primary purpose.

A distinction is often made between processing which is stimulus driven (e.g. the processing by my eyes of symbols on the computer screen) referred to as 'bottom-up' processing, and 'top-down' processing, which refers to processing affected by what an individual brings to a stimulus situation (e.g. my understanding of what those symbols mean from the particular sequence they follow and a stored knowledge of the meanings of words and punctuation). If one is spontaneously to fabricate a plausible false address then one needs an address schema (knowledge of how addresses are comprised, formatted etc) and a UK post code schema (a strict sequence of numbers and letters e.g. LS24 9BC). Both necessitate prior stored knowledge, demonstrating the necessity of top-down processing since to guess the format of an address and postcode perfectly, without previous experience, would be a formidable challenge.

The verbal and non-verbal characteristics alluded to above, developed for unmasking liars, lend themselves more readily to relatively time-rich police-

suspect interview situations, than to identifying false detail givers on the street, often from only a few minutes of interaction. They also offer little assistance to those later trying to trace false detail givers some time after initial contact. What is needed here is a way of

1. discerning those who give false details to police from those who are truthful at the point of contact, and;
2. identifying the real residence of those later found to have given false personal details.

By definition, it is not known what percentage of individuals who are stopped give false details to police. In the previous chapter it was estimated that at least 10% of HO/RT1 non-compliers gave false details suggesting that those who did so as a way of concealing concurrent offending or to protect others. A need to prioritise serious crime³⁶ and a lack of available resources (e.g. time and personnel) are reasons popularly mooted as to why false detail givers are often only half-heartedly pursued by police, or in some instances, not followed up at all (see previous chapter). A general lack of police enthusiasm in tracing minor offenders, commonly justified as 'not worth the effort' has been suggested, yet, as has been shown in chapter two, a significant proportion may be actively engaged in serious criminality (e.g. Chenery, Henshaw and Pease, 1999; Townsley and Pease, 2003; Wellsmith and Guille, 2005). It is logical, therefore, to surmise that if increased effort is placed on tracing false detail givers, as a matter of routine, then more active, serious offenders shall be apprehended as a consequence. In essence, those who are found to have given false details are self-selecting for warranted police scrutiny. Improving their identification detection continues to be the subject of this chapter.

³⁶ As recommended by the HMIC Report 2004 found at <http://inspectors.homeoffice.gov.uk/hmic/inspections/thematic/mtps/> (accessed 12/11/2008)

With regard to detecting false detail givers at the point of contact, the routine use of handheld computers is generally regarded as a major step in the right direction. It is envisaged (it has not yet become available to all the service) that handheld computers will allow officers to verify immediately details of those searched. The advantage for police in having handheld computers allowing immediate access to intelligence databases is most acute if the person stopped and asked for their details shows up as a known offender. However, if the person stopped is not, or gives plausible false details, then the verification process becomes problematic, and the later tracing of real place of residence reverts to a needle and haystack task.

Until now there has not (to the writer's knowledge after a search of the literature) been a systematic study of how people generate a false address and the cognitive processes involved. This paper explores cognition in generating a false address, exploring whether false givers generally default to top-down processing and not random generation. If found to rely on pre-existing learned information stored in memory, then clues to a real address might be given unwittingly in the generation of a false address.

Due to the novelty of the proposed study, the writer thought it prudent to use student participants (for ethical and accessibility reasons) as opposed to those more adept at lying (to police especially). The findings will allow future comparison with more seasoned criminals that might process differently when generating and giving false details to police.

One arrives at two hypotheses;

H1 - a significant percentage of people will find it difficult to fabricate an entire false address when put on the spot, and as a consequence;

H2 - a significant percentage will, to differing degrees, give false details via a top-down process, which will provide clues as to their place of residence.

If the hypotheses are supported then the tracing of putative offenders becomes a more realistic possibility for police.

6.2 Method

The term 'quasi-experiment' has been referred to by Campbell and Stanley as

a research design involving an experimental approach but where random assignment to treatment and comparison groups has not been used (1963,p. 86).

As such it is more a "style of investigation than a slavish following of predetermined designs" (Robson: 1993: 108). This approach appeared the most appealing here as the prime concern was not so much with cause and effect relationships, as with the employment of the experimental method (sometimes referred to as the 'true' experimental method), but more with analysing the generation of false addresses. This study therefore, is of quasi-experimental design in that participants are asked to generate a false address in a relatively controlled environment, in this case a university lecture theatre. The writer acknowledges that some might argue that as no variables were manipulated then the design should not be considered quasi-experimental. The writer uses the term in the sense that the task was conducted in a controlled environment, for example, all participants completed the task at the same time and in a quiet lecture theatre.

Individuals participated in an exercise whereby they were first asked to generate a complete false address within a short time period, and then to try and ascertain the thought process behind its generation. The study was of independent samples design as each participant generated and analysed only one false address, their own.

6.2.1 Participant sample

The quasi-experimental method, like other quantitative approaches, requires a representative sample to allow generalisation of results to a population of interest. For ethical reasons (and the convenience for the writer) it was decided that the study would be exploratory, and the sample would consist of a student population.

A total of 142 students, at a university in the North of England, took part in the study. Most were studying psychology and criminology at undergraduate level, although a few were postgraduates. Females represented 75% (n=107) and males 25% (n=35) reflecting opportunity based sampling. The mean age was 22 years, with a range of 18-55 years, and a standard deviation of 6.3 years. 93% of participants classed themselves as 'single'.

6.2.2 Procedure

All participants took part in the study at the same time. The study was of one of quasi-experimental, independent samples design, as there was only one condition which participants took part in, generating a full false address.. Participants were not informed of the purpose of the task in advance, simply that their participation would entail answering a few questions as part of ongoing research. The false detail task comprised of four sections:

1. Participants were asked some demographic questions pertaining to gender, age and marital status.
2. Participants were given a brief scenario (shown below) and asked to devise, within ten seconds, a false address (including door number, street name, town and postcode) and to write it down on the feedback sheet provided.

3. Participants were asked if they were able to identify, and record on the questionnaire, the decision-making process which they believed had led them to construct their false address.
4. Participants were asked to write down their current home address (or the address which they considered home).³⁷

6.2.3 Materials

Participants were provided with a scenario and questionnaire form developed to explain and provide guidance to facilitate participation (see appendix 4). A scenario approach was decided upon to add an element of ecological validity to the task. This is presented below;

Please imagine that you have been stopped by a police officer and asked to give your personal details. For some reason you do not wish to give your correct address. Please take no more than 10 seconds to think up a false address (this must include; house number, street, road etc. town, county and postcode). Please write this in the space below.

Space was provided for participants to supply; demographic details; describe the thought processes which they considered led to the generation of the false address (e.g. previous address, friend's address, random thoughts etc.) and write their real home address. All scenario/questionnaire forms were completed individually by participants at the same time and the whole experiment took around ten minutes to complete.

This study adhered strictly to current BPS guidelines. All participants were informed loosely of what their participation entailed (e.g. amount of time taken) but were not told explicitly what this entailed to avoid a 'priming effect' or possible 'demand characteristics'. Informed consent was taken when a participant completed and returned a scenario/questionnaire form. Participants were asked

³⁷ This was because as students many lived in halls of residence but would still consider their family house to be 'home'

not to put their name, or any other distinguishing information, anywhere on the questionnaire to ensure anonymity. All participants were assured that all data would be stored confidentially (on a university network computer) and that they reserved the right to withdraw from the study at any time. If requested, feedback would be available on completion of the study. Participants were informed of the real purpose of the present study when all scenario/questionnaire forms had been collected.

6.3 Results

6.3.1 *Identifying thought processes*

Participants were asked to try and make sense of the false address which they had provided by attempting to identify the thought processes involved, in order that common strategies might be identified. 82% (n=117) of participants stated they felt they accurately identified the thought processes which had led them to generate a specific false address.³⁸ A simple 2x2 contingency table comprising male/female and can/cannot identify thought process, was produced to identify whether there was a significant difference by gender in participants' belief that they could identify the thought process involved. Chi-square analysis found no statistically significant association between identification of thought process and gender ($\chi^2=1.22$, $DF=1$, $p=0.27$). Phi showed that the relationship between gender and thought process identification was almost zero.

A content analysis was conducted to identify the common thought processes identified and an inter-rater reliability test conducted between the writer and a colleague. Probable categories were discussed and agreed prior, with some a little more confused than others (e.g. "a famous address but I cannot remember

³⁸ Although this is entirely feasible, one must acknowledge the fact that all participants were studying psychology and/or criminology and as such, some might have felt a compulsion to explain why they had 'psychologically' arrived at their false address when perhaps they did not really have the faintest idea.

who?”, but a suitable level of agreement was achieved. An inter-rater reliability level of .78 was achieved. This is calculated by dividing the number of agreements by number of agreements plus number of disagreements, producing what is termed, *an index of agreement* of 78% (e.g. see Robson, 1993).

Thought processes could be divided into four categories; old addresses, address of known other, mixed thought processes and a random generation. A brief description of each is provided.

- Old address - 8% of participants gave a former address as their false address indicating that under time pressure they had relied upon top-down processing and not on a random address generation (if indeed that were possible).
- Address of known other - 21% of participants gave the address of a known other as their false address. Further analysis of ‘known other’ identified that a close friend or family member’s address had been given 75% of the time. The remaining 25% comprised ex-partners and old work addresses (‘someone I hate’ received several votes!). Again these findings support the premise that a significant number of participants were using top-down processing when trying to generate a false address. One presumes that relatively little detective work would be needed to locate these false detail givers particularly if descriptions and/or fingerprints have been taken to assist in identification (discussed further below).
- The same postcode, a similar postcode, same address different house number and a previous postcode - 16% of participants identified one of the above as a reason why they came up with the false postcode that they did.
- Mixed/various thought processes - this category represented those who gave multi-layered explanations for arriving at the false address they did and constituted 35% of identified processing. For example, some suggested they chose the false door number because it was their favourite

number and the street because it reminded them of a television character. This may well have been the case, but it was just as likely that because they were asked to provide meaning for their action, they felt compelled to do so. As thought process identification was necessarily retrospective (i.e. after a false address had been generated) some may have succumbed to identifying meaning where it did not really exist or rational reconstruction. Both examples of an effect of *hindsight bias* (e.g. Rossmo, 2009).

- Random - At face-value, 20% of participants considered their false address generation a product of random processing (i.e. that it offered few clues to their real address). A comparison of false addresses, declared random by the participant, with the corresponding real address provided, however, did show some level of similarity. For example, in some cases, the false and real post codes began with the same letters (e.g. HD or LS).

To summarise the initial findings, 45% of participants reported that the false address they provided reflected identifiable elements (e.g. past address, the address of a known other or family member) that is top-down processing. Presumably, tracing these individuals at their real addresses would not prove too difficult due to the substantial element of truth in their false addresses.

Although, more pessimistically, the random and mixed categories together represented the remaining 55% of thought processes identified, when broken into their constituent parts - namely door numbers and postcodes - these were found to have more in common with the corresponding real addresses than initially thought. This warranted separate analysis of participant generation of false door numbers and postcodes and this is now presented

6.3.2 *False door numbers*

One might hypothesise that generally when people decide on a PIN number for their credit card or a code for their house alarm, they tend to use a mnemonic, choosing a sequence of numbers which means something to them, probably to aid memory recall. Number generation is rarely random.

Analysis of real and false door numbers given by participants (n=137), showed the mean for real door numbers to be 48 (standard deviation = 89.8, range= 1-703) and 34 for false (standard deviation = 66.3, range= 1-666). Although, when taken as a whole, the mean for false door numbers was found to be lower than that for the corresponding real ones, a paired samples t-test of both found this relationship to fail to reach conventional levels of statistical significance.

6.3.3 False post codes

In total, 96% (n=136) of participants managed to give a false post code and 93% (n=132) a real one, suggesting that some found it easier to generate a false one than to recall their real postcode. A first level of postcode analysis focused on whether participants had generated false postcodes which were located in the same postal area as their real postcode. If both the false and real postcodes began with the same prefix of letters (e.g. HD, NW, LS) this was considered to be the case. The results are displayed in Table 6.1 below.

Table 6.1. A comparison of false and real post codes according to postal area

<i>False post code pre-fix</i>	<i>% of false postcodes</i>
Same town	53% (n=75)
Different town	37% (n=53)
Exactly the same postcode	1% (n=2)
Failed to give a post code*	9% (n=12)
Total	100% (n=142)

*12 participants' data could not be used - 10 who did not give a false post code also did not give a real post code. The remaining two participants gave only a false or a real post code.

It can be seen that approximately 54% of false postcodes which were generated represented the same town (several replicated their real postcode) as the real address, suggesting these participants tended to rely on knowledge of the local area, perhaps because they felt more comfortable in using existing knowledge rather than going out on a limb with a randomly generated postcode.³⁹

A second level of analysis sought to establish whether participants were generating false postcodes that truly existed. Put simply, did they modify postcodes known to them, or gamble on a random generation. A post code existed if it appeared in the UK Post Office list for 2007.

Table 6.2 below displays the percentage of participants who gave existing, as opposed to non-existent, false and real postcodes. As can be seen, approximately two-thirds of the false post codes generated were found not to exist. In contrast, only 10% of real postcodes given were found to not exist.

Table 6.2. Existing and non-existing false and real postcodes given by participants

	<i>Exists</i>	<i>Does not exist</i>
False postcode	32% (n=46)	68% (n=96)
Real postcode	89% (n=127)	11% (n=15)

A third level of analysis focused on whether false existing postcodes (hereafter FEP) were the product of accurate random generation, pure luck, or based on existing post code knowledge (e.g. postcode from a previous address). This was done by analysing the thought processes identified by those participants who generated a FEP; of these 96% (n=42) stated they could identify the thought process involved, as opposed to random generation.

³⁹ The writer acknowledges that in some areas of the UK, considering similar initial prefixes in a postcode as 'local' (e.g. SG12 and SG14) can encompass a huge area. The writer begs the reader for leniency due to the novel nature of the study presented.

Table 6.3 provides a comparison of the FEP participants and the thought processes they identified, compared with all those who gave false details (i.e. before false postcodes were verified as existing or not).

Table 6.3. A comparison of thought processes identified between those participants who generated an existing false post code and whole participant sample.

<i>Thought process identified</i>	<i>n= FEP participants</i>	<i>n= whole cohort minus the FEP participants</i>
Random	5 (11%)	20 (20%)
Old address	7 (15%)	8 (8%)
Known other	14 (31%)	19 (19%)
Mixed	10 (22%)	35 (36%)
Same postcode	3 (7%)	3 (3%)
Similar postcode	7 (15%)	11 (10%)
Total	46 (100%)	96 (100%)

Table 6.3 highlights that the percentage of those giving an FEP who identified randomness as the thought process involved in their false address generation, was half that of the remainder of the sample (11 and 20% respectively). FEP participants appeared to demonstrate, therefore, a greater perceived understanding of the origins of their false address. Those generating a FEP appeared to rely more on memory (pre-existing knowledge) than those who generated non-existing postcodes. The FEP group tended to identify more than the rest of the sample with old addresses, known others, and same or similar postcodes. The full implication of this finding shall be discussed later, suffice to say here that those who provided a false postcode found to exist tended to use postcodes already well known to them. This would facilitate their detection by police for relatively little investigative effort. A crude calculation of old address, known other and same/similar postcode suggests that if this approach was

utilised a successful outcome would be achieved at least two-thirds of the time (2:3). These odds demand that postcodes are scrutinised by officers.

A 2x2 contingency table analysis was conducted to identify whether a statistical difference existed between male and females with regards to the generation of false existing postcodes (male/female by false existing/not existing postcode). The chi-square results indicated that male participants appeared statistically significantly more adept at providing FEPs than their female counterparts ($\chi^2=5.55$, $DF=1$, $p=0.01$). Whereby the observed count for males producing a FEP was 17 (expected count=11), for females it was lower (observed count= 35, expected count=29). Phi was found to be 0.4 meaning that 40% of the variance in generating an FEP postcode was accounted for by gender. Indicating a significant relationship (superficially at least) between gender and the ability to generate a false existing postcode.

Further FEP exploration indicated that this might be because a higher percentage of males attributed randomness to the generation of FEPs than females (18% and 7%, respectively), where females appeared to rely somewhat more on old addresses (12% and 17% respectively), known others (29% and 31% respectively) and similar postcodes to their own (12% and 17% respectively). Females who generated FEPs, therefore, appeared to rely much more heavily on pre-existing known postcodes (or where at least more inclined to identify and admit this) than males, whereby males (believed at least) they generated more random based false post codes.

6.3.4 The distance between true and false postcodes.

Calculations were conducted with regard to distance between false existing postcode (FEP) and real postcode (REP). This was only possible where both

false and real existent postcodes were given (i.e. FEP-REP=distance between).⁴⁰ In total, 44 participants gave false and real existing postcodes suitable for distance analysis. The median distance between false and real existing postcode was 3.6.km (range= 0-312.6km and standard deviation 77.12km). Where 27 participants gave an FEP from the same town (as their REP) the mean distance between them was half that at 1.8.km (range= 0-12.7km and standard deviation 2.9km).

Unsurprisingly, for the remaining 15 participants who gave an FEP for a different postal area, the mean distance between was found to be 55.6.km (range= 8.5-312.6km, standard deviation 106km). However, it was found that these FEPs were based more on those of known others, than were FEPs from the same town (26% and 16% respectively). This highlighted, that when a distant FEP was given it was more likely to be based on specific pre-existing knowledge, such as the postcode of a known other (e.g. a close friend), rather than on knowledge of the area itself.

We now move on to discussion of the practical implications of these findings for identifying and tracing false detail givers.

6.4 Discussion

A clear majority of participants in the present study were able to generate a false address. On reflection, however, fewer than 20% said they thought it was totally random. A note of caution is warranted here. Most participants were psychology and criminology students, and as such, may have felt more of an obligation to identify and understand their own thought processes, than students of other disciplines – reading more into their false address than was apparent. This consideration aside, most identified their false address to be ‘reality based’, the product of personal knowledge (top-down processing) and as such, they failed to fabricate a completely random false address.

⁴⁰ It made no difference if the distance was minus miles as direction was not calculable.

The present study indicates that when generating a false address people tend to rely (somewhat unwittingly) on pre-existing address knowledge, usually pertaining to significant others or former residencies, rather than on random generation. They thereby give clues to the address trying to be concealed, which has practical implications for police. Understanding the clues is more difficult. With almost half the sample identifying either a known other (i.e. friends or family) or a past address as the thought process behind the false address generated, tracing these individuals appears more attainable. For example, if possibly a previous address, then electoral roll and council tax research may prove fruitful, as might a visit to the false address armed with a description (or photograph) of the false detail giver. The real occupant may then be able to identify them, but they may be lying themselves of course. In which case questioning the occupant might prove beneficial.

The finding that people have difficulty in generating a false post code is the finding of most practical significance here. When asking suspects for personal details, officers should pay particular attention to the difficulty an individual might demonstrate in providing a postcode. The cognitive processing involved in generating the necessary string of letters and numbers appears to fluster some people and they fail to produce a feasible false postcode.

The finding that a significant percentage of participants rely on pre-existing post code knowledge to generate a false one, suggests strongly that post codes be made the principal focus of those charged with detecting and tracing the false detail giver. The finding that two-thirds of participants failed to generate a false postcode that actually existed (listed by the Post Office) exacerbates this point. At the initial point of contact, those charged with establishing the identity and residential address of those they stop would be advised to follow three suggested steps,

1. note the difficulty or ease with which the person provides their postcode when requested to do so

2. ascertain whether a postcode given exists or is false⁴¹
3. note how the person reacts when informed that the postcode they have given is real or false.

With regard to those who successfully gave a false existing postcode, most relied on the postcode of a known other or that of an old or similar address.

Calculations of distance between false and real postcode suggest that people really heavily on local knowledge, electing for codes within their postal area, those from further a field often represent the post codes of known others.

Female participants were found more likely to rely more on the knowledge of others (or old addresses) than their male counterparts according to self-reports.

For police officers attempting to trace those individuals subsequently found to have given a false address, the following steps are suggested;

1. Visit the false address given, bearing in mind the likelihood that it either a former residence or the residence of a known other. Research previous inhabitants using electoral role, council tax register etc.
2. If not traced, concentrate on the postcode given. If false postcode is a real, existing postcode then it is;
 - likely to be local (within a 1.8km)
 - likely to be a former (or known other's) postcode
 - May be real address postcode but different door number. As postcodes are usually single streets then the door number is likely to be numerically lower than the false one given.
 - If a distant false existing postcode then it is more likely to be the postcode of a known other (e.g. close friend).

⁴¹ Step 2 obviously necessitates the immediate access to the Post Office database so a postcode can be quickly verified or refuted.

These suggestions are tentatively offered in acknowledgement of the limitations of the present study and the need for further research in this area. For example, knowledge that a false address giver probably lives within a small radius may be more useful in rural area than in densely populated urban ones.

The study of false address giving presented here must be seen as merely a start, but an appropriate platform on which to build. The findings are limited by both participant numbers and composition. Research with a control group and a group of offenders may provide an interesting insight into whether offenders are more adept at providing credible false addresses than non-offending counterparts. It must not be assumed that all offenders are 'good' liars, some will be and some won't, in the same way that some professions will provide more able deceivers than others (e.g. salespeople see DePaulo and Depaulo, 1989).

The participants in the present study were asked to write a false address down for practical reasons (i.e. quantitatively, many more could participate than if the author interviewed one person at a time). Whether the different modality (writing it down), had a significant effect is not known, but as the participants were only given ten seconds to provide a false address the anticipation is that the same outcome would have been achieved if they had verbalised instead. Participants were asked to write the first thing that came into their head, this would probably have been the same if asked to verbalise. Further research, however, should focus on whether modality chosen plays a significant part in the generation of false details.

With regard to the ecological validity of the present study, participants were given just ten seconds to construct a complete false address. This is arguably shorter than one might get if stopped by a police officer. One presumes the scenario was not as anxiety inducing as the real thing, and so, although short in time, clarity of thinking was probably greater than in a real false detail giving situation and in this respect the hypothesis is supported. Future research would benefit from a real time observation of people stopped by police and asked for their home address,

with the aim of both identifying those giving a false address at the time and retrospectively tracing those found to have done so.

It is also acknowledged here that giving a false address was for many participants a novel experience. One presumes that with practice individuals will become more adept at producing false details, relying less on executive cognitive functions. Maybe also after having had to devise a false address people prepare one should the need ever arise again. Either way, by virtue, practised false detail givers people should be more difficult to identify.

In conclusion, the present chapter represents an attempt to understand how false addresses are cognitively generated and in turn how the nature of that generation often leads the individual to give away clues to the address trying to be concealed. Humble beginnings certainly, but further research might hold serious practical implications for the identification of those who give false details to police in the future.

When taken together, the past three chapters have provided empirical evidence for the self-selection policing hypothesis of the present thesis. The utility which adopting a self-selection approach by policing has been demonstrated, with particular regard to focusing on those that fail to comply with a HO/RT1 as probable active serious offenders, and how those self-selecting by dint of giving false details to police might be better traced.

With the case for self-selection firmly established in the present thesis, the next (penultimate) chapter identifies a substantial implementation problem which self-selection must overcome if it is to be widely adopted as a complementary method of policing. Whether police perceive offenders to be homogeneous (specialized) in their offending, or whether they are perceived as heterogeneous (versatile) offenders. Self-selection will only be adopted by police if the latter is believed.

CHAPTER SEVEN – Police perception of offence homogeneity

7.1 Introduction

Hopefully, by this point, the reader is of the mind that the self-selection approach deserves consideration as a means of complementing extant police methods of identifying active serious offenders, in that the commission of certain minor offences (from previous research shop theft and parking in disabled bays, and in this thesis HO/RT1 non-compliance and giving false details) can be indicative of more active serious criminality in enough cases to justify their more active routine policing. Showing potential, however, is not enough for a new method to be accepted and integrated with existing police methods, especially if it challenges preconceptions. This observation is discussed next.

In this chapter a comparison is made of Home Office reconviction (re-offending) studies against police perceptions of offenders (including serious) as generally being offence homogeneous or heterogeneous. Based on numerous informal conversations with police officers, the writer has found a pervasive tendency for regarding offenders to be highly offence homogeneous. This is reflected in (for example) the raft of projects funded by the Home Office on street robbery, where emphasis is exclusively upon the homogenous robbery career.⁴² The consistent conclusion drawn from recent research and the accumulated work in the criminal careers literature favours offence heterogeneity, with only modest levels of offence specialization. At the risk of belabouring the point in this and succeeding paragraphs, the link with self-selection is that to the extent to which criminal careers are incorrectly seen as homogeneous, the consequences will be the exclusion of those committing other offence types as plausible suspects in the investigation of serious crime, and the relaxed and superficial investigation of those offences which may flag concurrent active criminality of more serious types. The error is distressingly evident in the Review of Policing – Final report

⁴² <http://www.crimereduction.homeoffice.gov.uk/toolkits/sc03.htm>, accessed 8th January, 2009.

(Flanagan, 2008) subsequently supported in the recent Policing Green paper (Home Office 2008), and by crime 'solvability' policies introduced in recent years by most police forces. Although these are mentioned here in passing, they are discussed in detail in the next chapter.

This chapter accordingly presents a more formal exploration of police perceptions of offence homogeneity and heterogeneity within a criminal career, and presents a comparison of police perceptions with extant reconviction (sanctioned re-offence) to gauge whether, as is hypothesised, the police tend to over-estimate offence homogeneity. If the comparison indicates that police do tend to overestimate offence homogeneity, then this has significant implications for the adoption of self-selection, and indeed for the practice of policing more generally. It poses a significant challenge in gaining police acceptance of self-selection and consequently its adoption and implementation, as it favours a perception of serious offenders as crime specialists, where burglars burgle and robbers rob, and not as being offence heterogeneous and crime versatile, committing a variety of crime types (including minor) throughout their criminal careers.

To overestimate offence homogeneity is to designate serious crime the remit of serious offenders who specialize in specific serious crimes, and minor crimes as the remit of less serious offenders, and rarely as representing the Jekyll and Hyde personae of the active offender. In such a scenario, the self-selection method is irrelevant, with famous examples of serious offenders uncovered by minor offences dismissed as merely anecdotal; fleeting instances of when some serious criminals suffer at the hand of 'dumb luck', and not offering guidance for policing in the 'real world'. To overestimate offence homogeneity, therefore, is neatly to categorise offenders according to 'known' crimes. As discussed in chapter two, Schneider's study of burglar offending habits indicates the contrary, showing that they tend to commit shop theft far more regularly than they do burglaries, so not fitting into a nice neat 'a burglar is a burglar is a burglar' box.

The perception of serious offenders as offence homogenous is superficially an attractive one. Logically, if rapists only rape and terrorists only terrorise then this makes understanding why they do, more identifiable and comprehensible. For example, if rapists are motivated by a different set of identifiable reasons and employ different *modi operandi* to terrorists, then the investigation of each demands different investigative knowledge and skill. Likewise crime prevention, criminal investigation and offender rehabilitation can then be tailored specifically to the type of crime committed, and not to the individual circumstances of the offence. In theory and without a self-selection underpinning, the fight against crime would be easier in a world where individuals displayed only homogeneous offending. As the present thesis complementing previous work has shown, a wealth of evidence suggests that if serious criminals were ever offence homogeneous outside Ealing Studios and Hollywood, they certainly are not now. Even with regard to our example of a terrorist, there is an abundance of evidence to suggest that terrorist groups engage in more mainstream organised criminal activity (e.g. the illegal distribution of drugs) for reasons such as funding their operations (e.g. see Dandurand and Chin, 2004; Préfontaine and Dandurand, 2004).

Evidence for the heterogeneity of offending and crime versatile offenders has been advanced throughout the present thesis (particularly in chapters two and three) and criminal career research utilising a transition matrix approach has consistently found little evidence of offenders committing the same offence type again massively more than would be expected from differing base rates (e.g. see Tarling, 1993 for an excellent summary). Yet no research has been found despite diligent searches which enables the gauging of police perceptions on this matter. This represents a surprising knowledge gap. How police estimate offence heterogeneity and whether serious offenders are considered to be specialized in their offences, rather than as versatile opportunists is important. Although it is not contested here that several recently published books purport to focus on cognitive bias and error in the police investigation process, which they do

admirably (e.g. Rossmo, 2009), none has been found which considers an over-estimation of offence homogeneity within a criminal career as an important source of bias. It is difficult to overstate the implications of this deficit in the literature for the detective process.

It is common for police facing the challenges posed by serious offenders to organise along categories of serious crime, by creating dedicated teams of officers charged with combatting specific types of serious crime and serious offender (e.g. drugs, robbery and and vice squads). This suggests a collective police perception of serious offenders as offence homogeneous, as for example, those with a history of robbery demand the attention of the robbery squad as 'robbers', with potential for other offence types overlooked. Overestimation of offence homogeneity will result in the crime versatile robber not being identified as a candidate for the burglaries, drugs and motoring offences he commits – or the burglary or drug offender escaping attention as a possible suspect for the robbery.

The hypothesis here is simple. If police collectively overestimate offence homogeneity then the self-selection approach appears unlikely to be accepted, unless such a perception can be suitably challenged whereby police attitudes, and indeed culture, change to a more realistic heterogeneous view of serious offenders and their offending.

How police perceptions of offence homogeneity might be measured and what against, is the issue here. This chapter presents an empirical study dedicated to exploring police perceptions of offence homogeneity. A sample of police perceptions of offence homogeneity is explored using a specially devised questionnaire asking for predictions as to likely next offence from given scenarios. The findings are compared with recent Home Office offender re-conviction data, in order to gauge whether police have overestimated offence homogeneity. Offender reconvictions are the most accessible benchmark against

which to assess the extent of offence homogeneity/heterogeneity. It is acknowledged that it is likely to understate the less serious – more serious transition probabilities in particular, since encounters which result in no further action will be overwhelmingly trivial, and will not appear in a conviction dataset. Of course it is a moot point as to how many less serious offences, if more rigorously policed, would have resulted in a conviction for a more serious offence.

Perhaps the reader should be reminded of the flavour of the literature indicating the surprisingly modest extent of offender specialization, reviewed earlier. In a recent large-scale work, Farrington et al. (2006) using a 'Forward Specialization Coefficient' concluded, in line with earlier research generally, that "there was a small but significant degree of specialization in offending superimposed on a great deal of versatility" (p208). They found specialization to vary by offence type, with motor vehicle theft and liquor violations showing a somewhat greater degree of specialization. As previously discussed, this echoes the majority of studies focused on offence specialization, which tend to favour a weak tendency to specialize. (e.g. Kempf, 1987; Blumstein et al., 1988; Tarling, 1993; Fisher and Ross, 2006). In a recent and novel approach, Guerette et al. (2005) apply a rational choice approach and infer that specialization exists only insofar as it fulfils continuing offender needs.

7.2. The Predicting Re-offending Questionnaire (PRQ)

It was considered that the best way of capturing police perceptions of offence homogeneity/heterogeneity was to ask officers to predict likely next offences from given offence histories. For example, officers would be asked to predict the likely next offence that would be committed where an individual had a criminal history of burglary. This led to the development of a scenario based survey, the Predicting Re-offending Questionnaire (PRQ) (see appendix 5).

Measures of re-offending and reconviction are necessarily approximate. The difficulties have been well presented on many occasions (e.g. Lloyd et al., 1994) and include the fact that official records undercount offending behaviours (Cunliffe and Shepherd, 2007) and that they are attenuated by decision makers in the criminal justice system, for example, with the Crown Prosecution Service deciding to charge (or not) and the police anticipating such decisions and taking no further action (NFA). With regards to the latter, a study of volume crime attrition rates in England and Wales found there was “variation between forces in terms of both their overall detection rates, and indeed their sanction detection rates” (Tilley and Burrows, 2005 p. iii).

7.2.1 Method

The method selected was one of survey design. As discussed in chapter three, a major divide between surveys and experiments lies in the fact that unlike experiments, surveys do not attempt to change anything, simply to describe and/or analyse, or possibly explore, some aspect of the world ‘as it is’ (Robson, 1993, p.124). Commonly this is what the individuals surveyed think, feel or understand about a given topic. As the intention of the study was to describe, analyse and explore police perception of offence homogeneity, the survey method appeared the most suitable choice.

The study was to be quantitative in nature in order to explore the perceptions of a substantial number of police personnel. This entailed collection of a large amount of data, rather than an in depth qualitative analysis of meaning such as would be necessary with a more qualitative approach (e.g. semi-structured interviews or case studies). A quantitative approach was chosen to provide a platform from which to consider the findings representative of wider police thinking and culture (i.e. generalisability). The survey comprised a detailed questionnaire, devised and developed to best identify (and tap) police perceptions of offender homogeneity/heterogeneity through a use of offender and offence scenarios.

Initially, it was thought best to ask police participants to respond to the questions by ranking ten given first time offences in descending order from most likely to re-offend to least likely. Taking burglary, for example the respondent may rank burglary as the most likely second offence (1), violence as the next most likely (2) through to sexual offences as the least likely second offence (10) for first-time burglars. This response format was dropped during initial development of the questionnaire, when it was recognised that a ranked answer approach does not permit a zero' answer. If, for example, a participant considers that an individual with a first offence of burglary would never commit a second offence of a sexual nature, this would not be reflected in the response, since it would be ranked only 'least' likely out of the ten offences given (i.e. number 10) and not as inconceivable (i.e. 0%).

One possibility that was regrettably overlooked would have been to ask for the probabilities of the offence which a first-time offender would have committed. This would have supplied a base rate (of sorts) against which to compare predictions further down the road of a criminal career. That such a question would seem artificial could be given as the reason for not asking. In fact, the reason is that the writer (and his supervisor) failed to think of this way of overcoming base rate problems (discussed fully in the next chapter).

The second and preferred response format invited participants to give their answers as a likelihood, to alleviate the restriction on available responses identified above. Taking the same example, instead of ranking sexual offences as the least likely next offence, they were now able to answer with a 0% for 'extremely unlikely' sexual offence, up to 100%. It was thought that a real numbers approach would also provide data more amenable to statistical analysis.

To provide apt comparison with the most recent Home Office reconviction data available, it was considered appropriate to stick to the same format as much as possible, for example, to use the same offence categories. In their reconviction analysis of the two-year proven re-offending rates of adults aged 18 years and over at date of sentence or on release from prison in the first quarter of 2004, Cunliffe and Shepherd (2007) used 19 offence categories, most representing what can be considered as being of the serious variety such as robbery, violence to the person and sexual offences, with a few representing arguably more minor offences (e.g. motoring, theft and criminal damage). Whilst needing to adhere as much as possible to offender reconviction studies to facilitate appropriate comparison, 19 offence categories were considered too many for the PRQ as this would make it very time consuming and cumbersome for the participant (e.g. they would be asked to predict a likelihood for each of the 19 offence types in every given scenario). It was considered prudent to instead trim the 19 to a more manageable 10 offence categories by combining some similar categories (e.g. theft with handling and other burglary with burglary) and discounting a few others (e.g. absconding and bail offences, taking and driving away). Using 10 offence categories was considered adequate to enable identification of homogeneity and heterogeneity prediction patterns, while minimising repetition and time necessary to complete. As a first study of this kind, to the writer's knowledge, some rough edges are perhaps to be expected.

Materials

The final draft of the questionnaire comprised several sections described below (see appendix 5 for full version).

Participant demographics

Participants were asked to give details of their gender, age, ethnicity, position, rank, current department and length of service.

Question 1. Predicting likely re-offending for any offence

Participants were asked to predict the likelihood of a male committing a second offence *of any type* after a first offence taken from a list of ten first offence types (e.g burglary, violence, theft, drink driving, drugs supply etc.). This would allow direct comparison with Home Office re-conviction data which provides reconviction rates according to first offence type committed.

Question 2. Predicting offence homogeneity from first to second offence

Here participants were asked to predict the likelihood that the next (second) offence would be of *the same type* as the first offence expressed as a percentage (e.g. if in the scenario where burglary is the first offence the participant considers the likelihood of a second offence also being burglary then they might put 60%). The phrasing meant that likelihoods should sum to 100%, the possibility of no further offending being excluded by the instructions (see appendix 5). Again this allows comparison with Home Office re-conviction data for first and second offence types.

Question 3. Predicting likely next offence type from a range of given scenarios

The aim here was to identify whether perceived offence homogeneity or heterogeneity differed by offence category. Participants were given simple scenarios where details of a criminal history (e.g. a history of burglary) was given and asked to give a prediction for each of the 10 offence categories, as to likelihood of it also being the next offence. If an offence history, for example, included theft, would the respondent predict theft as most likely next offence in the same way as a history including violence?

Participants were given twenty offence histories and ten possible next offences. For each scenario, participants were asked to predict (expressed as a

percentage) the likelihood that each of the ten offence types listed would be the next offence committed. For example, in scenario a) where a given individual had a criminal history that included offences of burglary and violence, the participant was asked to express the likelihood that the same offender would next commit each one of the ten given offence types (e.g. burglary, violence, theft, drink driving etc) as the next offence committed. They were asked to express likelihood as a percentage (e.g. burglary 75% likely next offence, robbery 25% etc). The second part of the pair of scenarios, (in this example scenario b) differed as it only listed one type of previous offence, but was similar in that the participant was again asked to anticipate the likelihood of next offence type from the ten supplied. For example, they were invited to predict the likelihood that the next offence committed will be burglary, robbery etc. where burglary is the only listed previous type of offence. The same pattern held for all scenarios, where the first in the group was a criminal history comprising one offence type (e.g. drink driving) plus violence, and the second comprising a homogenous offence history (e.g. just drink driving).

This part of the questionnaire was very time consuming for the participants as they were asked for 200 predictions in total. Even this was less than would have been the case had all possible combinations of offence pairings been included. This level of detail was considered to be crucial if participant perceptions of offence homogeneity/heterogeneity was to be vigorously tested and the possible effect of confounding variables (e.g. mixed offence verses homogenous offence history) controlled for as much as possible.

7.2.2 Participants

It was felt that if the study were to capture what could be considered a defensible sample of police opinion, this would be best obtained by canvassing perceptions of offenders and offence patterns from a sufficient number of police operational staff (i.e. those charged with working directly with crime and the public). To give

context, in 2008 there were 141,859 full-time equivalent police officers in England and Wales (Bullock, 2008). The sample was drawn from a single police Basic Command Unit (thus reflecting all ranks, units and departments). In 2007, the writer met with appropriate police personnel (e.g. senior officers, officers of middle-rank, PCSO managers and chief crime analysts) from a large police Basic Command Unit in a north of England force, comprising approximately 300 police officers and civilian personnel. The purpose of the study and what would be entailed was explained to all parties present and all were asked for their cooperation and that of their officers and teams. It was agreed that although the division comprised of in excess of 160 potential participants, that only half that number ($n=80$) would be asked to participate to limit interference with routine police operational tasks and functions.

7.2.3 Procedure

The questionnaire was written, developed and piloted in collaboration with several police officers during the early part of 2007, with 80 questionnaires distributed in August 2007. It was decided that questionnaires would be provided in paper form to circumvent police system firewalls and to accommodate participants with limited email/computer access. Participants were given one month, in the first instance, to complete and return the questionnaire to their line manager, although this was extended to a later completion date for those unable to meet the first. 42 completed questionnaires were returned.

This study was conducted according to the ethical guidelines laid down by the British Psychological Society (2006). Initially, all commanding officers and managers of relevant staff were fully briefed as to the purpose of the research being proposed, including methodology and how results would be used (i.e. their permission to publish would be sought if and when). All were shown draft copies of the questionnaire and asked for any comments (many thought it too long but accepted the rationale when given), these are reflected in the final design.

All data were anonymous as participants were not asked for their names in the questionnaire. In principle it would have been possible to identify individuals from their combination of age, gender, experience and department but this was never the intention. The writer presented senior officers with the preliminary findings of the study and all agreed to the data being used for research purposes only. The results of the study are presented next.

7.3 Results

From a total of 80 distributed questionnaires a response rate of 53% (n=42) was achieved. Although it was hoped that a better response rate would be achieved, it is generally acknowledged that a rate above 40% should be considered workable (e.g. Dancey and Reidy, 2002)

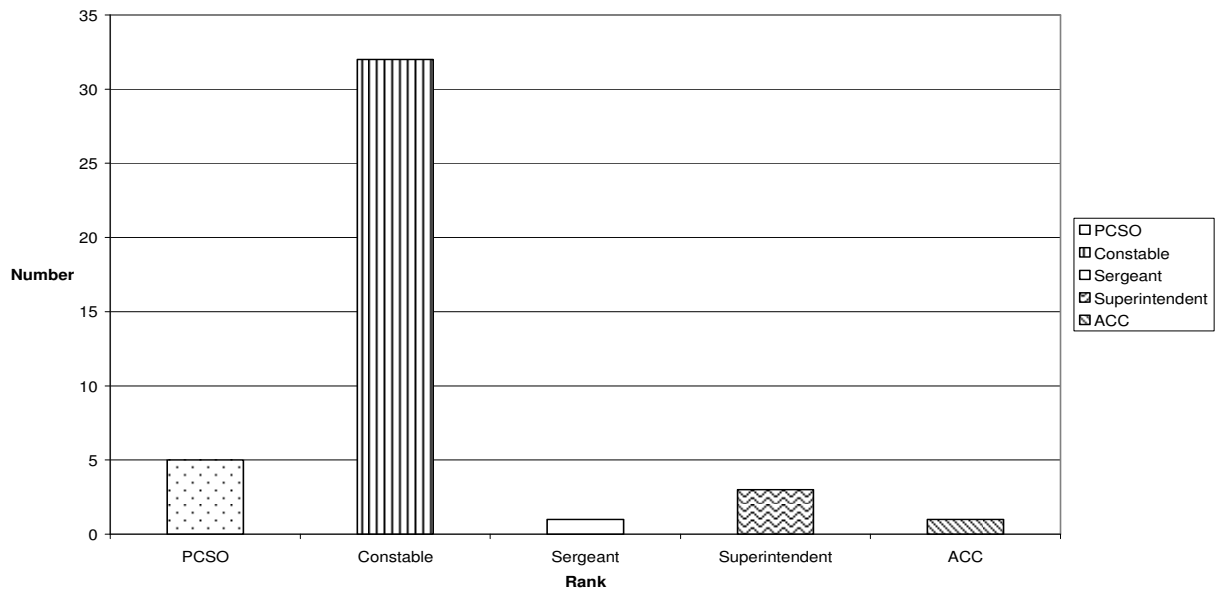
The results are presented in the question order they appear on the Predicting Re-offending Questionnaire (see appendix 5) with sample descriptives first.

7.3.1 Sample descriptives

Participants comprise two-thirds male with one-third female, a slight difference to the current gender ratio for police in England and Wales in 2008 which is 76% male and 24% female officers (Bullock, 2008). The mean age of sample respondents was 37 years, with an age range of 23-52 years and a standard deviation of 8 years, again in line with the national figures for 2008 (Bullock, 2008). All but two respondents were white British.

Participants comprised police officers (n=37) with Police Community Support Officers (PCSOs) constituting the remainder (there were no crime analyst respondents). Figure 7.1 below illustrates police rank and although 76% (n=32) of participants were police constables 10% were of senior officer rank, allowing some basic and tentative comparison of perceptions of senior officers with front-line officers with regard to opinions of offence homogeneity.

Figure 7.1. Police sample by rank



With regard to participant's 'current department of work', 43% put policing, 40% CID, 12% traffic policing and 5% failed to specify. The sample thus reflects officer opinion across different areas of policing such as mainstream policing (uniform), serious crime detection (plain clothes) and road traffic policing.

The average length of police service was found to be 12 years (range of 1-32 years and a standard deviation of 9 years). It was found that 20 participants had 9 years or less police experience, leaving 22 who had experience of 10 plus years. The sample, therefore, comprises a range from those who might be termed 'experienced' and some very inexperienced officers, permitting comparison of responses according to level of experience. This is important to discerning whether an over-estimation of offence homogeneity is universal or varies according to policing experience (explored later).

In sum, it can be argued that the police sample achieved in the PRQ study is defensible in an exploratory study, containing a range of personnel by gender, age, years of service, rank and department.

7.3.2 – Question 1. Predicting likelihood of re-offence (any type) by first offence type

Police participants were given the following instruction

In the table below are a column of first offence types. Please predict for each first offence the likelihood that a male committing it will go on to re-offend in the future. Please use exact percentages for each (i.e. out of 100) (e.g. burglary 75%, violence 43%, theft 90% etc.)

As can be seen from the instruction above, section two of the questionnaire asked respondents to predict, from a given first offence type, the likelihood that the offender will re-offend, *irrespective of the type of second offence*. In essence, respondents were being asked to provide a risk analysis of future offending based on the type of first offence committed.

Table 7.1 below displays the mean score for police participant predictions of re-offending for all ten first offence types in comparison with actual re-offending (reconviction) rates from the Cunliffe and Shepherd study (2007, p.8). Numbers have been rounded up to facilitate comparison with reconviction study data.

Table 7.1. A comparison of mean prediction scores for re-offending based on type of first offence with reconviction study data (Cunliffe and Shepherd, 2007 p.8).

	Mean prediction score	Std. Deviation	Actual re-offending rate
Burglary	73	21	70
Theft	68	25	72
Drugs supply	66	22	32
Violence to person	65	23	46
Robbery	64	22	55
Public Order	55	25	47
Sexual	54	32	27
Motoring offences	52	28	62
Fraud	40	27	40
Drink driving	37	27	33

Overall, there is a modest product-moment correlation coefficient between police judgements and 'official' figures ($r=.54$) so that there is rough correspondence between police and official data in the relative prognostic value of different offences. The mean rate for Cunliffe and Shepherd is some ten percentage points lower than for police officers, but this could be because of the time-limited nature of the Cunliffe and Shepherd (2007) numbers. The Cunliffe and Shepherd study was time-limited in that it only looked at re-conviction over a two year period (i.e. two years from first conviction), where police participants were asked for predictions of re-offending without any time limit (i.e. just how likely is it in the future that an individual committing a first offence of burglary will re-offend?)

More importantly, the range is much greater (43) for the official than the police (33) data, with officers apparently taking the view that every first offence type had quite a high prognostic value for future offending. Looking at individual offence types, police participant predictions of re-offending roughly coincide for burglary, theft public order and fraud. There are several marked differences between police predictions and the actual re-offence rates provided by Cunliffe and Shepherd (2007). For drugs supply and sexual offences participant predictions were twice as high (i.e. twice as likely that an offender would re-offend in the future). Violence as indicative of future offending appears to be especially high, motoring offences being especially low. This is a finding of no little interest to the present thesis as the underestimation of the significance minor offences such as motoring, has been consistently made and will continue to be so in this chapter. Nonetheless it must constantly be borne in mind that the comparison is between time-limited and time-unlimited data.

Overall, participants chose burglary as the first offence type that best predicts further offending of any kind, followed in decreasing order by theft, drugs supply, violence, robbery, public order offences, sexual offences, motoring offences, drink driving. Fraud was considered to be the first offence type which was least likely to predict any future offending. In order to analyse whether a true difference

in prediction of likely re-offending existed between the different types of crime, a one-factor by subjects ANOVA was conducted (Dancey and Reidy, 2002), the 'one-factor' here being offence type. In a repeated-measures ANOVA the variability in scores due to individual differences and random error, as well as between individuals, is calculated providing a comparison of each participant's overall scores with other participants' overall scores. A repeated-measures ANOVA was carried out on the predictions of likely re-offending above. The Greenhouse-Geiser row does not assume sphericity (which if not present can lead to a type 1 error, where the null hypothesis is rejected incorrectly). Results showed that the differences in predictive likelihood of re-offending found between the crime types was unlikely to have arisen by sampling error $F(9,369) = 13.25$, $p = 0.001$, $\eta^2 = 0.24$, which indicates that 24% of the variation in error scores can be accounted for by the differences in likelihood of re-offending according to first offence type. It can be concluded, therefore, that a genuine difference was found in participant predictions of re-offending according to first offence type.

It was considered that participants may have provided different predictions according to levels of police experience (i.e. years of service). Product-moment correlation coefficients linking the variables of length and service and probability of reconviction of any type after a first offence of a particular type yielded a reliable association only for length of service in years and re-offending after a first offence of fraud. For what it is worth, the relationship was between prediction of more re-offending and *greater* experience, but given the weakness of the association ($R^2 = 0.11$) and the number of comparisons made, the association is of little or no practical significance.

By way of further comparison, rates of known re-offending (reconvictions) also appear to vary considerably between different first offence types. They are highest for theft, burglary and robbery, but also for motoring offences. Interestingly, as discussed earlier, actual re-offence data suggests that violence and sexual offences are much lower than participant predictions (Cunliffe and

Shepherd, 2007). A brief exploration of the difference between predicting likely next offence type and reconviction data is pertinent at this juncture and indeed may go some way in explaining such differences in comparison with the police predictions.

Cunliffe and Shepherd (2007) studied the reconvictions of a cohort of offenders first convicted in 2004 over a two-year period. The difference between officially processed and actual repeat offending is of no small significance. Individuals, for example, are only convicted of the crimes for which they are caught, and to not be convicted is hardly evidence of a law-abiding life. Differences between predicted next offences and proven reconvictions will be fully acknowledged a little later in this chapter, but it suffices to say here, they permit some worthwhile comparisons with the judgements of the sample here.

The alert reader will have noticed the very high standard deviations in Table 7.1. This (obviously) is reflected in ranges. To illustrate the point, Table 7.2 below shows quartile values and indices of variability (inter-quartile range/mean).

Table 7.2. quartile values and indices of variability for predictions for re-offending based on first offence type

First Offence	25 th Percentile	75 th Percentile	Index of Variability
Burglary	60	90	.41
Theft	54	90	.53
Drugs supply	50	80	.45
Violence to person	54	85	.48
Robbery	49	81	.50
Public Order	38	76	.69
Sexual	25	81	1.04
Motoring offences	25	75	.96
Fraud	20	60	1.00
Drink driving	14	50	.97

First descriptively, it is of no little interest that one quarter of operational policemen see (for example) motoring offences as indicating future criminality in less than 25% of cases, and one quarter see such offences as indicating future criminality in more than three-quarters of cases. Given the prominence of motoring offences amongst self-selection triggers to date, this range is (at least) indicative of a training need.

It will be noted that indices of variability are greatest among those offences where the expectation of future offending is lowest, suggesting a ceiling effect, where, the general tendency being to expect the worst, the distributions are skew.

As for the central tendency of judgements, put simply, for all save one of the offence types, the average expectation of further offending was greater than one in two. Most officers saw an offence as being the prelude to other offences much more often than not. This generally downbeat view of human nature is unsurprising amongst police officers.

Some of the later analyses reported are vulnerable to the criticism of not taking base rates of official processing into account, and a missed opportunity of getting round this problem was mentioned earlier. One would expect more theft offending in the future irrespective of early offending simply because more theft is committed. While research suggests a general neglect of base rate information (Kahneman and Tversky, 1972, 1973) it remains a possible criticism. However it is not a criticism which can be directed at analyses to this point, since one is asking about future offending of any type.

7.3.3. Question 2. Predicting the likelihood of homologous second offences from a given first offence type

In this section participants were asked to predict degrees of offence homogeneity, homogeneity meaning similarity (e.g. a burglar's next offence is

likely to be burglary). To test predictions of offence homogeneity, participants were asked the following;

In the table below is a column of first offence types. Please predict for each the likelihood that the next offence committed will be of the same type (e.g. 1st offence burglary, second offence 75% likely to be burglary).

From the instruction to participants it can be gathered that section 3 of the questionnaire differed from section 2 in that respondents were asked to predict likelihood of offence homogeneity for a second offence type from a given first offence, as opposed to predicting re-offending per se. Put simply, respondents were asked to express as a percentage, how likely they considered an offender was to commit a second offence of the same type as their first (e.g. burglary second after a first offence of burglary).

An index of specialization was calculated as the proportion of second offences being of the same type as the first expressed in relation to the predicted proportion of cases in which a second offence occurred. Indices of specialization were not associated with length of experience, rank or gender.

Table 7.3 (over) shows the mean and standard deviation of indices of specialization for each first offence type, in diminishing order of specialization.

Table 7.3. Mean and standard deviation of indices of specialization for each first offence type.

First Offence Type	Mean Specialization Index (as %)	Standard Deviation Specialization Index (as Percentage Points)
Burglary	70	22
Theft	69	24
Drugs	65	26
Violence	63	25
Sex	60	31
Robbery	57	27
Public Order offences	55	29
Motoring offences	53	28
Fraud	47	31
Drink driving	40	32

It is difficult to make direct comparisons between the findings here and other studies as the classification of offences tends to differ somewhat. Roger Tarling (1993) attempts a comparison of the findings of several transition matrix studies of criminal careers. He concludes that,

There is clear evidence of specialization; all probabilities are significant at the 1 per cent level. Thus the probability that an offender will commit the same type of offence next time is greater than chance. Having said that, the degree of specialization is not particularly strong: only one probability is greater than 0.5; about half are 0.25 or less" (1993, p124).

In the Tarling (1993) study, violence, burglary and theft, showed the highest degree of specialization and although echoing the predictions found here, taken as a whole, police predictions were much higher across all the crime types than have been found by Tarling and others. For example, Tarling found that about half the crime types had a probability of 0.25 or less, where as Table 7.3 illustrates, no police predictions of offence homogeneity (specialization) are

below a probability of 0.4. By comparison, overall police predictions again point to an overestimation of offence homogeneity.

Tarling (1993) also found 'stationarity' in criminal careers in that the offender was no more likely to commit the same next offence type whether it was early in a career (e.g. offences two to three) or later (e.g. offences six to seven). This is of no little importance to the present thesis, where a common perception is that offenders increase in specialization. Although not directly tested for in the present thesis, future research into offence stationarity is suggested by the writer.

While there is on average an overestimation of specialization, as before the measures of dispersion show that there is huge variation in officer judgements. The range goes from an officer who believed that any second offence would be the same as the first in 24% of cases where there was a second offence, to another who believed that any second offence would be of the same type as the first in every single case! Perhaps this incidental finding, that officers have widely different assumptions about the progression of the criminal career, is at least as important as the overestimation of homogeneity. Whether by overestimating homogeneity or simply having widely dispersed views, the use of prior criminality to inform risk of future criminality is limited.

In passing, it may be of interest to look at any link between the probability of re-offending and the probability of any offending being homogeneous, i.e. roughly between persistence and specialization in the criminal career. Thus product-moment correlation coefficients were calculated between the judged probability of re-offending of any type, and the probability of such re-offending as occurred being of the same type as the first offence. The results are presented as Table 7.4 (over)

Table 7.4. Product-moment correlation coefficients between the judged probability of re-offending (any type) and the probability of such re-offending as occurred being of the same type as the first offence

First Offence	Association between probability of second offence and specialization index.
Fraud	.72**
Drink	.68**
Public Order	.68**
Robbery	.66**
Motoring offences	.65**
Theft	.64**
Burglary	.63**
Violence	.55**
Sex offences	.52**
Drugs	.43**

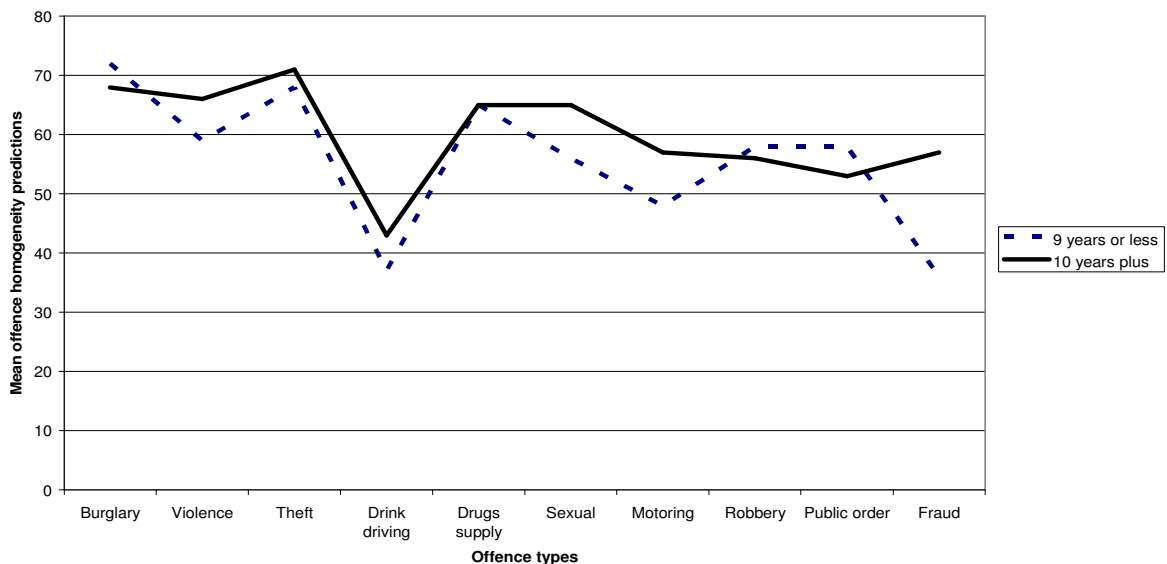
**p<.01, two-tailed test.

The results are interesting and of no little practical importance. To put them in context, it will be recalled that judgements about probability of further offending after a given first offence are very diverse among police officers, as are presumptions about offence specialization. These differences cannot be accounted for in relation to experience or other officer characteristics. However it does appear that there is a consistency between views of probability of further offending and specialization. Specifically, it appears that, whatever the offence type, the judgement that there is likely to be further criminality goes together with the judgement that that criminality will be of the same type as the first offence. Put crudely, police officers who are pessimists about the future are those who believe most in offender specialization. Consider the implications of this for operational policing. It means that those most convinced that prior record predicts future criminality are also those most blinkered in the range of future offences which the erstwhile offender might go on to commit. Again a repeated-

measures was carried out on predictions of homogenous re-offending above. The Greenhouse-Geiser row of output was used as it corrects for any sphericity. Results showed that the differences in predicted likelihood of re-offending was unlikely to have arisen by chance $F(9,369)= 7.47, p=0.001, \eta^2=0.56$) this showed that 56% of the variation in error scores can be accounted for by the differences in predictions of homogenous re-offending according to first offence type. One pairwise comparison was carried out between the prediction of homogenous re-offending for motoring and robbery first offences. Although the mean difference found was 3.7 this difference was found not to be statistically reliable. It was felt that differences in policing experience might account for this and this was tested next.

With predicted offence homogeneity high across offence types, it was felt that this might be influenced by participant police experience levels (i.e. years of service). To explore the possibility further, participants were divided into two groups, those with less than 9 or less (group 1) and those with 10 or more years police experience (group 2). Figure 7.2 displays the predictions for both groups.

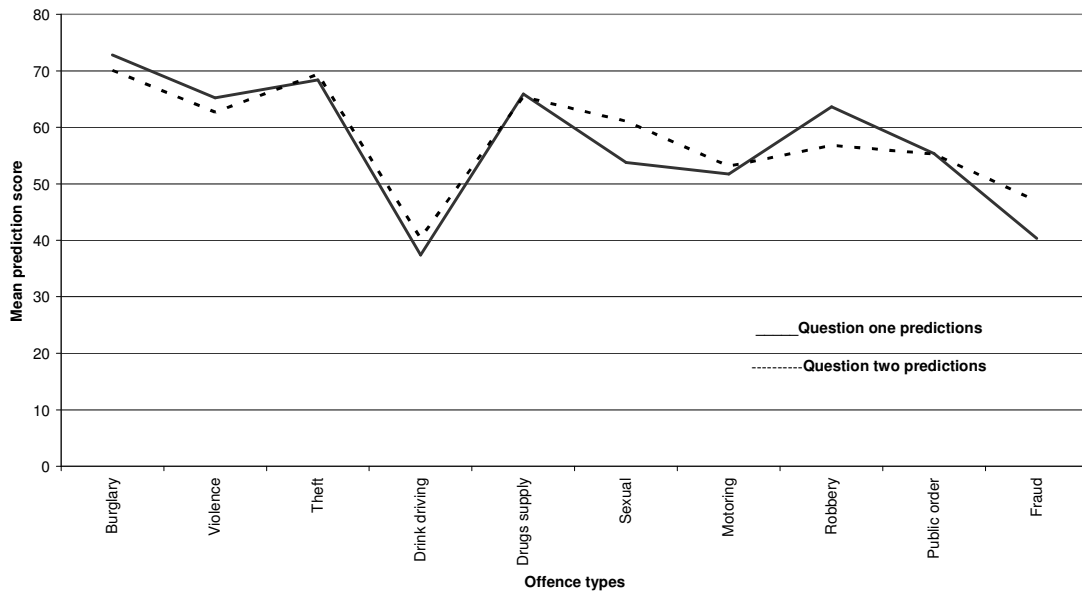
Figure 7.2 A comparison of offence homogeneity predictions according to experience (years of service)



As can be seen, predictions for second offence homogeneity was the same generally across the ten given first offence types, for both experience groups. Independent t-tests were conducted to test for significant differences between the two groups and just one statistically significant difference was found where the group with less than ten years experience considered fraud a less likely homogenous second offence than the ten years and over group ($t=2.25$, $DF=40$, $p=0.03$). Therefore, it is fair to conclude that level of experience had little effect on predictions of offence homogeneity.

A comparison of participant predictions for re-offending by any offence (question1) and homogenous re-offending (question 2) is provided in figure 7.3. As can be seen the similarity of the two lines indicates the mean of participant predictions for likelihood of re-offending (any offence type) and likelihood of re-offending through the same offence type are practically the same.

Figure 7.3 A comparison of next offence predictions for questions 1 and 2



To test for statistically significant differences, paired-samples t-tests were conducted for participant predictions to questions one and three. No statistically significant difference was found for any pair (i.e. $p>.05$). This suggests that when

participants were asked to predict the likelihood of a second offence (any type) from a given first offence, the second offence predicted was consistently of the same type. There were of course individual officers who were exceptions.

There are some difficulties when directly comparing participant predictions of offence homogeneity with recent reconviction data, as the latter does not provide a level of detail with regard to first offence and second offence across individual offence categories, preferring a more 'global' analysis. Cunliffe and Shepherd, however, did find that 58% of those originally convicted of theft went on to re-offend with theft as their first offence. By contrast, of those who were originally convicted of drugs supply, only 4% had drugs supply as their first re-offence (2007). They conclude, that overall, 30% of those reconvicted committed their first re-offence in the same offence type as their original (Cunliffe and Shepherd, 2007, p.6). As far as reconvictions go, and in line with the literature generally, offence homogeneity appears relatively low. With participants predicting high second offence homogeneity across offence types (well above 30%) this might be taken as evidence for an over-estimation of second offence homogeneity by police in this sample. The caveat that the official data are time-limited has less force in this comparison.

7.3.4. Question 3 – Predicting likely next offences from brief offence histories.

In question 3, police participants were asked to do the following,

Below are a range of offence histories and possible next offences. The left column displays 20 different offender scenarios. For each scenario please predict the likelihood that each of the different offence types listed across the top will be the next offence (e.g. for scenario a) burglary 75%, violence 25%, theft 35%, drink driving 25% etc. – for scenario b) burglary 45%, violence 75% etc.)

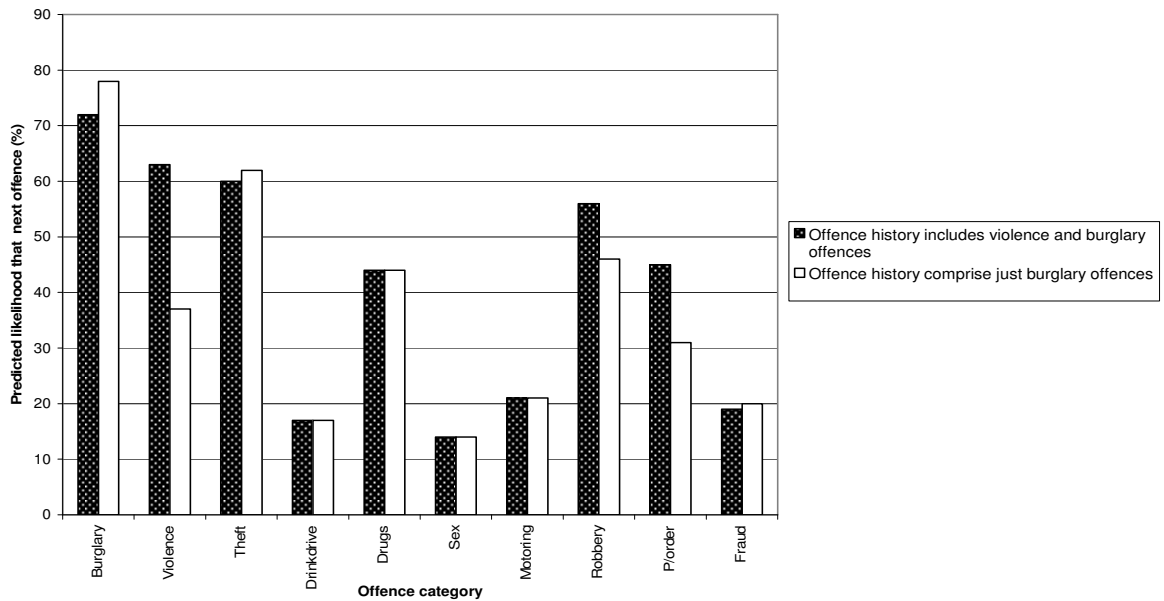
In question 3 participants were again asked to predict the likely next offence types, but this time for 20 different offence history scenarios. Participants, in question 3a) for example, were told that the offender had an offence history that included burglary and violence. From this they were asked to predict the

likelihood that the next offence would be burglary, violence, theft etc. (the same 10 offence types as previous). Participants were then asked to do the same in a scenario 3b) where the offender had an offence history which only comprised of burglary offences. Scenarios were presented in pairs with the first always listing an offence history comprise of a given offence type plus violence, and the second, just the given offence type (e.g. just burglary) thus representing a more homomogeneous offending history (see appendix 5 for a copy of PQR).

In total, police participants were asked to provide 200 next offence predictions in question 3. While at the planning stage collecting such a large amount of data seemed the best way of testing the consistency of perceptions of offence homogeneity, the large amount of data yielded, in retrospect, was rather unwieldy when it came to analysing it. This miscalculation (solely due to the writer) provides a valuable learning point. In light of this, only a flavour of the analysis of question 3 is provided here.

Correlational analysis of the prediction scores across all offence history scenarios indicated, in all cases, that the most likely next offence coincided with the offence history given, that is where the offence history scenario detailed violence and burglary then violence and burglary were predicted most likely next offences. This is demonstrated in Figure 7.4 which shows, for example, next offence predictions for the burglary and violence and burglary only scenarios (scenarios 3a and 3b).

Figure 7.4 Predicted next offences for burglary offence history scenarios for question 3.



As can be seen in above figure 7.4, burglary was the highest predicted next offence in both scenarios where burglary was listed. This suggests that in making predictions of next offences participants were using a common offending schema based, probably based on their experience and knowledge of past offenders

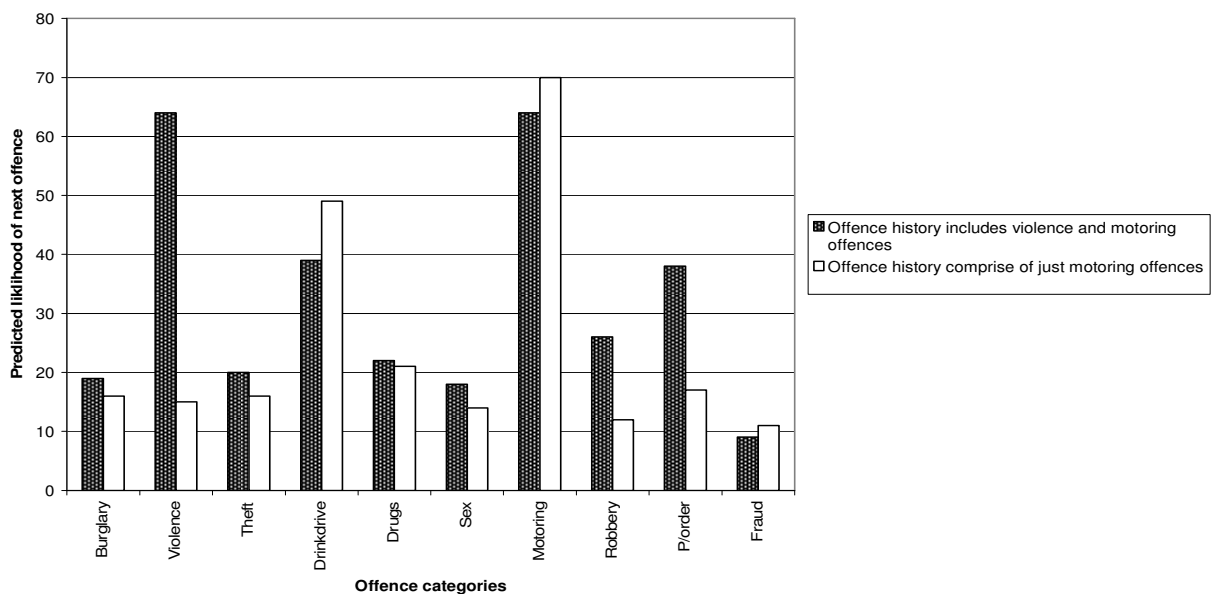
This interpretation is supported further when it is noted that violence was the second highest prediction in scenario 3a where it was included in the offence history, but dropped considerably to only the fifth highest prediction in scenario 3b where the offence history comprised only burglary offences. This was also the case for robbery and public order offences probably because of their links in officers' minds with violent crime. Prediction of burglary as next offence, in contrast, increased in the burglary only scenario, as did predictions of theft and fraud, offences not usually associated with violence, but associated with illegally acquiring the property of another. Participant predictions remained unchanged across the two scenarios for drink driving, drugs, sexual and motoring offences, suggesting that the specific offence histories given had little (or no) influence on those predictions. It is interesting that sexual and drug offences predictions did

not appear to correlate with violence when research on reconviction patterns suggests that they often do (e.g. Cunliffe and Shepherd, 2007). Nevertheless, these findings suggest that participants tended to rely on similar offender schemas, born of a perception that offenders are generally offence homogeneous.

As with participant answers to question 2, the conclusion which can be drawn from answers to question 3 is that participant predictions of likely next offence type were heavily influenced by offence homogeneity. This was found to hold across all offence history scenarios, irrespective of the last offence type given. Analysis of next offence predictions consistently identified the highest mean score for each scenario as the offence types listed in the offence history given (e.g. in the robbery scenarios it was always robbery, and in the drugs scenario it was always drugs). Due to the large number of scenarios involved and the vast amount of data generated from them, only one more example is presented here.

The mean of predicted scores for the motoring offence scenarios in question 3 are presented in figure 7.5

Figure 7.5 Predicted next offences in motoring offence history scenarios for question 3



As can be seen from the above, participant predictions were highest for violence, robbery and public order, as well as for motoring offences for a history scenario comprising of violence and motoring offences, whereas the same predictions were much lower in the comprises motoring offences only scenario. This again strongly suggests that participants were relying on an offence violent crime schema, where crimes of violence are associated with each other. For example, where an individual has an offence history including violent crime, then predictions of likely next offence are contingently high for other crimes associated with violence, such as robbery.

Although motoring offence predictions were highest in both motoring offence history scenarios, those offences considered non-violent were seen to increase in prediction (likelihood) in the motoring offences only scenario. Predictions of drink driving also increased in the motoring offences only scenario, probably as result of the motoring and driving connection, again demonstrating offence homogeneous predictions echoing the offence history given.

To summarise what was found. All next offence predictions show that participants consistently favour offence homogeneity across all offence history scenarios. This suggests that participants considered an individual's previous offence types as the best predictor of their future types of offending, irrespective of the type of offence history presented. Again comparison with reconviction data is useful here as it shows that this could be considered a gross over-estimation of offence homogeneity, with a large variation in homogeneity according to type of offence shown in reconvictions. For example, the most recent UK reconviction data shows that those convicted for violent offences are found to be the least likely to be reconvicted for any type of offence (Cunliffe and Shepherd, 2007), where in our police sample, those committing violent crimes were consistently predicted as highly likely to commit future offences particularly those of violence. Predicting offence homogeneity from previous convictions is, therefore certainly not as high as shown in the PRQ study, although the differences that the two-

year offending period taken in re-conviction analysis purports, is again acknowledged.

7.4 Discussion

To rehearse the findings of the predicting re-offending questionnaire with a police sample, predictions of high offence homogeneity was found across all given first offence types. That is, whatever the first offence type participants predicted that most likely next offence would be of the same type (e.g. for offender with previous offence of robbery the most likely next offence prediction was robbery). Indeed, for the vast majority of offenders and offence types, the average for participant predictions of offence homogeneity was in excess of 50%.

A comparison of participant predictions and reconviction data has been presented where possible, in particular with the recent Cunliffe and Shepherd (2007) study which used 2004 reconviction data. In this study it is suggested that, overall, 30% of those who re-offended committed their first re-offence in the same offence type as their original offence, suggesting offence homogeneity to be much lower than was predicted in the sample. They urge caution,

It should not be assumed that offenders re-offend in the same category as their original offence: i.e. that an offender convicted of a motoring offence will commit another motoring offence if they re-offend. The evidence in this sample is that offenders do not specialize on the whole (2007, p.6).

The difference in the level of offence homogeneity evidenced in reconviction data and that predicted by the police sample suggests a tendency exists for police too over-estimate offence homogeneity, consequently under-estimating offence heterogeneity. The range of perceptions across officers was huge, with pessimism that there would be a next conviction being closely related to the belief that the next offence would be of the same type as the first. Before discussion of the importance this holds for the present thesis, the 'trustworthiness' of both findings is explored - how valid and reliable they can be considered.

As discussed in previous chapters, validity is simply concerned with whether the findings are 'really' about what they appear to be about (Robson, 1993), for example, whether what you claimed was really what was measured. The predicting re-offending questionnaire (PRQ) was completed by police participants' in their own time and at their leisure. Although this was considered the best way of obtaining participant agreement for this study, it does involve some reliability and validity issues. For example, the authenticity of participant responses must be taken on trust, where in a face to face situation the researcher can judge whether the participant is 'telling the truth'. If deemed so, then consequently the data is generally considered more reliable and valid. This method is itself not without reproach, for example, as the last chapter illustrated some people are more adept at deception when face-to-face than others (giving false details to police) and researcher (experimenter) bias is a common hazard in face to face interactions. The high level of consistency of participant answers found (i.e. consistent prediction of offence homogeneity) provides confidence in participant authenticity. The degree of generalisability of findings, of course, is dependent on the representiveness of the sample.

Research into the failings of criminal investigations identifies how a human tendency to elevate the importance of any information given can have dramatic effects on judgement (Rossmo, 2009) must also be noted in respect of next offence predictions. Police participants were given very little information about the offenders they were predicting next offences for (e.g. previous offences include violence) and as such they sought to confirm rather than refute. There answers arguably being a result of confirmation bias (Stelfox and Pease, 2005; Rossmo, 2009)

It can be argued that the police sample, although not extravagant in numbers, can be considered representative of an average police division as it comprised of equal numbers of uniform and CID officers and a smattering of PCSOs and road traffic officers. It fair to suggest, therefore, that predictions of high offence homogeneity spanning position, rank, current department and policing

experience (length of service), is reflective of the wider police perception of offenders as offence homogenous, where the popular perception is one of offenders specializing rather than crime versatile. Any future study of this ilk should seek to employ a much larger number of police personnel than was available to the present study.

A need to establish consistency of police over-estimation of offence homogeneity entailed the development of a rather long questionnaire, which in turn necessitated a large number of questions, resulting in quite a time-consuming effort for the participant. Large numbers of participants was never practical in that respect. Although it also has some validity and reliability concerns, recent UK reconviction data (Cunliffe and Shepherd, 2007) clearly indicates that offenders on the whole display offence heterogeneity, not committing the same kind of crime if they re-offend in approximately two-thirds of cases. So why might police perceive criminals as much more offence homogeneous than reconviction rates suggest?

There are numerous possible answers to this question. As discussed above, offenders are far from being caught for every crime they commit and criminal justice practitioners make decisions that determine reconviction figures. It is possible offenders are more offence homogeneous than the reconviction data purports, and that the police are nearer the mark. In chapter three, however, evidence supporting offence heterogeneity was found using police (PNC) data and from criminal careers research (e.g. Farrington and West, 1993; Fisher and Ross, 2006).

A police over-estimation of offence homogeneity, with particular regard to serious criminals, appears to be pervasive with specialist squads and teams organised to combat criminals according to the type of crimes they commit (e.g. robbery squads), is suitable evidence that police do not see serious offenders as generalists. If a collective police perspective this poses a significant problem for self-selection. Where perception of serious offenders is that they only specialize

in one serious crime type (e.g. sex offences), then the selling of self-selection, based on a perception that they also commit minor offences becomes difficult. The idea that 'those that do big bad things also do little bad things' is relegated to uniform as, CID only deal with serious crime, not those who park in disabled bays. How such an offence homogeneous mindset might be overcome is a topic of no little concern in the next chapter, which crystallizes the arguments and findings of the present thesis.

CHAPTER EIGHT – IMPLEMENTING SELF-SELECTION POLICING

8.1 Introduction

In this the last chapter the case for self-selection policing, developed throughout the present thesis, is summarised and a tentative implementation plan is presented. Pragmatism is called for because any initial warmth to the method is not going to lead to its immediate acceptance by academics or its adoption and implementation by police. Specific barriers which exist in both police and public consciousness (e.g. the police culture and mind-set) can be identified as probable obstacles to self-selection policing. These are identified and discussed within this concluding chapter and recommendations made with regard to overcoming them.

It should be stressed that the emphasis on application should not be taken as a claim that the research base is complete, but there is a Catch 22 feel to the present situation. The fastest way to establishing which minor offences are strategic (i.e. which are most often a flag of coincident serious offending) would be by mounting policing operations in which the target minor offence was manipulated. But doing this on a serious scale would require initial endorsement of the self-selection approach. It is hoped the reader will excuse the occasional note of advocacy which is in reality merely the desperate wish to embark on the necessary programme of applied research which represents the most efficient means by which the approach may come to be vindicated.

The writer begins by recapping the main thrust of the present thesis, before moving to surveying the land, with a holistic look at criminology, current police policy and police operational guidance and how this has recently moved further

away from seeing minor offences to be of any significance, consequently, making an acceptance of the need for self-selection all the more improbable.

8.2 Getting smarter about self-selection policing

The message which emerges from the present thesis is a simple practical one. If criminologists and police get smarter about the significance of specific minor (less serious) offences then they will get smarter at identifying active serious offenders. It has been consistently acknowledged and accepted throughout the present thesis that a large majority of minor offences are (and will always be) committed by averagely law-abiding people. However, hopefully it has been demonstrated here, that a significant proportion of certain specific minor offences are committed by active serious offenders.

A brief summary of the main points of the preceding chapters is now provided to crystallize the argument that self-selection policing should be incorporated into policing and criminology immediately in a raft of applied operational research, before concluding with discussion of how it might be done.

Chapter Two set out the groundwork of the case for the self-selection policing by first carving out a theoretical underpinning for it and second, presenting the findings of a handful of fledgling self-selection studies. What was principally established in chapter two, theoretically and empirically (e.g. primarily by recourse to criminal careers research), was that offenders are generally offence heterogeneous or crime versatile, as opposed to, arguably, a prevailing perception of them as offence homogeneous or specialized. Indeed prevailing opinion of offence homogeneity is often felt most strongly when applied to those considered 'serious' offenders. On balance, review of the criminological literature provided in chapter two strongly suggests that serious offenders also display offence heterogeneity, lending support to the working hypothesis of the present thesis that serious offenders will not cavil at committing minor offences, demonstrated

by studies such as those who park illegally in disabled bays (Chenery et al., 1999).

What chapter two also sought to promote was the idea that the commission of specific minor offences can be used as a trigger to 'flag up' the individual as worthy of police scrutiny, as there is an above chance prospect that he or she is an active serious offender.

Prior to presenting empirical research focused on the utility of self-selection policing in identifying active serious offenders, it was considered necessary to first provide clarification of what serious crime actually constitutes and then further empirical support for offence heterogeneity. Chapter three began by providing clarification of what is meant by serious crime by presenting the findings of a survey developed for the present thesis to support evidence gleaned from the literature, which strongly suggests that what serious crime is felt to constitute (e.g. murder, rape, robbery) is universal across social groupings and cultures. Less agreement, however, was found with regards the additivity of seriousness, where it has been consistently found that people do not often feel that an offender who has committed two offences of the same type is twice as serious as those who have committed only one (e.g. Wagner and Pease, 1978).

The message of the present thesis has been about getting smarter about minor offences and their significance to identifying active serious offenders. The chapters that followed sought to identify which minor offences showed most self-selection promise.

8.2.1 Playing the percentages

In order to begin too get smart about the significance of minor offences as indicative of more active serious offending, one needs to first identify which ones, as has been consistently acknowledged, most minor offences are committed by

minor offenders. Sifting out those most frequently committed by serious offenders from an abundance of minor offences is no small task.

The writer has tried to be as candid as possible with regard to the accusation that as base rates for minor offences are not known, it is not therefore possible to use minor offences to identify serious offenders. Indeed, it has been consistently acknowledged by the writer, that if everyone in the country has a summary offence then finding that serious offenders commit minor offences is meaningless. Simply because serious offenders would not be differentially picked out from those who commit only minor offences. To overcome this obstacle, what is needed is a search on minor offences for the whole population to see the odds ratio of a serious offender being picked out relative to an ordinary citizen. This was not permissible in the present thesis, but that does not mean that it should not be done. However, while minor offences are considered trivial, then this is not likely, a point considered in more detail a little later in the chapter. All that can be said from the present thesis is that the chances of a serious offender also being a minor offender is high, but not necessarily higher than an average citizen, as the writer has not found any literature on the prevalence of minor offending (symptomatic of the little importance attached to minor offending per se). Of course, it is implausible in the extreme that the overlap of serious offenders and minor offences is as big in the general population and the present thesis, hopefully, has gone some way to demonstrating this.

In chapter four, 'Operation Visitor' was presented. This was described as an exploratory study to identify a sample of minor trigger offences frequently committed by active serious offenders. As result of focussing on visitors to a penal institution (not an offence in itself), 58 of a total number of 617 visitors to the prison were caught committing an offence, a majority vehicle related. Although, admittedly, at face value, the finding that 4% (39/210) of visitor drivers committed a minor offence is far from astounding, what is significant here is the high proportion of that 4% who were identified subsequently as active serious

offenders (some 18% of them). Operation Visitor demonstrated, therefore, that vehicle related offences had a high hit-rate for identifying active serious offenders (at least those visiting a prison) in line with previous motoring related self-selection studies (e.g. Chenery et al., 1999; Rose 2000; Wellsmith and Guille 2005). With vehicle related and motoring offences consistently identified as triggers for active serious offending, it is inconceivable that more research in this area is not conducted in the future. Benefit would be gained by placing particular emphasis on trying to discern which vehicle related and motoring offences are the most indicative of active serious offending. For example, driving on bald tyres showed promise in Operation Visitor, but the use of much larger datasets may prove more enlightening with regards identifying specific offences.

Although visitor passengers were found to offend less than their driver counterparts (mainly for minor drug offences) over half were identified as active serious criminals as a consequence, again suggesting that the relatively minor offence of class B drugs possession, should be regarded as quite indicative of further serious offending, as was found in a study which used criminal justice samples to highlight criminal careers of unidentified murderers and rapists by Townsley et al. (2006).

A preliminary finding from Operation Visitor, that proved more significant in the dedicated follow-up study presented in chapter five, was the high proportion of those not compliant with HO/RT1 found to be active serious offenders. In chapter five, findings suggested that those who do not comply with the simple legal requirements of the HO/RT1 are by dint, self-selecting for further police attention. Whereby, from a sample of 126 HO/RT1s, where 37% did not comply, more than a third of these were later identified as active serious offenders (i.e. offending close to HO/RT1 issue).

The findings of the HO/RT1 study provide practical advice for police with regard to identifying active serious offenders; take those who do not comply HO/RT1s

seriously, which means keeping an up to date list of 'no shows' and investigating those on it. This suggestion is simple. If police get smarter about policing HO/RT1s a high hit rate is achievable in identifying active serious offenders, if scrutiny is placed on those who do not comply. In all probability, even higher hit-rates would be achieved by increasing the effort and resources allotted to tracing those who have not complied, as they have double self-selected, by dint of non-compliance with HO/RT1 and by giving false details. Chapter six provided some useful tips for police when tracing false detail givers.

In chapter six a dedicated study of false detail giving was presented. This topic as discussed was first identified in the HO/RT1 study in chapter five, where 10% of those failing to comply were considered by police to be untraceable, having given false details at point of issue – arguably, the epitome of offender self-selection.

A study of false address giving was presented that examined the cognitive process involved with constructing a complete false address and whether cognitive effort involved could afford clues as to the real address being concealed. The findings suggest that most individuals are able to generate a false address spontaneously, but often rather than being based on random generation they tend to rely on pre-existing knowledge in memory (e.g. address of known others and previous address). This was most acute in that a large majority of individuals either failed to generate a false postcode at all, or produced one that was found not to exist.

The practical recommendation for police officers which follows from the false detail research presented, is when in a situation where they have requested an individual gives their personal details, they would be best placed to ask for a full address (including postcode), and to note the ease with which said individual states it with particular attention paid to the postcode given. If the individual either fails to provide a postcode, or if does, this is found not to exist by checking

against the post office official list, then further scrutiny is likely to pay dividends. Self-selection by false detail giving having been shown to be a correlate with active serious offending.

The checking of postcodes, of course, necessitates that police have the equipment necessary to access to the Royal Mail database, either directly (e.g. by palm-top computer) or indirectly via control-room personnel. The former can be regarded as adding further support to the call for all officers to be routinely issued with palm-tops or other mobile computer technologies. This recommendation echoes that in the Review of Policing – Final report (Flanagan, 2008) and supported in the recent Policing Green paper (Home Office 2008).

In chapter six, suggestions are made to police when tracing those individuals found at a later date to have given a false address. Results from the false detail study suggest that a significant number of false addresses will reflect the address of known others or previous addresses, again particular emphasis should be placed on the postcode given. Although more research is called for in this area, there appears no danger in giving such advice to officers trying to trace false detail givers at this stage.

Where the first six chapters of the present thesis focused on exploring theoretically, conceptually and empirically the merits of self-selection policing, chapter seven differed in that the police mind-set was identified as representing a probable obstacle to its adoption.

Chapter seven presented the findings of an empirical study of police opinions on offence homogeneity. Officers, in a sample, were asked to predict the type of next offence from various given first offence scenarios. The findings showed that officer predictions were consistently offence homogeneous, that is, the most popular second offence type predictions were always the same as the first offence type. A comparison of police predictions with UK Home Office

reconviction studies suggested that police consistently overestimated offence homogeneity, displaying a perception of offenders as tending to be crime specialized and not as the current criminological literature suggests, as offence versatile. The importance that an overestimation of offence homogeneity has for accepting self-selection policing was discussed. This is dealt with in more detail next, as we conclude the present thesis with some recommendations on how self-selection can be implemented.

8.3. Hurdles and pitfalls for the implementation of self-selection policing.

In this section a charge is made that current UK policing policy is juxtaposed to the idea of self-selection, albeit probably unwittingly. The basis for this assertion has several important facets.

8.3.1 UK policing for the 21st Century?

In his recent UK Government commissioned report 'The Review of Policing', Sir Ronnie Flanagan, sets out his recommendations for UK policing in the 21st century (Flanagan, 2008). The essence of the report is summed up,

Its most fundamental principle is that policing must deploy its resources to fight the threats which the public face; to minimise the harm which crime causes and to manage the risks which the police services manages on behalf of the public (Flanagan, 2008,p.1)

Many of the report's final recommendations, unsurprisingly, set out how UK policing must change in order to combat serious crime (including terrorism).

What is important to the present thesis is the constant recommendation in Flanagan and the Green Paper that police resources need to be 'freed up' in order to meet the challenges presented by serious criminals. This is explicitly framed in the way that serious and minor offenders are separable groups. There is no appreciation of the evidence in recent criminological research and

established throughout the present thesis, that serious offenders commit (often more frequently) minor offences. For example, let's take the issue of crime recording. Flanagan recommends,

Clearly, a new approach to crime recording is needed which continues to properly record crime allegations reported by the public, but recognises the need for proportionality and properly reflecting public needs and expectations (Flanagan, 2008, p.56)

The 'proportional' approach that Flanagan proposes represents a streamlining of information recording for minor offences, "I recommend that these matters are recorded in a much more concise way, which would avoid the need to complete the long reports that are used in some forces to record a crime" (Flanagan, 2008, p.56).

The point here is that Flanagan obviously believes that recording the same level of detailed information for minor offences as for serious offences is a considerable waste of police resources, where officers' could be used more efficiently – one presumes, catching serious criminals instead of doing 'the paper-work' for minor offences. If one subscribes to, as Sir Ronnie Flanagan obviously does, 'black and white thinking' - where serious criminals only commit serious crime– then this recommendation for saving valuable police time on trivial offences makes sense. As the reader will appreciate, if instead, one takes the opposite perspective (as the writer has been at pains to demonstrate throughout the present thesis) that serious offenders are offence heterogeneous, then the levels of information recorded for minor offences can be alternatively framed as necessary information gathered and police officer time well spent, as it has also been focused on catching serious criminals (via self-selection). This is not the last time that the writer will point out where current police policy and the offender self-selection approach appear at odds.

8.3.2 Crime screening

Hansard records that in 1989 in the House of Lords, the Minister of State, for the Home Office, Earl Ferrers, in answer to a question raised in the House, stated that,

The object of crime screening is to focus resources on crimes of greatest public concern and on those with the best prospects of success. All reported crimes are investigated, but detectives have always had to identify priorities for further investigation. All serious crimes are always fully investigated.⁴³

Policy guidelines for police set out criteria by which crimes will be screened before any investigation. Such a policy provides a) a framework by which police are to initially assess whether a crime should be investigated further or not (known as 'filed first time'), b) a crime seriousness and solvability guide, and c) how officers and staff should be deployed to investigate a crime.⁴⁴ This is commonly referred to as 'crime screening'.

Crime screening policy guidance issued by Cambridgeshire Constabulary, for example, divides crimes into four types, listed in descending order of priority (Cambridgeshire Constabulary, 2006, p.1-2)⁴⁵

- **Mandatory Crimes** - These are the most serious crimes that will always be investigated and take primacy over all other crime types. These crimes include, for example, terrorism, any crime that leads to the death of a person, sexual offences and robbery.
- **Priority Crimes** – These crimes may not, by their nature, be serious but are considered to be of significance nationally and/or locally (i.e. Cambridgeshire Constabulary (like most other forces) produce a list of

⁴³ http://hansard.millbanksystems.com/written_answers/1989/jul/19/crime-screening (accessed 2nd February 2009)

⁴⁴ Cambridge police policy guidance found at http://www.cambs.police.uk/about/foi/policies/Crime%20Screening%20Policy%20_09.10.06_.pdf (accessed 3rd February 2009)

⁴⁵ Ibid

priority crimes annually). These crimes include, for example, Class A drug trafficking, distraction burglary and vehicle crime.

- **Signal Crimes** – These crimes are subject to local prioritization. Again, these may not, in themselves, be considered serious, but are considered to have “disproportionate impact on community confidence” (p.1). They will not necessarily be subject to investigation, but where they are they will be prioritised for investigation after Priority Crimes. These crimes include, for example, anti-social behaviour, regular public disorder in particular vicinity and Class B drug dealing.
- **Non Priority Crimes** – These are crimes that do not fall within any of the other three categories and will “be expediated for investigation and resourcing after mandatory, priority and signal crimes” (p.4). Perhaps somewhat unsurprisingly, no examples are listed here.

Depending on the category to which a crime is allotted, it will “..influence the crime screening decision-making processes and the prioritisation of the crime for the allocation of resources for investigation. (Cambridgeshire Constabulary, 2006, p.1).

What is of most interest in such screening policy is that although serious and priority crimes are, and quite rightly, ‘prioritised’, minor ‘non-priority offences’ are totally disregarded unless there appears what are termed ‘special aggravating features’, such as, repeat victimization or evidence of victimization. Crimes are therefore, screened and then categorised in ‘black and white’, with serious and minor offenders constructed as homologous and distinct groups. Such explicit crime screening policy is therefore, ignorant of the link between serious offenders and minor offences which self-selection purports. The low priority given to most minor offences gets worse when ‘solvability factors’ are introduced into the screening process.

8.3.3. Solvability factors

In Cambridgeshire, priority, signal and non-priority crimes will be assessed, initially by staff in the Police Service Centre, for 'solvability' (2006, p.4) but by officers and staff where they take reports of crime from members of the public. Solvability factors include, for example, where there is a named suspect or the identity of the offender is likely to become apparent (e.g. through CCTV coverage); where there is identification evidence or identifiable property which may identify the offender (e.g. car left at the scene). Where none of these factors are present the crime will be 'filed first time' (undetected crime file). Screening by solvability measures is by no means indigenous to Cambridgeshire police as similar practice appears common throughout UK policing policy guidelines. The operational justifications and policy reasons for crime screening are beyond the remit of the present thesis. They are mentioned briefly here to illustrate how minor offences why many minor offences are considered of little importance. Indeed, many minor offences will fail to make it through the screening process.

The point here is that with such a policy only serious offences will be investigated and only serious offenders targeted. Minor offences are relegated to being of little significance because they are perpetrated by minor offenders who are the priority. The reader is (hopefully) suitably swayed by the argument built throughout the present thesis, that serious offenders are offence heterogeneous, frequently committing minor offences, offending is not as 'black and white' as police policy writers appear to consistently believe. Such screening policies are the antithesis of self-selection, whereby many possible self-selection opportunities for identifying serious offenders are forgone, simply because police policy and guidance deems minor offences the sole remit of minor, inconsequential, offenders. This point will be returned to constantly throughout this chapter. It suffices to say here that UK police policy guidance is currently working against the self-selection approach and vice versa.

8.4. Recommendations for the acceptance and implementation of self-selection policing

8.4.1. Criminology

In this section the conceptual and theoretical base for the self-selection approach (discussed in chapter two) is re-visited in light of the whole thesis now presented.

Opportunity based theories such as Routine Activity Theory (Cohen and Felson, 1979), Rational Choice Theory (Cornish and Clarke, 1986) and Crime Pattern Theory (Brantingham and Brantingham (1984, 1993) provide much theoretical support for self-selection policing. These theories explain why crime occurs when and where it does. They claim that reducing crime is about reducing opportunities for it. That is, they are concerned with *preventing* crime (Clarke, 1997).

Self-selection policing, although resting on opportunity theory, takes the idea of opportunity further. It uses knowledge of criminal opportunities to uncover serious offenders by dint of specific minor infractions. As such, self-selection is concerned with using opportunity against the serious offender in order to identify them, rather than trying to prevent them offending in the first place, which is the main focus of the opportunity approach. For example, HO/RT1 non-compliance as a self-selection tool seeks to use this minor offence to scrutinize non-compliers and uncover active serious offenders. It is about detecting serious offenders not so much about preventing HO/RT1 non-compliance. Put simply, self-selection policing rests on the premise that 'those who do big bad things, often also do little bad things'. It is not, therefore, about preventing 'little bad things', but about using 'little bad things' more strategically.

Akin to the opportunity approaches described, 'Broken windows theory' (Kelling and Coles, 1996) advises that crime and disorder problems should be 'fixed' when they are small (e.g. vandalism) so that further low-level petty crime and disorder will be deterred and major crime prevented as a result. Put simply, if an

area is prevented from falling into disrepair and disorder, then more serious crime and disorder will not be able to 'move in'. Self-selection does not denote 'run-down areas' or those who reside in them; self-selection does not discriminate at all. It focuses on the commission of certain minor offences irrespective of who commits them. The committing of a minor offence is justification for further scrutiny, not because the individual concerned is from a certain area, ethnic profile or 'looks dodgy'. As a method of identifying active serious offenders, self-selection policing is much more morally and legally defensible than some 'traditional methods (Chenery, et al., 1999).

Nor does self-selection policing subscribe to the graduation hypothesis fundamental to 'Broken Windows Theory'. Self-selection is about identifying active serious offenders by their minor infractions. It is about the 'here and now', identifying serious offences that are being committed concurrently. It does not predict that an individual who commits a certain minor offence (e.g. HO/RT1 non-compliance) is likely to become a serious criminal in the future. It simply suggests that currently active serious offenders also commit minor offences and that these can be used to identify them. They are already serious offenders.

What has come to be known as 'zero tolerance policing' is a manifestation of the 'broken windows' approach (Kelling and Coles, 1996) with police advised to 'crack down' on all crime, however minor (e.g. see Hopkins Burke, 1998, for a good discussion). Again, self-selection policing is different to zero tolerance policing, in that self-selection upholds police discretion with regard to sanctioning (e.g. whether to give a fixed penalty, caution or just a warning), where zero tolerance policing does not. Granted, self-selection encourages police to scrutinize those who commit certain minor offences, but it does not (and should not) proscribe whether individuals should be sanctioned, and how. This is a matter for officer discretion and/or force policy not for self-selection policing.

Self-selection policing also fits with in many ways developmental criminology (e.g. Farrington, 2002). For example, the active serious offenders which self-selection aspires to helping uncover probably comprise of Moffitt's 'life-course persistent' offender group (e.g. Moffitt, 1993, 1997, 2003). Those who continue to offend throughout their lives, committing minor offences as well as serious offences, are those most likely to be identified by self-selection. This group being unlikely to cavil at minor offences as demonstrated.

A recent criminological focus has been on preventing crime by identifying 'risk'. For example, much of 'developmental' criminology has focused on identifying 'risk factors' indicative of a likely future criminal career (e.g. Farrington et al., 1993; Farrington et al., 2006) and recent work by Smallbone et al.(2008) has focused on preventing child sexual abuse by risk identification amongst other approaches . Self-selection policing differs from such 'risk' focused approaches in that fundamentally it is not about risk. As stated above, it is about the 'here and now'. It does not purport that a certain percentage of those who commit a specific minor offence (e.g. illegal parking in disabled bays) are likely to become, in time, serious offenders. Self-selection, whilst acknowledging that a majority of minor offences are committed by minor offenders, maintains instead that a significant proportion of those currently committing certain minor offences *will be* active serious offenders (Chenery, et al., 1999). Self-selection, therefore, is not about predicting future serious criminals, it is about identifying current ones.

The reader may asking the question whether self-selection policing is simply about identifying those already known to police. Admittedly, by 'scrutinize' what is partially meant is the conducting of thorough PNC and force intelligence checks (of the minor offender). These will undoubtedly only identify 'known' individuals. Although this is a fair point, more is meant here by 'scrutinize' than just database checks. For example, Silke (2003) details how one of the bombers in the first attack on the World Trade Centre in 1993, was stopped en route for speeding. When a traffic officer searched the car boot explosives were found. Daniel Rifkin

was stopped for having a defective rear-light and the officer in question found the body of Rifkin's thirteenth victim in the 'trunk' (Schechter and Everitt, 2006). The point being made is that self-selection can also uncover 'unknown' serious offenders if 'scrutinize' does not just mean database checking.

As discussed in chapter two, self-selection operates across crime scenes and scripts (Cornish, 1994) with scrutiny of the 'minor offender' uncovering the serious offender, just before (e.g. the Yorkshire Ripper), during (e.g. the first Twin Tower bomber) or after the serious crime (e.g. Chitat and Lok). Minor offences can also be used to identify serious offenders retrospectively. For example, the serial murderer, David Berkowitz, was placed at the scene of one of his crimes by the fact he had been given a parking ticket (Schechter and Everitt, 2006).

A wider interpretation of 'scrutinize' is therefore advocated, but this has to be balanced with both the inconvenience caused to the public (the majority of which will be 'innocent') and human rights.

In sum, as demonstrated, self-selection policing is different enough conceptually to other criminological approaches to merit its own place within criminology (it has already been welcomed to the fold by crime science). Rather like its older cousin 'Repeat Victimization' (e.g. Farrell and Pease, 1993), self-selection policing builds on existing criminological and psychological theory and focuses it at a specific practical area. It is the hope of the writer that academic criminology is takes to self-selection policing in the same way it has taken to Repeat Victimization, as conceptual advancement. There are obstacles to overcome first.

Despite the growing amount of criminological research suggesting that offenders (including serious) tend to be offence heterogeneous - particularly the criminal careers literature (e.g. Farrington and Hawkins, 1991; Soothill et al., 2000) too little attention is paid to the significance of minor offence commission. As discussed, criminal career research neglects the importance of minor offences in

a career, preferring to treat minor offences as markers of onset and evidence of de-escalation of seriousness, temporary or otherwise. To the writers knowledge, self-selection is not mentioned in any of the leading texts pertaining to *criminology* (e.g. Maguire et al. 2002; Hopkins Burke, 2005; Newburn, 2007), *policing* (e.g. Newburn et al., 2007, Newburn, 2008) nor in any of the recently published criminology and policing *dictionaries*.(e.g. Newburn and Neyroud, 2008).

However, there are signs that self-selection is beginning to permeate crime science texts. For example, Ratcliffe (2008) in his book *Intelligence-Led Policing* dedicates a small section to it. The writer hopes that with the evolution of a growing body of self-selection focused research, the situation will change to one where self-selection policing is acknowledged and debated. The present thesis can be regarded as a firm step in this direction.

8.4.2. Police and policing

Police policy has been influenced by the recent government 'green paper' (Home Office, 2008) which was informed by the policing review conducted by Sir Ronnie Flanagan (Flanagan, 2008) discussed earlier in the chapter. What is of crucial importance to the present thesis is that both stress the need for police to focus on serious crime, calling for more discretion with regard to policing the not so serious. This presents a formidable barrier to the acceptance and adoption of self-selection, by police, because of its emphasis on the importance of policing minor offences. Self-selection again appears to be (superficially at least) at odds with current police policy and the line which the UK Government is taking.

If one understands that the main purpose of self-selection is to identify active serious offenders, then it no longer appears to clash quite so much with current police policy. When being sold to the police, therefore, self-selection policing

should appeal to the serious crime agenda, as opposed to minor infraction per se.

As identified in chapter seven, arguably the biggest obstacle to self-selection is the police mind-set (i.e. the tendency to over-estimate offence homogeneity). If indeed universal, this mind-set must be altered before self-selection can be accepted. The writer putatively believes that this can only be achieved if more research evidence demonstrating offence heterogeneity is conducted, and if officers (particularly new recruits) are educated otherwise. The latter would be facilitated ideally by the National Police Improvement Agency (NPIA), the agency responsible for developing police doctrine and practice.

With regard to the wider topic of offender self-selection, acknowledgement must be given that many experienced and astute police officers already have an intuitive sense of its potential. The argument goes as follows:

1. The minor offences which are chosen to trigger special attention should be based on research establishing the extent and nature of links with more serious offending. This removes subjectivity from the enforcement process.
2. A process should be established whereby the intuitions of police officers are made external and available, and tested against the evidence.

In sum, offender self-selection is not about rediscovering one aspect of the craft of policing. It is about evidencing and quantifying links between offences of which some experienced officers have a sense, and discarding those police intuitions which are unfounded.

Finally, offered below is a list of key points from the present thesis (in no particular order) which can be used to serve as a 'battle-plan' for hearts and minds with regards the acceptance and implementation of self-selection policing by police and public alike;

1. More research investigating the major-minor offence link

There are zillions of potential minor offences which could act as markers for serious offender identification. Rigorous research is needed to discover the most reliable and robust.

2. Do not underestimate the significance of minor offences.

Evidence is still growing in support of serious offenders displaying crime versatility, especially with regard to committing both serious and minor infractions of the law. By committing minor offences serious offenders are self-selecting for increased police attention, which can be used to uncover more serious criminality. After all Dick Turpin was identified by prison guards reading his mail after he had been arrested for stealing a horse, not for highway robbery or murder for which he was hanged.⁴⁶

3. Self-selection does not discriminate

The beauty of this approach is that it does not seek to identify via discriminatory practice, such as targetting the usual suspects. It is focused instead on actions (i.e. the breaking of a law).

4. Give officers as much know-how as possible.

Most frontline officers have less than five years experience in the service. When the significant number of recent recruits to the extended police family are added, the urgent need to provide as much know-how as possible becomes apparent. As offender self-selection knowledge grows it provides much needed know-how to the inexperienced. For example, if a list of minor offences that warrant increased perpetrator scrutiny can be given, this would have big implications (e.g. for the application of police resources). The illegal parking in disabled bays study (Chenery et al., 1999) suggests a need for a closer working relationship between police and traffic wardens in order to identify active serious offenders.

⁴⁶ See http://en.wikipedia.org/wiki/Dick_Turpin

5. It needs to be as painless as possible.

An important learning point is that any such indicator offence needs to be both of minimal inconvenience and justifiable to the public. Generally people do not object to obtrusive measures such as being searched at a prison, provided they understand clearly the reasons for it. Offender self-selection is about identifying those minor offences which best indicate that more serious offending might be present, whilst remembering that most minor offences will be committed by minor offenders. The best trigger offences will be the least obtrusive, as with the disabled bays study where the illegal parkers were not aware they were the subject of increased interest. Using mobile phones while driving and not wearing seat belts are triggers where advice given to those who are not involved in crime is in any case in the driver's best interests (Townshley and Pease, 2003).

With regard to public support, communication of the reasons, on a case by case basis, is possible and very desirable. The motorist backlash in respect of HO/RT1 non-production should be less acute than it would be (for example) in checks on vehicles in disabled bays. This is because the perpetrator has both committed an offence initially, and failed to comply with legal requirements subsequently. Nonetheless, the public acceptance of self-selection policing is almost certainly the largest obstacle to its implementation, alongside the development of the policing skills necessary for the detection of the more serious offending which seems contemporaneous with the failure to produce documentation. The findings of the Hayley Jane Richards inquiry should go some way in reducing such obstacles.

With regard to persuading police at senior levels of the utility of selection policing, there is a glimmer of hope for criminologists,

Problem solving has been a crucial part of the development of neighbourhood policing and there are signs that it is becoming part of the service's approach more widely. Similarly, in the field of criminology, the recent work of Professors Sir Anthony Bottoms, David Farrington and Larry Sherman and others points to

areas in which police practice can be improved to maximise its impact.
(Flanagan, 2008, p.36).

It therefore, may not be so much a case of the tune (i.e. self-selection policing)
but who sings it that decides whether police perceptions and attitudes change.

APPENDIX

Appendix 1 Offence Seriousness Questionnaire

Dear participant,

The following questions are to ascertain what you consider to be serious offending, and what you consider a serious offender to be. Please answer the questions below as fully as possible. All answers will be treated in the strictest confidence. Many thanks in advance.

1. Gender M/F
2. Age _____
3. Course _____
4. Please state if you have a criminal record? Yes/No
5. In the table below, please put a 'seriousness' score from 0-10 for each of the different types of crime

CRIME TYPES	SERIOUSNESS (?/10)
Drink driving	
Burglary	
Shop theft	
Arson	
Assault	
Illegal parking	
Tax evasion	
Knife possession	
Exposing self to children	
Bogus benefit claims	
Robbery	
Driving without license	
Domestic violence	
Dog fouling	
Drugs possession	
Rape	
Fly tipping	
Fraud	
Murder	
Speeding (car)	

6. Please list 3 offences you consider to be serious and briefly say why
 - a. _____
 - b. _____
 - c. _____
7. Should those who persistently commit minor offences (e.g. shop theft) be considered serious offenders? Please explain your answer briefly below.

Appendix 2

Descriptive statistics for crime seriousness questionnaire, question 5 – ‘please put a seriousness score from 0-10 for each of the different types of crime’.

Descriptive Statistics

	N	Minimum	Maximum	Mean	Std. Deviation
DrinkDriving	90	1	10	7.37	2.069
Burglary	89	3	10	6.79	1.689
ShopTheft	90	1	9	5.19	1.835
Arson	90	1	10	8.10	1.642
Assault	90	3	10	7.80	1.523
IllegalParking	90	0	7	2.53	1.463
TaxEvasion	90	0	9	4.13	2.089
KnifePossession	90	2	10	6.82	2.266
Exposing	90	4	10	8.80	1.538
BogusBenefitClaims	90	1	10	5.14	2.241
Robbery	90	2	10	7.04	1.754
DrivingWithoutLicense	90	2	10	5.81	2.167
DomesticViolence	90	5	10	8.66	1.273
DogFouling	90	0	10	2.57	1.995
DrugPossession	90	1	10	5.93	2.130
Rape	90	1	10	9.74	1.023
FlyTipping	87	0	8	3.70	1.965
Fraud	90	0	10	6.10	2.239
Murder	90	10	10	10.00	.000
Speeding	90	1	10	5.82	2.354
Valid N (listwise)	86				

Appendix 3 Operation Visitor police recording sheet

Visitor name _____

M/F

D.O.B.

Ethnicity

Brief physical description _____

Visitor not on PNC

Visitor on PNC

Diver/passenger/pedestrian

Vehicle Registration

driver

owner

Any issues pending (e.g. outstanding warrants, no motor insurance etc.)

No

Yes (state) _____

Action taken (please circle)

None taken

Arrest (state) _____

VDR Pg9 FPN (type) _____

Caution (please state) _____

Appendix 4 False details questionnaire

This piece of research relates to those who when asked by officers, give false personal details. The focus here is on those who give false addresses. Please follow the set of questions below carefully, answering as fully as possible. Your personal details will remain anonymous, strictly confidential, you have the right to withdraw at any point and a full debrief will be available at the end of the study.

Your details

Gender M / F

Age ____

Single/ married

Question 1

Please imagine that you have been stopped by a police officer and asked to give your personal details. For some reason you do not wish to give your correct address. Please take no more than *5 seconds* to think up a false address. This must include; house number, street, road etc. town, county and postcode. Please write this in the space below.

Question 2

Have you any idea of the thought processes which have led you to come up with this false address? (e.g. is it close to a friend's address, a family member's, a famous address etc.). Please detail as fully as possible below.

Question 3

Please write your real address below.

Thank you for your time and your patience. Your details and answers will remain anonymous and strictly confidential.

Appendix 5 Predicting Re-offending Questionnaire (PRQ)

This questionnaire is part of a PhD. study focused on patterns of re-offending. It should take you no longer than ten minutes to complete and all answers will remain anonymous, all data confidential and you reserve the right to withdraw your participation at any point. A copy of the eventual publication will be provided via Chief Superintendent Barton.

I thank you in advance for your kind participation and please do not hesitate to contact me with regard to questions pertaining to either the questionnaire or the research project as a whole. Many thanks again, best wishes. Jason Roach (Senior Lecturer in Criminology, University of Huddersfield. j.roach@hud.ac.uk).

Personal details (Please tick or fill in the appropriate boxes)

Gender	
Age	
Ethnicity	

Position

Police officer	
PCSO	
Crime analyst	
Other (please specify)	

Rank (if police officer)

Constable		Chief Superintendent	
Sergeant		ACC	
Inspector		DCC	
Ch. Inspector.		Other (please specify)	
Superintendent			

Current department

Policing	
CID	
Traffic	
Other (please specify)	

Length of service (years)	
---------------------------	--

Question 1 - In the table below are a column of first offence types. Please predict for each first offence the likelihood that a male committing it will go on to re-offend in the future. Please use exact percentages for each (e.g. burglary 75%, violence 43%, theft 90% etc.)

	Chance of future offending (%)
1st offence type	
Burglary	
Violence	
Theft	
Drink driving	
Drugs supply	
Sexual	
Motoring	
Robbery	
Public order	
Fraud	

Question 2 - In the table below are a column of first offence types. Please predict for each the likelihood that the next offence committed will be of the same type (e.g. 1st offence burglary, second offence 75% likely to be burglary)

	Chance of 2nd offence being same type (%)
1st offence type	
Burglary	
Violence	
Theft	
Drink driving	
Drugs supply	
Sexual	
Motoring	
Robbery	
Public order	
Fraud	

Question 3 - Below are a range of offence histories and possible next offences. The left column displays 20 different offender scenarios. For each scenario please predict the likelihood that each of the different offence types listed across the top will be the next offence (e.g. for scenario a) burglary 75%, violence, 25%, theft 35%, drink driving 25% etc. - for scenario b) burglary 45%, violence 75% etc.)

Next offence	B u r g l a r y	V i o l e n c e	T h e f t	D r i n k d r i v e	D r u g s	S e x	M o t o r i n g	R o b b e r y	P u b l i c o r d e r	F r a u d
*TP= violence to the person										
a). Offences include burglary and violence to person (tp)										
b). All offences burglary										
c). Offences include violence (tp) and theft/handling										
d) All offences violence (tp)										
e) Offences include theft of stolen goods and violence (tp)										
f) All offences theft/handling of stolen goods										
g) Offences include drink driving and violence (tp)										
h) All offences drink driving										
i) Offences include drugs supply and violence (tp)										
j) All offences drugs supply										
k) Offences include sex and violence (tp)										
l) All offences sex										
m) Offences include motoring and violence (tp)										
n) All offences motoring										

Next offence	B u r g l a r y	V i o l e n c e	T h e f t	D r i n k d r i v e	D r u g s	S e x	M o t o r i n g	R o b b e r y	P u b l i c o r d e r	F r a u d
*TP= violence to the person										
o) Offences include robbery and violence (tp)										
p) All offences robbery										
q) Offences include public order and violence (tp)										
r) All offences public order										
s) Offences include fraud and violence (tp)										
t) All offences fraud										

Many thanks for your time and consideration

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