

Dissertation submitted for the Degree of Doctor of Philosophy

Designing Police Investigation Strategies for Child Sex Offending Groups

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I, Helen Brayley, confirm that the work presented in this thesis is my own. Where information has been derived from other sources, I confirm that this has been indicated in the thesis.

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## Abstract

Through a multi-method approach, this thesis uncovered the nature and characteristics of a hitherto little understood crime, internal child sex trafficking (ICST). This original large-scale study, the first of its kind in the UK, addressed an important knowledge gap in the literature and publications from this thesis have been used to support new investigations, policy development and to guide further academic research. Through access to sensitive and restricted documents and case files, this thesis explored the group-based element to ICST offending and identified patterns and typologies. Through identified commonalities among ICST cases, the thesis focused on supporting future investigations and prosecutions through four main approaches. First, an exploration of different group-based factors to ICST was conducted. This included identifying methods of recruitment, such as introduction via another offender, and benefits to joining a group, such as additional access to children or abuse locations. Second, an assessment of investigative and prosecution strategies was conducted which showed a wide range of tactics being used with no consistent approach across force areas. Third, a forensic experimental study was conducted aimed at improving understanding around persistence of semen on stained then laundered clothing, a common scenario seen in ICST cases. The findings from this study showed that the tested samples contained enough DNA to produce a full profile for use in UK and international courts, an important development for supporting future ICST cases. Finally, an eight theme framework for understanding a group's structure and function was developed and examined using SWOT analysis. Suggestions such as the use of undercover police officers or targeted awareness raising were presented as possible options for tackling ICST groups. To conclude, the thesis discussed the potential use of tactics employed in other crime investigations, including covert policing and the use of victim reception centres, when conducting future ICST operations.

## Contents

Contents.....	6
List of Tables .....	12
List of Figures .....	14
List of Abbreviations .....	16
Part 1: Context .....	18
Chapter One: Introduction.....	18
1.1 Background .....	20
1.2 Thesis structure.....	22
1.3 Chapter summaries.....	24
1.3.1 Part 1: Context .....	24
1.3.2 Part 2: Analysis.....	24
1.3.3 Part 3: Implications .....	27
1.4 Ethical Considerations.....	28
1.5 Dissemination of research findings.....	28
Chapter Two: Research Context .....	31
2.1 Introduction .....	31
2.2 Child-Specific Sexual Crimes .....	32
2.2.1 Child Sexual Abuse (CSA) .....	33
2.2.2 Child Sexual Exploitation (CSE) .....	36
2.2.3 Community-Based CSE .....	40
2.2.4 Internal child sex trafficking (ICST).....	41
2.3 Current knowledge of group-based offending .....	51
2.3.1 Co-offending .....	51
2.3.2 Group demographics.....	54
2.3.3 Group based sex offenders .....	56
2.3.4 The role of the Internet.....	60
2.4 The evolving law enforcement response to sexual offending.....	61
2.4.1 Changes to sexual offence investigations.....	62
2.4.2 Use of evidence in sexual offence investigations and prosecutions .....	67
2.4.3 Changes to sexual offence prosecutions .....	71

2.5 Conclusion.....	74
Chapter Three: Theoretical framework .....	77
3.1 Theoretical approaches to understanding crime.....	77
3.1.1 Situational approaches to crime .....	80
3.1.2 Criticisms of situational approaches .....	84
3.1.3 Combining situational and dispositional approaches .....	86
3.2 A social psychological understanding to criminal groups.....	90
3.2.1 Co-offending and criminal groups.....	90
3.2.2 Specific social psychological concepts for this thesis .....	93
3.3 Theoretical standpoint for this thesis .....	96
Chapter Four: Method .....	99
4.1 Data Sources .....	99
4.1.1 ICST case study selection .....	101
4.1.2 Additional documents selection .....	102
4.1.3 Archived interview selection.....	106
4.2 Data collection .....	108
4.2.1 Case files .....	109
4.2.2 Additional documents.....	109
4.2.3 SIO Interviews .....	110
4.2.4 Laboratory work.....	110
4.3 Method of analysis.....	110
4.3.1 Case study analysis.....	110
4.3.2 Multiple data sources .....	114
4.3.3 Thematic analysis.....	115
4.3.4 Inter-coder reliability .....	121
4.4 Case Summaries .....	122
4.4.1 Category 1: Single offending group.....	123
4.4.2 Category 2: Multiple small group and individual offenders .....	127
4.4.3 Category 3: Ongoing projects.....	130
4.5 Conclusion.....	131
Part 2: Analysis.....	132
Chapter Five: Child Sex Offending Groups (CSOGs).....	132

5.1 Introduction .....	132
5.2 Group evolution .....	134
5.2.1 Method .....	135
5.2.2 Key findings .....	138
5.3 Modes of joining a group .....	141
5.3.1 Method .....	142
5.3.2 Key findings .....	145
5.4 Staying in a group.....	151
5.4.1 Method .....	152
5.4.2 Key findings .....	156
5.5 Benefits and risks of group involvement .....	157
5.5.1 Method .....	158
5.5.2 Key findings: benefits to group involvement.....	161
5.5.3 Key findings: risks connected to group involvement.....	165
5.6 Type of ICST offenders .....	167
5.6.1 Method .....	167
5.6.2 Key findings .....	169
5.7 Conclusion.....	171
Chapter Six: Investigating and prosecuting ICST.....	173
6.1 Introduction .....	173
6.2 ICST investigations .....	176
6.2.1 Method .....	177
6.2.2 Key Findings .....	177
6.2.3 Investigation challenges.....	185
6.3 ICST prosecutions.....	186
6.3.1 Method .....	187
6.3.2 Key findings .....	189
6.4 Use of evidence in ICST cases .....	196
6.4.1 Method .....	196
6.4.2 Key findings .....	197
6.5 Conclusion.....	199
Chapter Seven: DNA Evidence in ICST Cases .....	202



7.1 DNA and Semen Biology .....	204
7.1.1 Semen identification .....	204
7.1.2 DNA .....	205
7.2 DNA and the criminal justice system .....	209
7.2.1 Use of DNA in police investigations .....	209
7.2.2 DNA evidence in ICST investigations.....	212
7.3 Context for the Experimental Design.....	213
7.3.1 Trace forensic particulates.....	214
7.3.2 Laundering fabrics.....	214
7.3.3 Pre-1986.....	217
7.3.4 Post 1986 .....	218
7.3.5 Applicability of the literature to this thesis .....	220
7.4 Method .....	221
7.4.1 Experimental Method .....	226
7.5 Results.....	227
7.6 Implications.....	233
7.7 Conclusion.....	236
Chapter Eight: Developing New Investigation Strategies .....	238
8.1 Understanding a group’s structural properties .....	238
8.1.1 Method .....	239
8.1.2 Key Results .....	241
8.2 Using the structure of a group to develop investigation strategies .....	250
8.2.1 Method: .....	250
8.2.2 Key Results .....	253
8.3 Applying the framework to ICST groups .....	262
8.3.1 Method .....	262
8.3.2 ICST key trends and patterns .....	265
8.3.3 Comparison of ICST groups with Internet CSOGs .....	276
8.3.4 Potential strategies for ICST cases .....	278
8.4 Conclusion.....	280
Part 3: Implications .....	281
Chapter Nine: Improving current practice .....	281

9.1 Introduction .....	281
9.2 Multi-agency reception centres .....	283
9.3 Covert tactics .....	288
9.3.1 The role of covert tactics within an operation.....	289
9.3.2 Authorisations.....	291
9.3.3 Type of Covert tactics .....	292
9.4 Centralised guidance.....	299
9.4.1 The purpose of a checklist .....	300
9.4.2 Checklist development.....	301
9.4.3 Initial suggestions for a ICST investigation checklist.....	304
9.5 Conclusion.....	307
Chapter Ten: Conclusion .....	309
10.1 Chapter summaries.....	309
10.1.1 Chapter 5: Child sex offending groups (CSOGs).....	309
10.1.2 Chapter 6: Investigation and prosecution of ICST .....	310
10.1.3 Chapter 7: Forensic capabilities .....	311
10.1.4 Chapter 8: Developing new investigation strategies .....	312
10.1.5 Chapter 9: Implications for improving current practice .....	<b>Error! Bookmark not defined.</b>
10.2 Knowledge contribution and application of findings.....	313
10.3 Research strengths and weaknesses .....	316
10.4 Wider application.....	319
10.4.1 Testing and evaluation of findings .....	319
10.4.2 Examining the use of situational crime prevention techniques .....	320
10.4.3 Wider-application of findings .....	325
References .....	326
Acts.....	326
Legal Cases .....	326
Referenced Documents .....	327
Appendices.....	386
Appendix A: Ethical review documents .....	386
A.1 Ethical approval letter: NRES committee .....	387

A.2 Ethical approval letter: UCL sponsor .....	390
A.3 Semen donor information sheet .....	392
A.4 SIO interview participant information sheet .....	396
A5. Interview Topic Guide.....	399
Appendix B: DNA results .....	400
C.1 Reference samples.....	401
C.2 Control samples .....	405
C.3 Mixed sample outputs .....	411
C.4 Full tabulated results .....	417
Appendix D: Case by case framework results.....	429

## List of Tables

Table 2.1: Differentials in CSA (adapted from CWIG, 2011).....	36
Table 2.2: Descriptions of CSE sub-groups.....	40
Table 2.3: Criteria for inclusion in the proposed ICST definition .....	43
Table 2.4: ICST crime script track descriptions .....	48
Table 2.5: Factors affecting willingness to commit a group-based sexual offence.....	57
Table 2.6: Variations in offending patterns by offender type .....	58
Table 2.7: Actions to be considered for multiple perpetrator rape cases .....	67
Table 2.8: Devices to redress the imbalance between state resources and the accused .....	68
Table 2.9: Details of information required by the CPS for charging and prosecution decisions.	69
Table 3.1: Types of criminal as described in general and CSA terms.....	87
Table 3.2: Definitions of key terms used .....	91
Table 4.1: Sources of data used in this thesis .....	100
Table 4.2: Criteria for inclusion in the proposed ICST definition .....	102
Table 4.3: National Intelligence Model 5x5x5 system .....	104
Table 4.4: Replacement of 'Handling Code' with 'Relevance' .....	104
Table 4.5: Interview archive offender details .....	107
Table 4.6: Handling of sensitive and restricted documents .....	108
Table 4.7: Different categorisation of case study methods.....	112
Table 4.8: Process for conducting case study research .....	113
Table 4.9: Complementarities of case studies and statistical methods .....	115
Table 5.1: Data sources utilised in chapter 4 sub-sections.....	133
Table 5.2: Key reasons for high turnover in group membership .....	135
Table 5.3: Expressions leading to themes and sub-themes for group evolution.....	137
Table 5.4: Expressions leading to themes around willingness to join an offending group.....	143
Table 5.5: Expressions leading to themes and sub-themes for joining a CSOG .....	145
Table 5.6: Different modes of joining an offending group .....	146
Table 5.7: Expressions related to pre-identified pull and push sub-themes .....	155
Table 5.8: Expressions related to benefits and risks of OCG involvement.....	159
Table 5.9: Expressions related to the benefits of CSOG involvement.....	160
Table 5.10: Expressions related to the risks of CSOG involvement.....	161
Table 5.11: Physical resources and psychological rewards gained from belonging to an OCG.	162
Table 5.12: Potential gains received by belonging to a CSOG .....	164
Table 5.13: Expressions relating to the role of offenders within a group.....	170
Table 5.14: Characteristics of the three levels of offender in ICST groups.....	169
Table 5.15: Characteristics of the three levels of offender in ICST groups.....	170
Table 5.16: Number of each offender type within category one cases.....	170
Table 6.1: Tools and techniques used during police investigations .....	175
Table 6.2: Summary of category one case details .....	176
Table 6.3: Overview of category one cases .....	184
Table 6.4: Frequently seen sexual offence charges against perpetrators of ICST .....	191
Table 6.5: Challenges faced when prosecuting ICST cases .....	192

Table 6.6: Examples of successful prosecution tactics in ICST cases .....	195
Table 6.7: Examples of items collected during the investigation for Case 1A.....	198
Table 6.8: Overview of category one case files including investigation strategy and offender typology .....	201
Table 7.1: Summary of key literature .....	216
Table 7.2 Experimental combinations used by Spector and Von Gemmingham (1970) .....	217
Table 7.3: Overview of washing and fabrics for each sample to be tested .....	224
Table 7.4: Numerical values for the DNA profiles of both donors and both investigators from buccal swabs .....	230
Table 7.5: Results of the DNA profiles run for each sample from DNA recovered from post-laundered spermatozoa (continued on following page) .....	231
Table 8.1: Examples of expressions related to group structure .....	241
Table 8.2: SWOT analysis categories.....	251
Table 8.3: The use of a group’s hierarchy when designing investigation strategies .....	254
Table 8.4: The use of a group’s recruitment method when designing investigation strategies.....	255
Table 8.5: The use of a group’s personal growth and promotion structure when designing investigation strategies.....	256
Table 8.6: The use of a group’s role assignment when designing investigation strategies.....	257
Table 8.7: The use of a group’s crime specialisation when designing investigation strategies.....	258
Table 8.8: The use of a group’s identity when designing investigation strategies .....	259
Table 8.9: The use of a group’s fragmentation when designing investigation strategies .....	260
Table 8.10: The use of a group’s crime capacity when designing investigation strategies .....	261
Table 8.11: Overview of category one case files .....	263
Table 8.12: Case 1A scores across eight structural and functional group parameters .....	264
Table 8.13: ICST category one cases parameter scores.....	265
Table 8.14: Comparison between ICST and online groups .....	276
Table 8.15: Possible ICST intervention ideas based on the group structure framework .....	279
Table 9.1: Grooming techniques in ICST cases .....	283
Table 9.2: Key questions to be asked when considering covert investigation strategies .....	290
Table 9.3: Different forms of communications data.....	294
Table 9.4: Risk analysis model used by law enforcement to determine whether covert strategies should be employed.....	298
Table 9.5: Different checklist structures.....	302
Table 10.1: 25 techniques of SCP.....	322
Table 10.2: Application of SCP intervention table to ICST.....	324

## List of Figures

Figure 1.1: Thesis structural overview .....	23
Figure 2.1: A model of child sexual abuse and its relevant sub-sets to this thesis.....	34
Figure 2.2: CSE and its associated sub-categories based on offender(s) primary access to children (adapted from Brayley and Cockbain, 2012b) .....	39
Figure 2.3a: Linear model of trafficking.....	45
Figure 2.3b: Looped model of trafficking.....	45
Figure 2.3c: Cyclic model of trafficking.....	45
Figure 2.4: An ICST crime script (Brayley et al, 2011) .....	477
Figure 2.5: The social exchange model of co-offending (Weerman, 2003) .....	53
Figure 3.1: Crime triangle.....	81
Figure 3.2: Criminal opportunity structure (Clarke, 1995).....	89
Figure 3.3: Networks, organised crime group and co-offenders (Brayley and Cockbain, 2012a).....	91
Figure 4.1: Example of theme and sub-theme structure.....	120
Figure 5.1: Themes and sub-themes for group evolution .....	138
Figure 5.2a: Depletion – members leave the group .....	139
Figure 5.2b: Schism – a previously connected group splits into two or more separate groups.....	140
Figure 5.2c: Cessation – the offending group no longer exists in any form .....	140
Figure 5.2d: Expansion – new members join the group .....	141
Figure 5.2e: Merger – two previously unconnected groups join together.....	141
Figure 5.3: Themes and sub-themes of voluntary group involvement for CSOG members.....	148
Figure 5.4: The possible group affiliations of a generic ICST group member, Mr X .....	151
Figure 7.1: The anatomy of a spermatozoon (Alberts et al, 2002) .....	204
Figure 7.2: The structure of DNA (National Human Genome Research Institute, n.d) .....	206
Figure 7.3: An example of allele markers at 7, 5 for STR D7S820 on chromosome 7. ....	207
Figure 7.4: Example of a DNA profile (Qiagen Decaplex Handbook, 2010).....	208
Figure 7.5: Process followed during SGM+ (adapted from Porter, 2010) .....	209
Figure 7.6: Full range of fabric, temperature and washing powder combinations .....	225
Figure 7.7: Workflow of experimental design .....	225
Figure 7.8: Donor one’s 16-loci DNA profile from a buccal swab.....	228
Figure 7.9: Donor two’s 16-loci DNA profile from a buccal swab.....	229
Figure 8.1: Group structural themes and sub-themes.....	242
Figure 8.2: ICST category one case scores .....	266
Figure 8.3: ICST case hierarchy scores .....	267
Figure 8.4: ICST case scores for recruitment .....	268
Figure 8.5: ICST case scores for personal growth and promotion .....	269
Figure 8.6: ICST case scores for role assignment .....	270
Figure 8.7: ICST case scores for crime specialisation.....	271
Figure 8.8: ICST case scores for identity .....	273
Figure 8.9: ICST case scores for group fragmentation .....	274
Figure 8.10: ICST case scores for crime capacity .....	275

Figure 8.11: ICST and Online CSOG comparison ..... 277  
Figure 9.1: Proposed reception model for ICST ..... 286

## List of Abbreviations

ACPO	Association of Chief Police Officers
ANPR	Automatic Number Plate Recognition
BBC	British Broadcasting Corporation
CCTV	Closed Circuit Television
CEOP	Child Exploitation and Online Protection Centre
CHIS	Covert Human Intelligence Source
CSA	Child Sexual Abuse
CSE	Child Sexual Exploitation
CSOG	Child Sex Offending Group
CPS	Crown Prosecution Service
DNA	Deoxyribonucleic Acid
ECHR	European Court of Human Rights
FSS	Forensic Science Service
ICST	Internal Child Sex Trafficking
IIOC	Indecent Images of Children
IPCC	Independent Police Complaints Commission
IST	Internal Sex Trafficking
LCN	Low Copy Number
MG	Manual of Guidance (a set of files created by the police for use in court)
MO	Modus Operandi
MoJ	Ministry of Justice
NAMBLA	North American Man/Boy Love Association
NGO	Non-Governmental Organisation
NHS	National Health Service
NIM	National Intelligence Model
NPIA	National Police Improvement Agency
NRM	National Referral Mechanism
NSPCC	National Society of Prevention of Cruelty to Children
NWG	National Working Group of Sexual Exploited Children and Young People
OCG	Organised Crime Group



PACE	Police and Criminal Evidence Act 1984
PCR	Polymerase Chain Reaction
RAA	Routine Activity Approach
RCP	Rational Choice Perspective
REC	Research Ethics Committee
ROVI	Record of Video Interview
SARC	Sexual Assault Referral Centre
SCD	Specialist Crime Directorate
SCP	Situational Crime Prevention
SGM	Second Generation Multiplex
SIO	Senior Investigating Officer
SOA	Sexual Offences Act (2003)
SOCA	Serious Organised Crime Agency
SOCO	Scenes of Crime Officer
SOIT	Sexual Offences Investigation Trained Officer
STO	Specially Trained Officer
STR	Short Tandem Repeat
SWOT	Strengths, Weaknesses, Opportunities and Threats
UCL	University College London
UKHTC	UK Human Trafficking Centre
UN	United Nations
UNODC	United Nations Office of Drugs and Crime
VNTR	Variable Number Tandem Repeat
WHO	World Health Organisation

# Part 1: Context

## Chapter One: Introduction

Group-based child sex offending has, to date, been largely overlooked from a research perspective. This is despite the crime type being recognised as an area of concern for several decades. For example, over an 18 month period from 1989 to 1991 the NCPSS found that 40% of child protection teams in the UK were aware of at least one case of organised child sexual abuse in their area (Creighton, 1993). The perceived rarity of child sex offending groups (CSOGs) is starting to be challenged for certain types of CSOG due to an increase in police investigations involving multiple offenders (CEOP, 2011; OCC, 2012).

This thesis aims to answer the question:

How can investigation strategies for internal child sex trafficking (ICST) groups be developed through understanding the group-based element to the crime?

This thesis explores the phenomenon of CSOG. One emerging sub-set of CSOGs is the internal child sex trafficking (ICST) of UK victims within the UK. ICST has received growing public and policy attention in recent years, largely in response to a number of high profile police investigations. These cases have involved large numbers of teenage victims who had been sexually exploited by groups of adults. The offenders were not in a position of trust nor were they connected to their victims through familial ties. Instead, they were members of the local community who approached victims in shopping centres, parks and other target-rich environments (Brayley et al, 2011).

Police forces and social services involved in the investigation and prosecution of ICST offences were openly criticised in the media for failing to recognise the abuse, much of which had been occurring for many years<sup>1</sup>. Complaints made by government officials, other agencies and members of the public into police action, or inaction, in investigating ICST-type crimes has led

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<sup>1</sup> The Times was credited with exposing this crime-type and the failures of statutory services to intervene. The Times ran an expose from 5<sup>th</sup> January 2011 for five days. Practitioners such as Sheila Taylor, director of the National Working Group for sexually exploited children and young people, had, however, been involved in the awareness raising around this issue for a number of years prior to the media interest. .

to a number of high-profile reviews (for example see RBSCB, 2012). Unfortunately, it appears that these reports are intended as blaming, rather than learning, exercises.

A documentary by film maker Anna Hall in 2004 first publicly addressed the issue of child sexual exploitation (CSE) of teenage girls as part of a series looking into Bradford social services. After this film was aired very little attention was paid to this issue again in the media until 2011 with the trial of nine men in Derbyshire accused of sexually exploiting 27 child victims<sup>2</sup>. In addition, little academic research on the phenomenon has been published. By focussing on ICST while also examining other forms of CSOGs for comparative purposes, this thesis aims to encourage the development of targeted, offence-specific responses and interventions.

To answer the research question, this thesis draws on a number of academic disciplines including psychology, anthropology, organisational management, law and forensic science. The thesis outcomes are centred on practitioner requirements with the aim of contributing to current working practices as well as addressing academic knowledge gaps.

For the purpose of this thesis, the definition given for a CSOG is a group involving two or more adults who come together to plan and/or commit a sexual crime against a child, where an adult is an individual aged 18 years or over and a child is 17 years or younger. Sexual crimes are those covered by the Sexual Offences Act (SOA) 2003. This broad CSOG definition includes groups as diverse as large-scale, multinational internet- based child abuse groups where victims can number in the hundreds to two adults abusing a single child together.

The definition for an ICST group used in this thesis is 'a repeated process involving two or more adults in which a child is recruited and transferred to a location in order to be sexually exploited' (Brayley and Cockbain, forthcoming). There is currently no prescribed legal definition of ICST; instead it is seen as a collection of other offences such as sexual activity with a child and internal trafficking. The victim, or at least one in a group of victims, must have been exploited on more than one occasion. This is necessary to differentiate ICST from other forms

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<sup>2</sup> Operation Retriever was the biggest case to date in 2011 and generated a large amount of public and policy interest.

of child sex abuse (CSA) involving movement, such as abduction then rape. In addition, any form of transport is included in this definition. The type of movement involved in trafficking is often a function of the local area and while cars have featured prominently in cases to date, in theory a trip by train, bus or even on foot, might play the same role.

A key aim of this thesis is to show how a better understanding of the group-based element of ICST can assist law enforcement when developing new investigation strategies. This understanding will include the planning and commission of the crime by the offenders, the method for investigating and prosecuting the offenders and how practitioners can better tackle group-based offending of this nature in the future. Prevention strategies, except in the form of improved investigation strategies preventing future harm, are outside the scope of this study.

This introductory chapter provides a brief background to the topic area, outlines the structure of the thesis and provides a chapter-by-chapter summary.

### *1.1 Background*

Criminal offending groups, especially those involving juvenile offenders, are fairly common. Sexual crimes, however, are generally seen as solo offences in all but the rarest of cases. An Australian study found that only 3.7% of the study participants had committed a CSA offence with another person (Smallbone and Wortley, 2000). This lone-offender profile, however, may be changing. Two recent large-scale scoping projects into CSE in the UK found around one third of offenders were believed to operate within a group (CEOP, 2011; OCC, 2012). A study into multiple perpetrator sexual offending of adults and children found that 11% of sexual assault referral centre users had been attacked by more than one offender (Kelly et al, 2005), indicating that group based sexual offending is more common than previously conceived.

Traditionally, research into child sex offenders has focused on the disposition of the (lone) perpetrator. When situational approaches to understanding CSA have been taken, the focus has been on specific perpetrator actions rather than the social context in which the crime occurred (Wortley and Smallbone, 2006). The lack of research into the ways in which the group-element of offending in CSOGs may affect the investigation and detection of the group is a clear knowledge gap.

From an investigative perspective, a fundamental aim of policing is to limit the level of harm caused by criminal activity through reducing the frequency and impact of offending (Heyman, 1985). The range of variables, including the specific crime circumstances and decisions made by offenders, victims and other witnesses involved in a crime can affect the outcome of an investigation (Stelfox, 2011). Many of these variables are outside the control of the investigation team but senior investigating officers (SIOs) can attempt to overcome some of the challenges by 'competently interpreting information, selecting lines of enquiry, and applying investigative techniques' (Stelfox, 2009, p.196). The chance of solving a crime will also depend upon the time, energy and resources allocated to the investigation. Expensive resources, such as forensic testing, must be carefully assigned to those cases with a high chance of success or those serious enough to warrant the expenditure (Heyman, 1985).

Through a better understanding of the specific crime-type being addressed, investigators can tackle a crime more effectively: context-dependent knowledge and experience are at the very heart of expert activity (Flyvbjerg, 2011). From a policing perspective rare crimes can, therefore, be problematic. For volume crimes such as burglary it is highly likely that most officers will have experience of similar investigations. For non-volume crimes, however, officers may have never dealt with the specific type of offence before. For example, due to the small number of ICST investigations that have been conducted to date it is unlikely that any particular officer will have worked on more than one or two cases. Those officers who have worked on an ICST case may be tempted to generalise their limited experience and expect the same outcomes each time if they followed the same investigative plan. Without robust analysis and consideration to case specific variables there is a danger that the knowledge those officers share may only be accurate under specific circumstances or worse, not accurate at all. Following untested advice may compromise and mislead future investigations.

Investigators and prosecutors may find additional challenges arise when faced with multiple perpetrators as opposed to a solo offender. In order to enact effective, insightful and targeted investigation and prosecution strategies, a solid understanding of the nature and function of the crime group is needed (Reiss, 1988). Although much research has been conducted on organised crime groups (OCGs) in general, relatively little attention has been given to understanding specifics such as why members join the group and the role the group may play

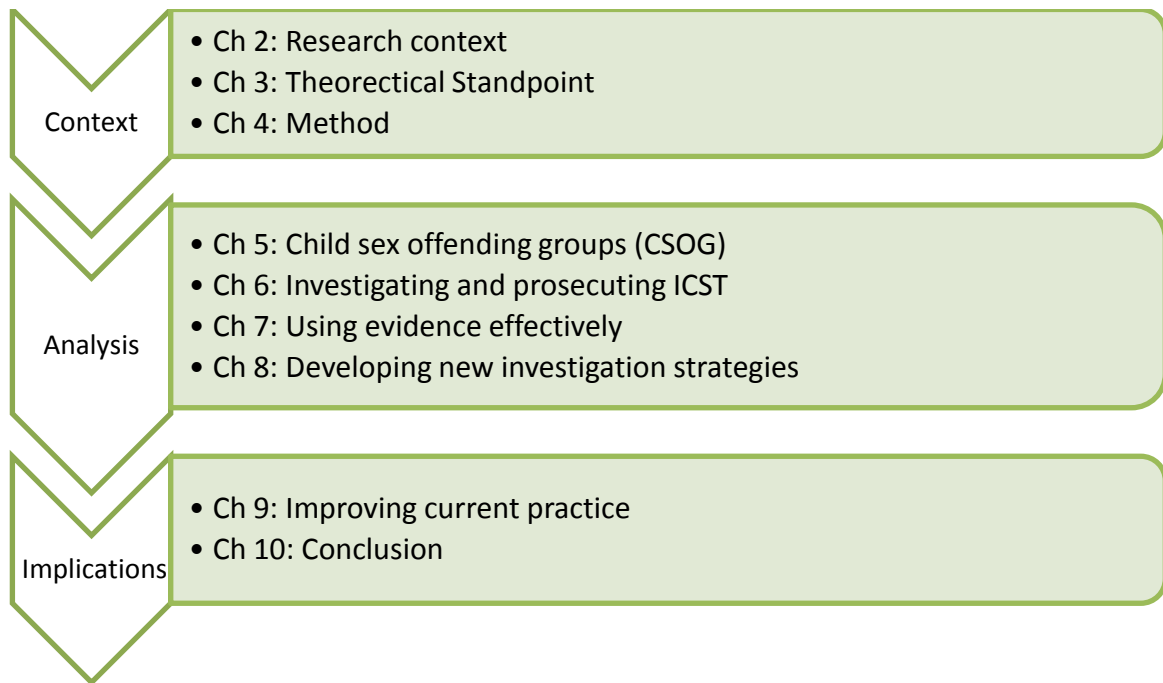
in the commission of a crime. This is particularly true for CSOGs, where the research that has been conducted on group offending has focused on offender networks within the virtual environment. This thesis aims to go some way in redressing the research gap into offline CSOGs by exploring different aspects of what makes a group different from just a collection of individuals and how this knowledge can support law enforcement agencies in tackling these groups.

It is argued in this thesis that offending groups are far more dynamic than previously thought and should be considered as multifaceted and fluid entities. Treating all CSOGs in a homogenous way does little to help develop targeted interventions to detect and deter criminals. Members of a CSOG can be involved in multiple groups at any one time as well as committing offences alone. This is a shift from viewing offenders as purely solo or group-based and is in line with earlier studies addressing group-based offending across a number of different crime types (Hindelang, 1971, 1976; Reiss, 1988).

Academic research that draws on cases from across the country can help improve understanding of the wider picture and support the development of centralised best practice guidance. This can then be adapted to include local knowledge as required. The results from this thesis will provide an innovative and original framework for conceptualising and responding to ICST groups, and a structured approach to developing new strategies.

## *1.2 Thesis structure*

This thesis is composed of three sections: 'Context', 'Analysis' and 'Implications'. This structure, as shown in Figure 1.1, allows for a multi-method, exploratory project suitable for this form of emerging and little-understood crime type. The thesis structure follows a non-traditional format in the presentation of data sources. Rather than describe the data sources separately for each of the analytic chapters, all the data sources utilised in the thesis are described in one chapter (chapter four). Each subsequent chapter in the analysis section then utilises various combinations of these same multiple data sources.



*Figure 1.1: Thesis structural overview*

The first section, Context, provides a review of relevant literature, the conceptual framework, a summary of the case files used throughout the thesis and an overview of key data selection and analysis methods. The second section, Analysis, explores the data and provides answers through individual chapters to the following four sub-questions:

1. What is meant by group offending and how do individuals interact as part of a group? (Chapter 5)
2. What is currently being done to tackle ICST through investigation and prosecution? (Chapter 6)
3. Could forensic evidence be better utilised to support ICST cases? (Chapter 7)
4. How can new strategies be developed to help tackle future ICST cases? (Chapter 8)

The third section, Implications, offers suggestions for the potential use of tools currently employed to address other group-based crimes that could be utilised in ICST cases. All outputs from Chapter 9 were designed with practitioner requirements in mind, such as ease of use and minimal resource requirements, to maximise the opportunity for uptake.

### *1.3 Chapter summaries*

This research utilises multidisciplinary methods and approaches to provide practical solutions spanning both the physical and social sciences. A summary of each chapter is given below.

#### **1.3.1 Part 1: Context**

This section outlines the core components of the chapters that comprise the 'Context' section.

##### ***1.3.1.1 Chapter Two: Research context***

The purpose of this chapter is to set out the context in which the thesis has been developed through providing the background to the crime type in question and an outline of the theoretical framework used in this thesis. A wide range of literature was reviewed due to the lack of ICST and CSOG specific literature available. The subjects covered in the literature review include rape, sexual assault, CSA, CSE and sex trafficking.

##### ***1.3.1.2 Chapter Three: Theoretical standpoint***

This chapter provides a clear overview of the different theories employed throughout this thesis. These include both situational theories of crime and social psychological theories of group offending.

##### ***1.3.1.3 Chapter Four: Method***

This chapter outlines the key methods used for analysing the data sources within this thesis. The qualitative methods of case study analysis and thematic analysis are outlined in this chapter due to their extensive use throughout the thesis. The individual ICST, and other related CSOG, case summaries are also included.

#### **1.3.2 Part 2: Analysis**

This section outlines the core components of the chapters that comprise the 'Analysis' section.

##### ***1.3.2.1 Chapter Five: Child sex offending groups (CSOG)***

This chapter was designed to provide an understanding about general group offending patterns and specifically ICST groups. The research question for this chapter is: what is meant by group offending and how do individuals interact as part of a group? In order to answer this question, a number of sub-questions are addressed:



1. What are the different categories of CSOG?
2. How do CSOGs evolve over time?
3. How do new members join and why do members stay within a CSOG?
4. What are the benefits and risks associated with offending as a group?
5. What roles are played within ICST groups?

Original analysis conducted in collaboration with the Serious Organised Crime Agency (SOCA) and the Child Exploitation and Online Protection Centre (CEOP) looking at different dimensions to a group is outlined. This analysis includes the identification of group structure and function, different CSOG offending contexts, how group membership may increase or decrease and the benefits of operating within an offending group.

### ***1.3.2.2 Chapter Six: Investigating and prosecuting ICST***

This chapter provides an assessment and analysis of the different investigation strategies available to the police when tackling ICST cases. The research question for this chapter is: What is currently being done to tackle ICST through investigation and prosecution? Key sub-questions answered as part of this chapter are:

1. What tools and techniques are used in ICST investigations?
2. What role does evidence play in the investigation and the prosecution of ICST?
3. What are the current prosecution strategies in ICST cases?

After reviewing law enforcement practice more generally each ICST case is examined to understand more about the key investigative strategies used. Key strengths and weaknesses are highlighted and critical decisions made during the investigation are critiqued. A detailed case study of one ICST operation is included to show the volume of material gathered and analysed as part of an investigation. An overview of the key investigation and prosecution strategies associated with the ICST cases is provided.

### ***1.3.2.3 Chapter Seven: DNA evidence in ICST cases***

The final analysis chapter presents a laboratory-based experiment, and addresses the role of DNA evidence in the investigation and prosecution of ICST. A major issue in all of the ICST cases analysed within this thesis is the reliance on the victim's testimony due to a lack of forensic

evidence. Victim testimony can be highly traumatic in any sexual assault case, but is magnified by the group-based offending element which involves lengthy cross-examination by multiple defence barristers. An improvement in forensic evidence collection may offer additional support to the victim's statement in court. In many instances of ICST, spermatozoa were deposited onto the victim's clothing during a sexual assault. These items were subsequently washed and stored. The officers responsible for gathering evidence did not collect the washed clothing, believing that DNA could not persist after the washing process. This research question for this chapter is: Could forensic evidence be better utilised to support ICST cases? The sub-questions addressed here are:

1. Can spermatozoa be recovered from laundered clothing?
2. If so, can a DNA profile of sufficient quality be generated from this?
3. How can these findings be applied in future ICST cases?

The opening literature review provides an overview of the biological aspects of spermatozoa and how DNA is used in the current criminal justice system. The experimental study is then outlined followed by the results and a discussion of their implications to future ICST cases. This includes situations that yield the highest chance of gaining a usable DNA sample to assist the investigation and/or the prosecution. In many cases the victim reported on a single donor semen stain on the clothing but the results of a mixed sample is also discussed. This chapter is particularly timely due to the closure of the Forensic Science Service (FSS) in March 2012 which leaves a research gap relating to case-specific research.

#### ***1.3.2.4 Chapter Eight: Developing new investigation strategies***

This chapter utilises the key findings from the preceding chapters to develop a novel tool for use by law enforcement personnel. Through understanding how groups function (Chapter four) and how police investigate crimes (Chapter five) a framework for establishing group-based investigation strategies is created for the first time. This chapter answers the following questions:

1. How can knowledge gained in previous chapters contribute to a new way to develop investigation strategies for ICST groups?

2. What are the key structural and functional properties of an offending group?
3. What are the key trends and patterns found across ICST groups?

This framework addresses eight key dimensions to a group and highlights ways in which a group's structure and function can be used by law enforcement to develop new strategies for targeting the group's illegitimate activities.

### **1.3.3 Part 3: Implications**

This section outlines the core components of the chapters that comprise the 'Implications' section.

#### ***1.3.3.1 Chapter Nine: Improving current practice***

It is positioned in this chapter that tools and techniques currently employed in the investigation and prosecution of other crime types could be of benefit to future ICST cases. Three different strategies are discussed in the context of ICST operations: checklists, victim reception centres and covert surveillance methods. The analysis includes an examination of strategies for dealing with traumatised and reluctant victims as described in the UK Human Trafficking Centre's (UKHTC) guidance on reception centres and the Netherlands' secure homes and recovery centres for CSE victims. The potential expansion of covert strategies in future ICST cases is also discussed along with the first stage of an ICST investigation checklist.

#### ***1.3.3.2 Chapter Ten: Conclusion***

The final chapter of this thesis brings all the preceding sections together to answer the overarching research question: How can investigation strategies for internal child sex trafficking (ICST) groups be developed through understanding the group-based element to the crime? The chapter offers an overview of each of the three parts of the thesis and assesses how the research undertaken contributes to the overall understanding of the group element of ICST offending. The chapter concludes with a number of key recommendations for future research and a discussion of the implications of this thesis in a wider context of investigations.

## *1.4 Ethical Considerations*

Due to the sensitive nature of the research conducted as part of this thesis, security clearance and ethical approval was required. Security clearance was granted and included the author undergoing psychological testing due to the emotive nature of the crime-type. Ethical approval was needed to access the case files, conduct interviews with SIOs and complete the laboratory experiments. Due to the human tissue component of Chapter Six (semen), the project needed to be approved by the National Health Service (NHS) National Ethics Approval Committee. The process for gaining approval included the submission of documents outlining the project in detail, justification for the work and a thorough review of the ethical implications for each stage. Copies of the participant information sheets and consent forms submitted for the ethical review are included in Appendix A. In addition, data protection approval from UCL was granted as large amounts of data were being kept onsite.

## *1.5 Dissemination of research findings*

Due to the practical nature of this research, it was important that law enforcement practitioners have access to the findings. Many of the publications from this thesis have been in conjunction with a colleague, Ella Cockbain. When joint work has been included in this thesis it has been clearly referenced. The majority of the work included in this thesis is attributable solely to the thesis author. This section outlines the key publications from this thesis to date.

2013

- Brayley, H. and Cockbain, E. (2013) British children can be trafficked too: Towards an inclusive definition of internal child sex trafficking. *Child Abuse Review* (due for publication Autumn/Winter 2013)
- Brayley, H. and Cockbain, E. (2013) Labour exploitation of adult males by Traveller OCGs. Report from UCL/UKHTC collaboration: restricted.

2012

- Cockbain, E. and Brayley, H. (2012) Child sexual exploitation and youth offending: A research note, *European Journal of Criminology*, 9(6), p. 689-700
- Brayley, H. and Cockbain, E. (2012) Undermining organised crime groups. Report from UCL/SOCA collaboration: restricted.

- Cockbain, E. and Brayley, H. (2012) The different dimensions to child sex offending groups. Report from UCL/CEOP collaboration: restricted.
- Brayley, H. and Cockbain, E. (2012), Group based child sexual exploitation. JDI Brief: published by UCL Jill Dando Institute (JDI) of Crime Science

2011

- Brayley, H., Cockbain, E., Laycock, G. (2011) The Value of Crime Scripting: Deconstructing Internal Child Sex Trafficking, Policing: A Journal of Policy and Practice, 5(2), p.132-143.
- Cockbain, E., Brayley, H., Laycock, G. (2011) Exploring Internal Child Sex Trafficking Networks Using Social Network Analysis, Policing: A Journal of Policy and Practice, 5(2), p.144-157.
- Brayley, H. and Cockbain, E. (2011) Internal Child Sex Trafficking (ICST) overview. Report from UCL for use by police forces: restricted.
- Cockbain, E. and Brayley, H. (2011) Social Network Analysis of ICST groups. Report from UCL for use by police forces: restricted.
- Brayley, H. and Cockbain, E. (2011) Crime scripting ICST. Report from UCL for use by police forces: restricted.

In addition to the written published articles and report, presentations were given at a range of conferences:

2012

- The Academy of Criminal Justice Sciences (ACJS), New York
- National Police Improvement Agency (NPIA), Bramshill, England.
- UCL Department of Medicine, London, England

2011

- International Crime and Intelligence Analysis Conference, Manchester, England.
- The Lessons Learned Conference on Child Sexual Exploitation, Rotherham, England (Invited key note speech)
- Fifth International Crime Science Conference, London, England.

- Fourth National Conference on Child Sexual Exploitation, Nottingham, England.
- Defence Science and Technology Laboratory (DSTL, part of the Ministry of Defence), Porton Down, England.
- South Yorkshire Police Masterclass on child sexual exploitation, Sheffield, England
- Barnardo's and University of Bedfordshire Research Forum, London, England.

Findings from this thesis have also been cited in CEOP (2011) thematic assessment and in the Department for Education (2011) UK Action Plan on Child Sexual Exploitation. Extensive public engagement work has involved TV and radio interviews (including interviews on BBC Newsnight and BBC Radio 4) and commissioned articles for the Guardian newspaper and the Huffington Post.

## Chapter Two: Research Context

This chapter provides a critique of literature relevant to this thesis. The chapter begins with a review of literature relating to sexual offences and internal trafficking, followed by a review of the group offending literature. The final review is of the investigation and prosecution of crime, focussed upon child sexual offences.

### *2.1 Introduction*

Anecdotally, ICST, a form of community-based CSE, has been occurring in the UK for many decades<sup>3</sup>. Only recently has it been addressed as a distinct crime type, one which may require a novel investigation and prosecution approach. The complexities and emergent nature of ICST have so far resulted in a scarcity of both practitioner guidance and academic work. To date, the exception to this has been worked conducted by Brayley and Cockbain (for example see Brayley et al, 2011; Cockbain et al, 2011; Cockbain and Brayley, 2012; Brayley and Cockbain, 2013). Research is starting to be conducted on related issues, such as the role of social workers in tackling complex CSE (for example see Jago et al, 2011)but very little is currently available that specifically addresses ICST. In the absence of evidence-based policies and strategies, practitioners are left to create and work with ad-hoc initiatives.

Some of the key features of ICST, such as the intimate relationship shared between victim and offender and the movement of the victim for future abuse, are similar to other crime types which have more developed and abundant literature. By looking towards these more mature research areas it is possible to gain an insight into tools and techniques that may be applicable to tackling ICST. A prominent feature of ICST is the group-based nature of the offending; multiple perpetrators abuse multiple victims over a prolonged period of time (Brayley et al, 2011). Understanding group-based offending in other crime contexts may, therefore, offer insight into how these groups are operating.

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<sup>3</sup> One grandmother, who had accompanied her granddaughter to the police station to provide a statement commented “I don’t know what the fuss is about, I had to go through this when I was her age and I just got on with it”. From a private conversation with a senior police officer involved with an ICST investigation.

An additional complexity found when dealing with ICST cases is that of age. There is no single definition of what constitutes a child, globally nor nationally. The definition used here is taken from Article 1 of the UN Convention of the Rights of the Child (1989) where a child is anyone under the age of 18 years. This definition can become difficult to enforce in relation to sexual crimes against children as the age of sexual consent in the UK is 16 years.

Perpetrators of sexual crimes against children are often referred to as paedophiles. This term relates to perpetrators who are primarily attracted to prepubescent children, typically under the age of 12 years and who meet a specific set of clinical criteria (Seto, 2009; American Psychiatric Association, 2013). There has been little evidence that ICST offenders are primarily attracted to their victims by virtue of their age (Brayley et al, 2011).

## *2.2 Child-Specific Sexual Crimes*

The offences committed by child sex offending groups (CSOGs) can vary between groups and across a range of sexual offences. This section outlines the different types of offences committed and how each offence type fits within the broader remit of child sexual abuse (CSA). The section starts with an overview of rape and how it relates to the victimisation of children. This is followed by an exploration of key concepts within the CSA literature. Sub-categories within the broad theme of CSA are then addressed in turn; CSE followed by its subset of community-based CSE and ICST.

The introduction of the Sexual Offences Act (SOA) 2003 on 1<sup>st</sup> May 2004 saw a number of important changes to English and Welsh law. Internal sex trafficking (IST) was legislated against and rape was redefined to include oral and anal, as well as vaginal, penetration. The sentencing guidelines given to judges were also amended: a five years custodial sentence was now the starting point for a single-victim/single-offender/single-incident offence, increasing to 19 years with aggravating factors such as the involvement of multiple offenders or when the victim was a child under 13 years (SGC, 2007).



The Ministry of Justice (MoJ) (2010) stated that in March 2010 there were just under 35,000 registered sex offenders in England and Wales<sup>4</sup>. Chaplin et al (2011) found that a third of all sexual crimes (total N=54,982) recorded in 2010/11 in England and Wales were against children under 16 years. A recent NSPCC study (2011) of over 2,000 children showed that almost 5% of children in the UK between the ages of 11 and 17 years have experienced some form of sexual abuse involving physical contact. A 'snapshot'<sup>5</sup> taken at the end of March 2010 for the Department of Education (2010a), showed that 7% (N=3,234) of all child protection plans were in place to prevent sexual abuse.

According to the World Health Organisation (WHO), young women are more a risk of sexual violence than older women. This imbalance is exacerbated further when considering only victims of sexual exploitation and trafficking (WHO, 2002). Stanko et al (2007) identified a number of vulnerabilities that may put a person at greater risk of a sexual crime. These vulnerabilities were:

- Being a child (under 18 years)
- Having a mental health issue
- Having taken drink or drugs prior to the attack
- Previously having been in an intimate relationship with the attacker

Each of these vulnerabilities can make it easier for an offender to groom, control and coerce their victim prior to the offence and make it harder for the victim to disclose after the crime has taken place. A prior relationship with an offender can also put additional pressure on the victim. This is a common vulnerability; the majority of rape victims know their attacker prior to the offence (See Russel, 1984; Cowan, 2000; Walby and Allen, 2004; OCJR, 2006; NPIA 2009b) although possibly only for a short period prior to the attack.

### **2.2.1 Child Sexual Abuse (CSA)**

Section 47 of the Children Act 1989 stipulates that where there is reasonable suspicion that that a child is suffering harm, including sexual abuse, then the local authority has a duty of care

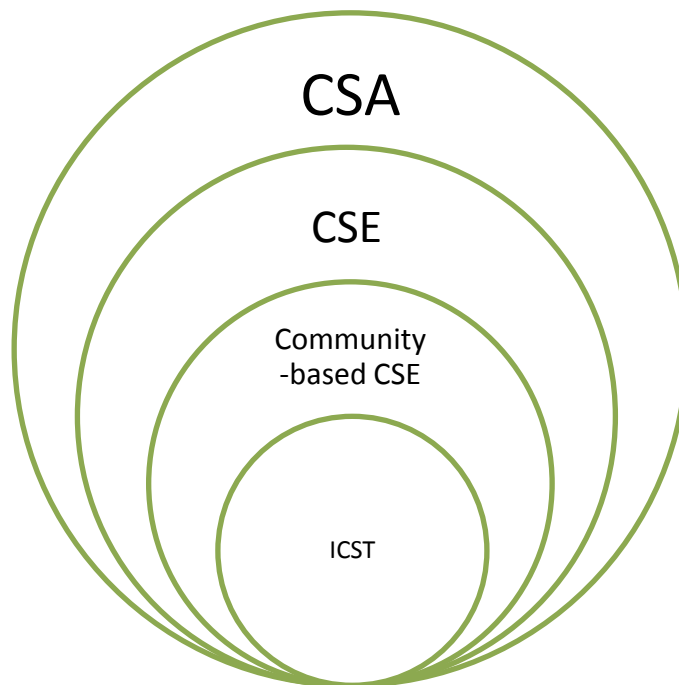
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<sup>4</sup> It was not possible to determine how many of these individuals offended against children.

<sup>5</sup> This refers to a review of all child protection records at a single point in time, in this instance late March 2010.

to investigate (OPSI, 1989). If sexual abuse is found to have taken place then a criminal investigation will be initiated. There are a number of problems with investigating these types of crimes; the secrecy of victims and perpetrators, shame experienced by victims, lack of witnesses and the inability for many young people to comprehend what has happened, for example (Brayley and Cockbain, 2013).

CSA is a broad term containing a number of sub-categories. Those categories relevant to this thesis are shown in Figure 2.1.



*Figure 2.1: A model of child sexual abuse and its relevant sub-sets to this thesis<sup>6</sup>.*

The WHO (2010) characterises all forms of child abuse under their umbrella term of 'maltreatment'. In the report, a bi-modal distribution of vulnerable ages for child abuse was found with those under-four years and adolescents being the most 'at risk'. The majority of the CSA research to date has focused on the victimisation of younger children with comparatively

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<sup>6</sup> The sizes of the circles do not represent empirical data or an indication of the extent of each problem area. They are purely for demonstrative purposes.

little focus on older children. The paucity of research is often exacerbated by the lack of front-line resources; over 80% of Local Authorities in the UK do not have a specialised CSA service and those who do direct their work to younger children (Barnardo's, 2009).

Whether CSA is considered to have taken place is, at least in part, a function of cultural and societal expectations (Smallbone et al, 2008). For instance, the age of consent varies considerably around the world; in the Philippines sex is legal from the age of 12 years whereas in Madagascar it is 21 years. Further still, some countries, such as Pakistan and North Korea, do not prescribe a national age of consent (Smallbone et al, 2008). The variation in consenting age, as well as variations in who it is deemed appropriate to have sex with, can become problematic when a person is raised to believe that it is culturally acceptable to have a sexual relationship with an individual under 16 years.

Research into the broader category of CSA has tended to classify offending into either familial (related by blood or marriage) or non-familial (unrelated stranger or acquaintance). The dominance within the media of non-familial stranger<sup>7</sup> abuse does not reflect the reality of CSA, with those targeting strangers making up just 6.5% of all CSA offenders (Wortley and Smallbone, 2006).

In regards to categorisation of the abuse taking place, the Child Welfare Information Gateway (CWIG, 2011) highlight a number of differentials between offenders and victims including power, knowledge and gratification, shown in Table 2.1. In addition to these differentials it is also possible that a victim is sexually exploited due to their emotional, mental or physical immaturity or socio-economic disadvantage (Chase and Statham, 2005).

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<sup>7</sup> As opposed to non-familial acquaintance

Table 2.1: Differentials in CSA (adapted from CWIG, 2011)

Differential	Characteristics	Explanation
Power	A sexual encounter is not mutually understood by both parties and can involve the physical or emotional coercion of the victim	A power differential could manifest itself through the abuser being a family member, or in another position of authority such as a school teacher, leaving the victim may feel unable to say no. Alternatively, the power differential may come from the offender being physically more powerful or psychologically more able.
Knowledge	The offender has a more advanced intelligence or general understanding making it possible for the offender to 'outsmart' or confuse the victim	A knowledge differential could occur when there is a significant age gap between the offender and victim. For pre-adolescent victims, the abuser would typically be at least five years older in order to qualify as being sufficiently more knowledgeable. For adolescent victims this age gap increases to ten years (Finkelhor, 1979). The exceptions to this are those victims who suffer from mental development/health problems.
Gratification	There is no goal of mutual sexual gratification. Instead the offender wants to gratify himself at the expense of the victim	A gratification differential occurs when the offender is only concerned with their own pleasure. When victim gratification is sought it is for the ultimate desire of the offender.

In addition to the trauma experienced during the abuse, CSA victims are up to four times more likely to be revictimised sexually as adults (Finkelhor, 1991). Experiencing abuse in a relationship when in adolescence can result in higher likelihood of involvement, as victim or perpetrator, in an abusive adult relationship as well as other emotional and behavioural problems (Callahan et al, 2003). There are also a number of longer term effects for victims, from sexual health related issues to behavioural, social, physical and psychological problems (Beitchman et al, 1992; Renvoize, 1993; Oddone et al, 2001).

### 2.2.2 Child Sexual Exploitation (CSE)

CSA covers the full range of sexual crimes against children, irrespective of the control mechanisms used. CSE is a subset of CSA and covers sexual crimes that are exploitative by nature. Internationally, there has been increased impetus to tackle CSE (Chase and Statham,

2005), including proposals for new European directives<sup>8</sup> and joint initiatives aimed at improving knowledge and responses (Skidmore, 2004). The standard definition of CSE used in the UK is that set out in the Department of Children, Schools and Families<sup>9</sup> (DCSF) guidance:

‘Sexual exploitation of children and young people under 18 involves exploitative situations, contexts and relationships where young people (or a third person or persons) receive ‘something’ (e.g. food, accommodation, drugs, alcohol, cigarettes, affection, gifts, money) as a result of them performing, and/or another or others performing on them, sexual activities’ (DCSF, 2009, p.9)

This is clearly a wide-ranging definition which encompasses differing patterns of abuse, including both commercially and non-commercially motivated abuse. Trying to combat CSE as a whole would most likely result in strategies that are too broad to be effective. Applying a one-size-fits-all approach would result in a lack of recognition around the different formats CSE can take and potentially an inefficient and ineffective combat strategy. To illustrate, law enforcement agencies may apply different tactics when investigating gang-related sexual abuse in a peer-on-peer setting compared to dealing with an OCG whose main function is to traffic children for sex. Both of these crime types would be considered CSE. Tackling CSE as a single concept is, therefore, both impractical and confusing for practitioners (Melrose, 2013).

As children grow up and develop, they naturally shift from being dependent on their parents and families to being more conscious of their peer group. Peer pressure can be a positive factor by protecting children from behaviour and individuals deemed unacceptable to the group. This process can, however, also endanger children through the same mechanisms and expose a child to unfamiliar situations which may not be recognisable as risky. A study by Barnardo’s (Scott and Skidmore, 2006) indicated that many young people are drawn into ‘informal exploitation’, where sex is exchanged for drugs or accommodation. These tangible commodities are not the only reason a young person may become exploited. A common trait among adolescents is the desire for attention and affection (Murray, 2001), and many

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<sup>8</sup> In 2010, the European Union proposed a Directive on combating sexual abuse, sexual exploitation of children and child pornography. In 2009, the Council of Europe proposed a Council Framework Decision on combating the sexual abuse, sexual exploitation of children and child pornography.

<sup>9</sup> This department has since become the Department for Education

offenders can provide these intangible 'rewards'. Whilst it may be possible to alert young people to these risks it would be much harder to address these basic human behaviours. Alongside the immediate trauma of abuse, CSE has been linked to mental, emotional and behavioural difficulties, including truancy, substance abuse, apathy, aggressive outbursts and self-harm (CEOP, 2011; Salter and Richter, 2012).

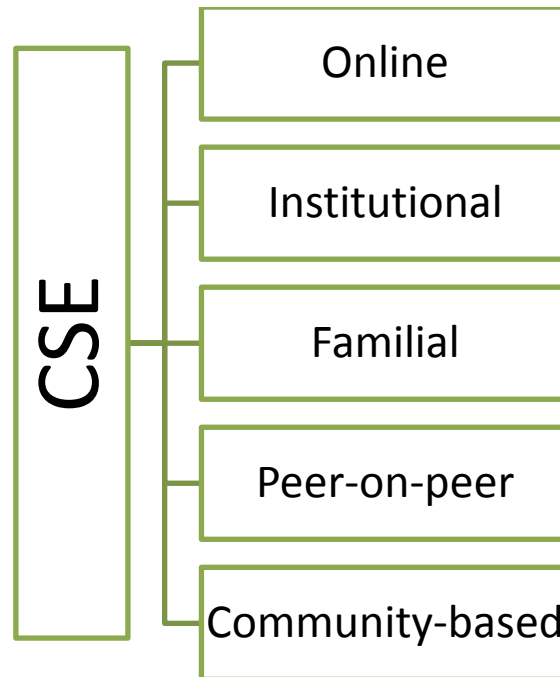
Day et al (2008) discussed a series of studies into the links between child abuse in general and youth offending which together demonstrate a 'strong correlation' between the two issues (p.6). A more recent study (Cockbain and Brayley, 2012) focused on the links between CSE and youth offending where 40% of identified CSE victims in one English city had been involved in youth offending. Dealing with youth offenders who go on to become prolific offenders is an especially challenging and expensive issue to address, particularly so if the offenders have been victims of serious crime themselves (YCC, 2010). CSE victims who have been involved in criminality may expect to receive a negative reaction from the police at all times, even when reporting their own victimisation. This expectation may result in low disclosure rates among this group (Malloy et al, 2011). Barnardo's and Pro Bono Economics conducted work to understand the cost of implementing CSE interventions (Blazey, 2011). They produced two models: the more conservative showed a saving of £6 for every £1 spent by the tax payer on early interventions<sup>10</sup>. Consequently, the YCC's and Barnardo's findings indicate that investment in prevention and early-intervention may be not only more ethical but also more cost-effective.

An additional problem when dealing with the CSE in the broad sense is that it may become area-type specific. Pearce (2011) found that child protection practitioners who work near an international transport hub, such as an airport, only considered a child a trafficking victim if they had first been bought into the UK. Those practitioners working further away were more likely to view British victims who were moved and sexually exploited as internally trafficked victims. This discrepancy could lead to victims receiving different forms of support depending on where they are found, rather than a more standardised, universal and evidence-led approach.

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<sup>10</sup> The other model indicated a saving of £12 for every £1 spent.

A more nuanced attitude to CSE is required in practice to ensure that law enforcement can act most appropriately, specific prevention strategies can be devised and victims receive the care that they need. One effective way to achieve this is by breaking down CSE into a series of sub-categories. Brayley and Cockbain (2012b) identified five different forms of access to children, namely: online; institutional; familial<sup>11</sup>; peer-on-peer; and community based. These categories are all based on the offending group's primary access to children<sup>12</sup> and are shown in Figure 2.2.



*Figure 2.2: CSE and its associated sub-categories based on offender(s) primary access to children (adapted from Brayley and Cockbain, 2012b)*

Table 2.2 provides a description of each sub-type.

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<sup>11</sup> Familial abuse is not usually considered a form of CSE as there is not always a clear demonstration of exploitation. It has been included here as it is still a potential way for an offender to access a child.

<sup>12</sup> These categories also hold true for single offenders

*Table 2.2: Descriptions of CSE sub-groups (adapted from Brayley and Cockbain, 2012b)*

Category	Description
Online	The offender accesses children through online relationships or accesses indecent images of children (IIOC) material via online offender networks.
Institutional	The offender uses a position of authority and trust, such as a school teacher or youth worker, to access children.
Familial	The offender and child victim are related through blood or marriage e.g. uncle, step-father or cousin.
Peer-on-peer	The offender and victim are of a similar age and become connected through a social setting or other legitimate means.
Community-based	The offender is not connected to the victim prior to the recruitment, grooming and abuse.

### **2.2.3 Community-Based CSE**

Community-based CSE has been defined in the previous section as being committed by an offender who is not related or connected to the victim prior to the abuse. Instead, the offenders may spend their time in locations which are attractors of potential victims such as parks, shopping centres or outside under-18 nightclubs. Alternatively, the offenders may be employed in the night-time economy in occupations such as taxi drivers or take-away restaurant employees.

Community-based CSE can be committed by lone offenders or groups of offenders. Each offender may also abuse a number of victims, alone, as part a group or multiple groups. The focus of this thesis is on group community-based CSE for two connected reasons. First, groups of offenders are considered rare in sex offending against children (Smallbone and Wortley, 2000). Due to this perceived rarity there is only limited research conducted in this area, leaving a large knowledge gap. Second, there has been a growing number of group community-based CSE investigations in the UK since 2010. Although this crime is not necessarily novel it is only just starting to be recognised as a distinct crime-type. Again, this has resulted in limited research conducted in this area to support law enforcement officers trying to tackle and prevent further instances of harm.

It is difficult to provide statistics for CSE related crimes each year as CSE is not a criminal offence in itself but a collection of related crimes. Estimates are reached by looking at survey results, NGO research studies and collated data provided by organisations such as the National



Working Group for Sexually Exploited Children and Young People (NWG). The NWG is a collective with members working in NGOs and other agencies across the country. These practitioner groups often have a wealth of anecdotal information from their own case files but very little information that could be considered evidence for police operations or robust academic studies.

Within the newly acknowledged group community-based CSE cases the majority have involved the movement of victims in order to facilitate the abuse. This movement does not occur for each instance of abuse but appears to play an important role in the grooming and subsequent commission of the abuse (Brayley et al, 2011). This specific sub-set, ICST, is the focus of this thesis and is described in detail in the following section.

#### **2.2.4 Internal child sex trafficking (ICST)**

ICST falls within the sub-category of community-based CSE. Due to the movement element involved it is a form of trafficking as well as CSE.

The US government has estimated global figures of trafficked persons to be around 12.3 million people (US Department of State, 2010), a large proportion of which are never identified. Research into sex trafficking has long been dominated by a concern with the international movement of victims with relatively little attention paid to the 'unique characteristics and challenges' of its internal counterpart (Laczko and Godziak, 2005; Winterdyk and Reichel, 2010, p.9). Human trafficking was formally defined in the Palermo Protocol (UN, 2000), which states that no coercion is needed for victims under 18 years. In recent years there has been an impetus to improve policy and practice around internal trafficking in general and IST in particular (OSCE, n.d; TVPA, 2006). It has been estimated that one in six sexually exploited children in the UK have been internally trafficked (Barnardo's, 2009).

The crime of internal sex trafficking (IST) was formally included in the English and Welsh legal system with the introduction of the SOA 2003. Section 58 states that it is a crime to facilitate or arrange the movement of a person within the UK for the purpose of sexual exploitation. No minimum distance is stipulated and no boundaries need to be crossed. There is no qualification as to the meaning of 'facilitate' and, theoretically, could cover anything from driving a victim to

the abuse location to supplying the funds for a bus or train ticket to the offender walking the victim to the abuse location. A conviction under S.58 carries a maximum custodial sentence of 14 years (SGC, 2007). It was not until May 2012, however, that S.58 was successfully applied to British victims<sup>13</sup>.

The UK Human Trafficking Centre (UKHTC) produces a National Referral Mechanism (NRM) report that provides a breakdown of trafficking victim referrals. Trafficking for sexual exploitation made up almost 50% of all NRM trafficking cases, with one-quarter of those involving children. Almost one in four UK victims referred to the NRM were under the age of 18 years. The largest age group for trafficking for CSE victims was 16-17 years, representing 60% of the total. These figures, however, are for the age of referral rather than age at time of exploitation, which can be assumed to have started earlier for many victims. There is no information regarding how long the children were abused for or whether investigations into the abuse were initiated. The number of victims recorded in the NRM is likely to be much lower than the number of actual victims due to a lack of awareness that ICST offences are a form of internal trafficking and around the NRM more generally.

Whether British children can be victims of ICST is a contentious issue. Disagreement has been most pronounced in the respective positions taken on the issue by the UKHTC and CEOP, both affiliates of SOCA and the UK leads on trafficking and CSE respectively. The UKHTC recognises British children as potential trafficking victims but CEOP, although recognising British victims in formal publications (see CEOP 2009, 2010, 2011), generally prefers to treat British children as CSE victims<sup>14</sup>. In May 2012 CEOP took over responsibility for child trafficking from the UKHTC, making the need for a clear and agreed definition of ICST all the more pressing.

The CEOP position, however, does appear to be in the minority. Various government reports and third sector research studies have highlighted the issue of British children being trafficked within the UK for the purposes of sexual exploitation (Barnardo's, 2007; Home Office, 2007; DCSF, 2009; Barnardo's, 2011). The UK Government's Action Plan on Tackling Human Trafficking (Home Office, 2007) highlights the internal sex trafficking of British minors as a

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<sup>13</sup> See The Telegraph, 8<sup>th</sup> May 2012

<sup>14</sup> Conversation with member of CEOP senior management team on this issue.

concern. The Explanatory Notes to the Sexual Offences Bill state that S.58 ‘is intended to apply both to UK nationals who are moved from one place to another in the UK to be sexually exploited as well as to others, including foreign nationals’ (House of Lords, 2003, paragraph 49). This supported similar comments made by the then Home Secretary David Blunkett (Hansard, 2002, Column 507). Importantly, the recent Human Trafficking Bill 2012 makes no attempt to narrow the definition of internal trafficking to exclude British nationals (House of Lords, 2012).

The definition of ICST used in this thesis is the recruitment of a child and his or her transfer to a location where it is intended that he/she shall be sexually abused by one or more adults. The specific details of this are outlined in Table 2.3 (taken from Brayley and Cockbain, 2013).

*Table 2.3: Criteria for inclusion in the proposed ICST definition (Brayley and Cockbain, 2013)*

Category	Rule for Inclusion	Reason
Victim	Child, aged 17 years old or younger	To meet national and international definitions of a child
Offenders	Adult, aged 18 years or older	To exclude peer-on-peer offending
	Two or more offenders involved <sup>15</sup>	To ensure consistency with the UK definition of organised crime
Transportation	Any mode of transport	To include all forms of movement.
Movement	No minimum distance required	To ensure victims are not arbitrarily excluded from the definition
	‘Integral’ to the abuse process	To emphasise that this is deliberate movement without which the abuse cannot occur. Defined as movement to an abuse location, to offenders awaiting sex, or to both.
Abuse pattern	At least one victim must be abused more than once	To distinguish ICST from other forms of child sexual abuse.

Barnardo’s (2011) refers specifically to ICST in their report ‘Puppet on a String’. In it they state ‘over the last two years, our services have become increasingly concerned that child sexual exploitation is more organised, with networks moving children from town to town, or locality to locality within a city’ (p. 9). Twenty-one of their 22 nation-wide services reported ICST

<sup>15</sup> If the abuse is commercially motivated, itself not a prerequisite, than the paying client will count as one of the minimum of two adults involved.

related offences in 2009/10. Barnardo's has also completed earlier studies in two different areas of the UK (Harper and Scott, 2004; Barnardo's, 2005) addressing ICST-type offending. A significant finding from both of these studies was that much more needed to be done to enable multi-agency working and a sharing of information.

According to Stanko et al's (2007) vulnerability factors, by definition all ICST victims have the vulnerability of being a child. Many ICST victims had two or more additional vulnerabilities due to the victims drinking and/or taking drugs prior to the abuse as well as being involved in a pseudo-relationship with one or more offenders (Brayley et al, 2011). This ICST profile appears to differ from a study of rape victims conducted by Horvath and Kelly (2009) which showed that although 65% of victims had one vulnerability, only 3% had three or more.

Victims of ICST are potentially more vulnerable to misconceptions of abuse than victims of other sexual crimes due to the complex nature, level of grooming and normalising by the offender before, during and after the offence (Cockbain et al, 2011). One key indicator of a child being at risk of CSE is if they are friends with a victim (OCC, 2012): ICST victims have been known to actively recruit their friends into abuse (Brayley et al, 2011). It is not clear why this occurs, but is possibly due to pressure from the abuser. As more ICST cases go to court it may be possible to highlight the real and varied profile of a victim and help others recognise their own victimisation.

Brayley and Cockbain (2013a) have shown that sex trafficking does not always follow the typically conceived linear model, as shown in Figure 2.3a, where a victim is recruited, moved and then abused. When foreign ICST victims are subsequently moved from place to place across the UK their exploitation might be more accurately described as following a looped model as shown in Figure 2.3b. This is where a victim is recruited but then moved and abused many times. In contrast, British victims of ICST are recruited, moved, abused and then released, only to be picked up again, re-moved and re-abused on subsequent occasions, as shown in Figure 2.3c. Re-victimisation amongst British victims of ICST can be very high, often reaching into the tens or hundreds of instances of abuse per victim (Brayley et al, 2011).



Figure 2.3a: Linear model of trafficking

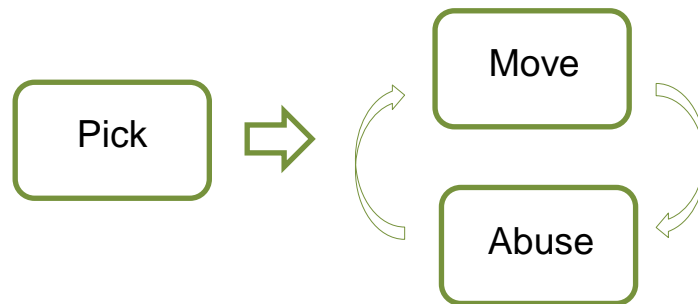


Figure 2.3b: Looped model of trafficking

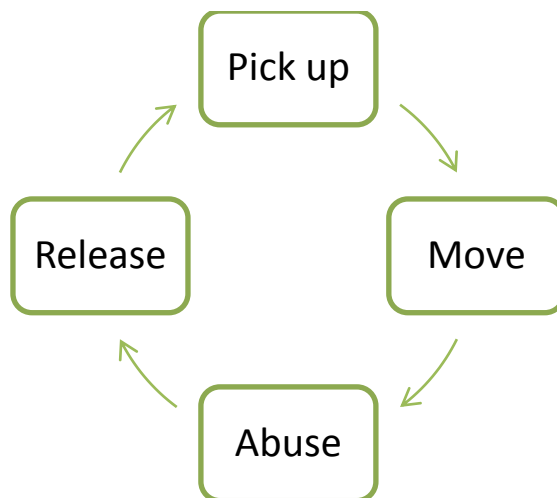







Figure 2.3c: Cyclic model of trafficking

#### 2.2.4.1 ICST crime process

A crime script, or sequence of events required to commit a crime (Ekblom, 1991; Cornish, 1994), was developed for ICST to help practitioners understand the specific crime they were facing. This ICST script was created as part of the precursor study to this thesis (Brayley and

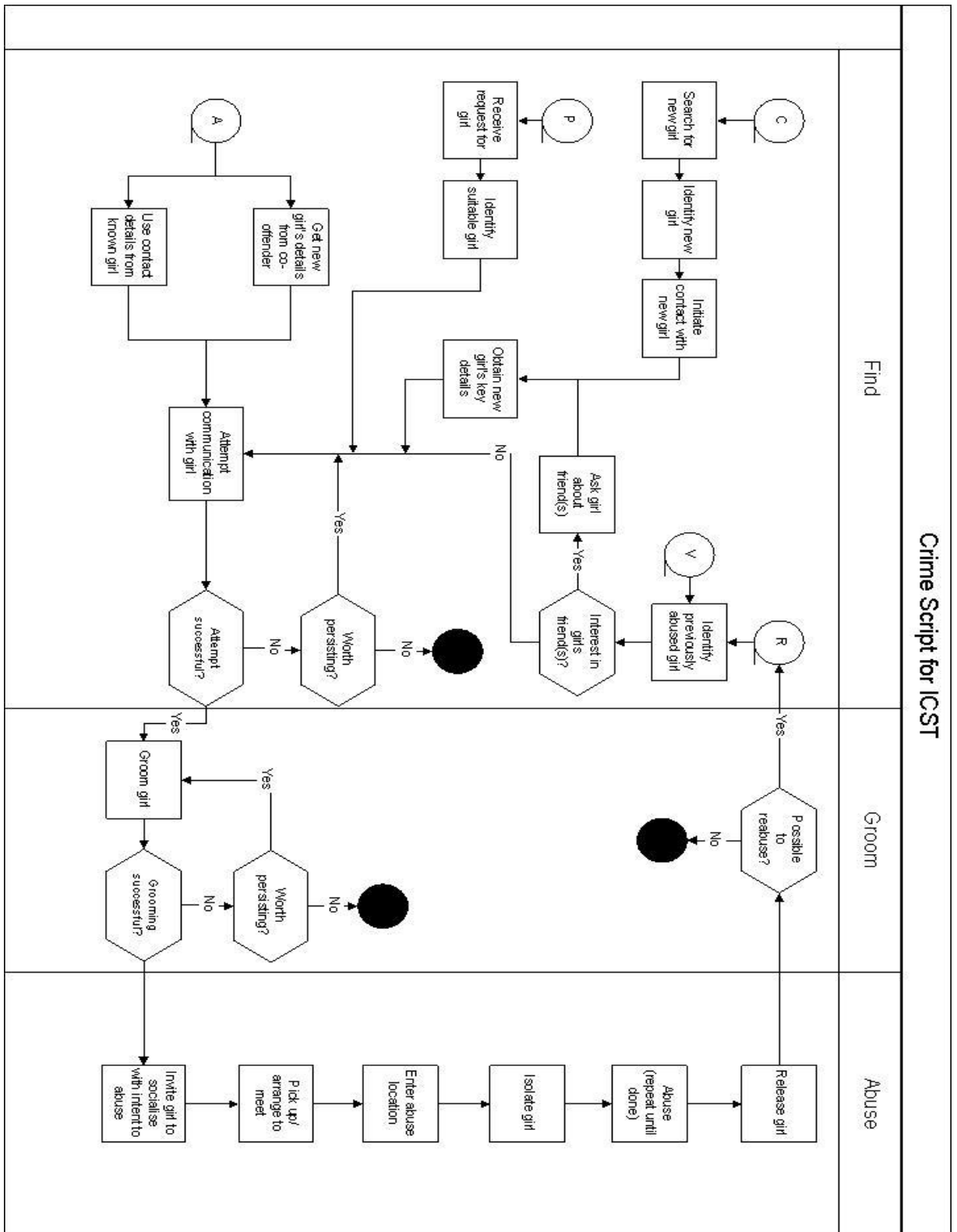
Cockbain, 2010). The crime script focuses on the offenders' actions as they are the active party in the process. The script shown in Figure 2.4 was developed using combined data from two police operations into ICST in the UK involving 25 offenders and 36 victims<sup>16</sup> (Brayley et al, 2011). In order to maintain flexibility and avoid being overly prescriptive, umbrella terms were used to describe a number of detailed actions. For example, 'attempt to communicate with girl' covered subgroups such as 'call', 'text', 'wait outside house' and 'pass message via friend'.

Key	
Category	Symbol
Entry Point	
Action	
Decision	
Direction of Flow	
Exit Point	

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<sup>16</sup> These same cases are used in this thesis and referred to here as Case A and Case B.

Figure 2.4: An ICST crime script (Brayley et al, 2011)



The script identified five different tracks which represent the different ways in which ICST can be committed as shown in Table 2.4.

*Table 2.4: ICST crime script track descriptions (Brayley et al, 2011)*

Track	Description
Cruise	This involves an offender driving around in search of previously unknown victims. This often happens outside target-rich environments such as shopping centres, parks, or under-18 club nights. When a car was unavailable the offenders would search for new victims on foot.
Abuse	It is common for an offender to target a victim who is known to another offender but has not yet been sexually abused. The offender may groom the victim by offering them free food or alcohol. Due to a sharing of contact details it becomes common for a victim to be approached by an offender who knew their name, age and phone number but who they had never previously met.
Recruit via girl	One common tactic was to use existing victims to recruit their friends, particularly if the original victim believed they were in a relationship with the offender. These 'girlfriend' figures could then be persuaded to bring friends along to abuse situations, and these friends would then be passed around between other offenders.
Re-abuse	Due, at least in part, to the grooming process, the re-victimisation rates were high. The majority of victims were abused on more than one occasion and in the most extreme case the victim was abused by approximately 150 men over an 18-month period.
Pimp	Although the majority of ICST cases appeared to have little or no commercial element, some victims were sold to clients for money. These clients came from various backgrounds, ranging from Bangladeshi immigrants who abused the girl in the back of a restaurant to a group of Poles who abused a girl in their home during a drug deal.

There were three points on the script when an offender needed to make a decision about whether to continue with the planned abuse of a particular victim. First, if the potential victim is not responding to attempts to communicate (e.g. they are not answering their phone when the offender calls) then the offender may decide to move on to another victim. Brayley et al (2011) found that it was common for an offender to repeatedly call a girl until she finally answered and agreed to meet up. Second, the same decision point is reached during the grooming stage; if the potential victim is not responding to the grooming and there is a risk that they would disclose subsequent abuse then the offender may decide not to continue. Finally, Brayley et al (2011) found that in many instances victims are re-abused but there may be some victims who are dropped from the script after the first abuse instance. This exit point



may, for example, be due to difficulties in getting the victim to comply or if the offender already has multiple readily available victims for further abuse.

It was possible to group together actions into stages of the crime commission process that contributed to a particular goal. In this script the three stages were Find, Groom and Abuse. Actions in 'Find' are diverse and focused on identifying a suitable victim and obtaining her details so that she could be contacted, either by themselves or by another offender. 'Groom' included a wide range of techniques employed by offenders. The main objectives of the grooming process appeared to be to flatter, build trust with, normalise sexual activity with, isolate, disorientate and intimidate the victim. ICST offenders often did not meet the basic requirements of a sexual grooming offence<sup>17</sup>. The 'Abuse' stage refers to the direct actions leading to the sexual abuse of the victim.

It was common for the victim to be picked up by the offender and be driven to a party at a co-offender's house, a cheap hotel or to parks or local beauty spots in order for the abuse to take place (Brayley et al, 2011). It is the movement of the victim in this way that constitutes the trafficking element of the crime. The abuse itself covered vaginal, oral and anal rape, forced masturbation and inappropriate touching as well as some instances of creating child pornography when abuse was filmed on an offender's mobile phone. During the abuse process the grooming would continue with the victim being isolated and made to feel either complicit in her own abuse, fearful of repercussions or that the abuse was normal behaviour. A defining factor of ICST is sexual abuse but this may not be possible without psychological and emotional abuse. In extreme cases threats of physical violence to the victims or their families were made to the victim (Brayley et al, 2011).

Although rarely referred to outside of hostage and kidnap literature, Stockholm Syndrome is a term used to describe a situation in which a victim forms a psychological bond with their abuser (for example see Bejerot, 1974; de Fabrique et al, 2007; Namnyak et al, 2007).

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<sup>17</sup> Sexual grooming requires two prior instances of communication before arranging to meet a child for sex (Section 15, SOA 2003). In one operation 40% of the victims were sexually abused on their first meeting with an offender.

The bond created between the abuser and the victim in ICST type offences in the Netherlands<sup>18</sup>, typically developed through grooming techniques and a process of ‘reward and punishment, acceptance and degradation’ (Jordan et al, 2013, p. 361), led to information on Stockholm Syndrome being routinely supplied to judges in Dutch cases. The justification in doing so is that it helps to explain some of the behaviour of the victims (Dutch National Rapporteur, 2009). This could also be useful in helping UK judges and juries understand the behaviours of some ICST victims.

ICST, compared to other forms of trafficking, appears to be much less commercially motivated (Cockbain et al, 2011). On the few occasions when payment for access to victims has been reported the amount is often very low<sup>19</sup>. Instead, ICST victims are passed around a network of offenders who give them small gifts of food, cigarettes, alcohol, or offers of a free taxi ride. These actions can facilitate ‘relationships’ between victims and abusers (Scott and Skidmore, 2006). There have been few ICST cases where the offenders seem to be making a financial profit from their actions and there appears to be no real concept of the financial opportunities available (Brayley et al, 2011). Sex trafficking investigations and prosecution strategies, often focusing on financial gains through forced prostitution (for example see Demleitner, 1994; Nelson, 2001; and Simic, 2004) cannot be applied to ICST cases without modification.

The sexual abuse of children occurring in a party-like setting has been recognised by practitioners for over a decade. ICST behaviour has been differentiated from other forms of organized abuse in that little money is exchanged and there is little evidence of commercial motivation. Instead the victims appeared to be exchanging sexual services for status and popularity among the offending group and their peers (Melrose, 2013).

In the last decade many countries have implemented legislation to demonstrate their commitment to supporting the victims of trafficking and holding the offenders accountable for their actions (for example see UN, 2000; ILO, 2000; European Union, 2005; and US Department of State, 2009). Between January 2003 and November 2009 127 offenders were convicted of

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<sup>18</sup> Known as Loverboys

<sup>19</sup> From private communication with a senior officer involved in an ICST case who stated that clients could pay as little as £10 for full penetrative sex with a victim

human trafficking offences within the UK (UKHTC, 2010). Over 50% of these offenders had at least one internal trafficking conviction under S.58 of the SOA 2003 (OPSI, 2003)<sup>20</sup>.

### *2.3 Current knowledge of group-based offending*

This section reviews the relevant literature on group-based criminal activity from a wide range of crime types and relates this knowledge to findings from ICST cases analysed within this thesis. Four sections are covered here: an overview of co-offending; offending group demographics; group-based sex offending; and the role of the Internet.

#### **2.3.1 Co-offending**

Crime committed by groups of offenders is not a new phenomenon and has been documented for almost a century (Breckinridge and Abbot, 1917). Although offenders may have a preference for either solo or co-offending, most criminal careers will contain a mix of the two (Reiss, 1988; Hindelang, 1971, 1976). A criminal career consisting of only solo offending is uncommon (Shaw and McKay, 1931). The majority of co-offending, and offending in general, is committed by juveniles who act in larger groups and commit more crimes than their older counterparts (Reiss, 1988; Reiss and Farrington, 1991; Weerman, 2003). In order to co-offend, perpetrators no longer need to be in the same geographical location. Advances in technology mean that criminal activity can more easily take place across a greater range of space and time (Tremblay, 1993).

Co-offending can be considered criminogenic: an individual is more likely to commit a crime when they associate with others who condone the behaviour (Erickson and Jensen, 1977; Warr, 1993; Alarid et al, 2000; Andreson and Felson, 2010b). Schultz (1967) posits that offending groups are formed based on the needs of individuals to feel a sense of belonging and acceptance. Deviant behaviour can, therefore, be encouraged when support is provided within the group. Continued membership may be closely linked to the willingness to offer this acceptance to other group members, irrespective of an individual's personal viewpoint (Harkins and Dixon, 2010).

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<sup>20</sup> No reference has been made to the victim profiles associated with these offences and it is plausible they relate either only to adult victims, or to victims of all ages that have first been internationally trafficked into the UK.

When crimes are committed by more than one offender, they may cause greater levels of harm to the victim or lead to a greater number of offences being committed (Felson, 2003).

Escalation in seriousness can be attributed to a combination of peer influence and pressure as well as increased opportunities to commit offences (Hochstetler et al, 2002). This is in line with established theories on the minimising effect of group abusive behaviour and reinforced deviant norms leading to a reduced sense of individual culpability (Zimbardo, 2007).

The level of offending among an individual's peer group can often be used as an indicator of his or her future offending rate (Morash, 1983). Co-offenders commit more offences, often with a higher level of harm, and over a greater period of time than their solo counterparts (Hindelang, 1971, 1976). Translating these findings to CSOGs means that the group is likely to be more harmful and a greater threat to children than a similar number of lone offenders.

In one large scale, year-long study in England Van Mastrigt and Farrington (2009) found that over 30% of all offenders (N=18,589) committed offences with at least one partner and that over 10% of all offences (N=10,997) were committed by multiple offenders. There does appear, however, to be a large divide between crimes that are frequently committed by groups of offenders such as drug offences and those who are predominantly solo activities, such as sexual crimes.

Weerman (2003) proposed that in order for a crime to be committed by multiple offenders there must be an offender and a present, viable co-offender who are both willing to commit the crime. It is noted that these conditions are subjected to an individual's character and personality, the crime being considered and the situational conditions surrounding the crime commission. This model is referred to as the social exchange model of co-offending and is demonstrated in Figure 2.5.

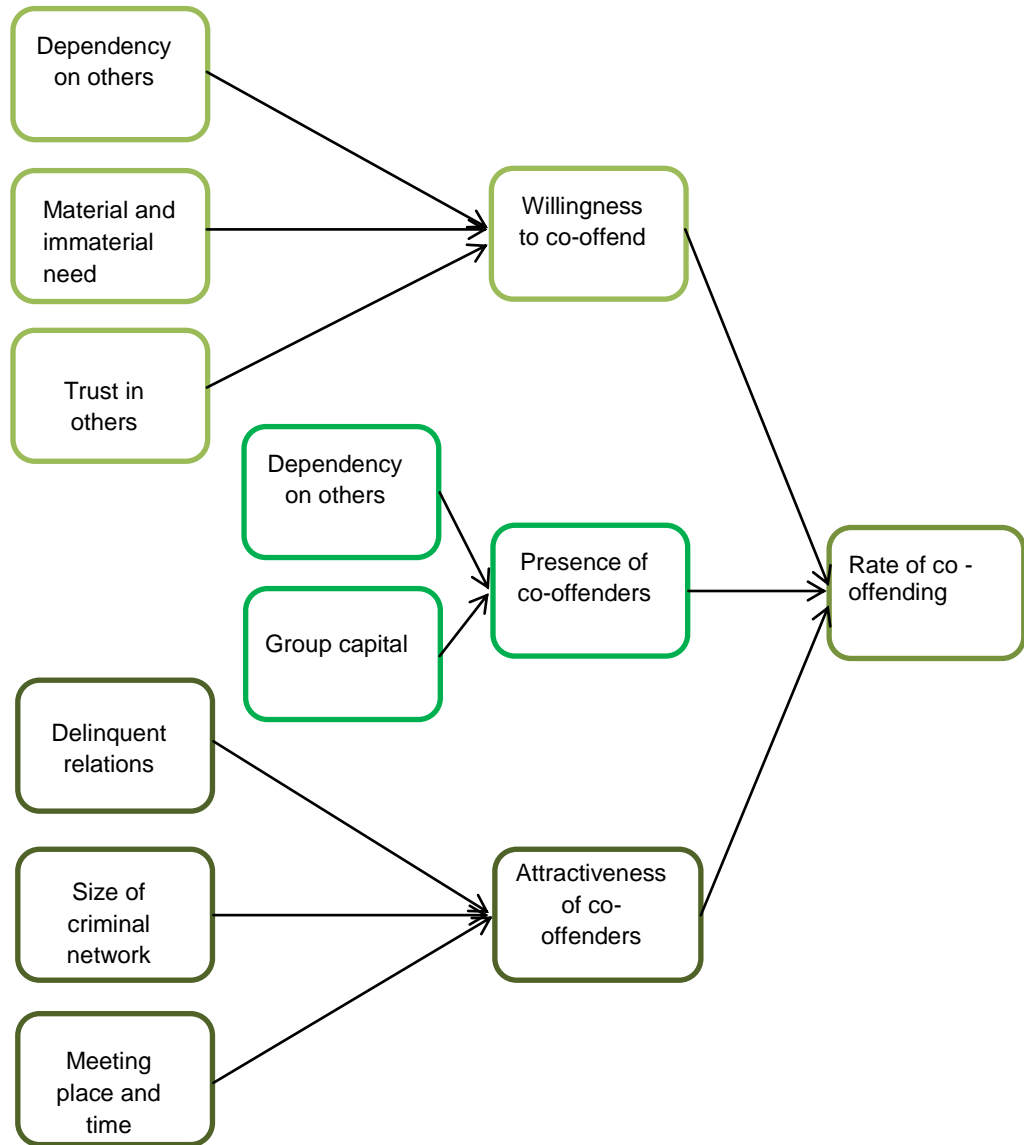


Figure 2.5: The social exchange model of co-offending (Weerman, 2003)

The difference in co-offending rates across crimes may be explained by the greater need for accomplices and a division of labour in some crimes (Tremblay, 1993). Car theft, for example, may require a number of specialist skills such as the ability to steal the car, to make alterations so that it cannot be easily identified as stolen, to ship it to a new location and to launder the profits. Group offending is more readily apparent in crimes that generate large revenues as opposed to more violent offences (Benson and Decker, 2010). Similarly, it may be more difficult and risky to find a willing co-offender for crimes considered taboo such as child sex offences.

### 2.3.2 Group demographics

This sub-section looks at four areas that provide information about a crime group, namely group size, age, gender and ethnicity. Each of these areas has been selected to provide context to the ICST groups.

Although co-offending is common there are very few national statistics that give a definitive figure on the average offending group size (Tonry and Farrington, 2005). Several small studies, however, have attempted to quantify group size. Weerman (2003) found that across all crime types the average size of the offending group was only two or three offenders; different crime types attracted differing numbers of offenders per group. In van Mastrigt and Farrington's (2009) study, overall co-offending figures were broken down by crime type. They found that sexual offences (N=213) had a mean of 1.06 offenders per offence and only 4.7% of all sexual offences were committed by multiple offenders. This is in contrast to robbery offences (N=1,363) where 27.9% of offences were co-committed with an overall mean of 1.39 offenders per offence.

Offending behaviour peaks between the ages of 15 and 17 years, resulting in a research focus on adolescent offenders (Kleemans and de Poot, 2008). It is at this point in adolescence when the majority of co-offending across all crime types occurs (Reiss, 1988). After the age of 17 years, offending generally declines with age (Gottfredson and Hirschi, 1990; Farrington, 2003). Reiss (1988) noted that adult offenders are believed to commit crimes predominantly alone or with a very small number of accomplices, although 10% of offenders in his study were in their mid-twenties when they were caught and/or convicted with three or more co-offenders. Research by Kleeman and de Poot (2008), however, found that within OCG's the majority of offenders are adults. Their large scale study into OCG offender ages found that less than 1% were under 18 years at the time of the study with the modal age range being 30-39 years. A third of offenders in their study were over 40 years. When looking at the first judicial record for these offenders the average age is much lower at 27 years but still a decade older than the general offending population of 15-17 years.

Those individuals committing sex crimes, alone or in groups, appear to be older than other types of offender. In van Mastrigt and Farrington's (2009) study, the average age of robbers

was 21.7 years compared with 32.2 years for sex offenders. In a more detailed study focusing on sex offenders in Australia (N=182) Smallbone and Wortley (2000) found an average age of 31.5 years for first sexual contact with a child and 38.4 years for last sexual contact. This would indicate that the age of group and solo child sex offenders whether operating alone or in a group is similar. The current adolescent offender-focused research on understanding criminal groups may, therefore, not be relevant to the groups studied here.

The large majority of general offenders are male (see Chesney-Lind and Pasko, 2003). OCGs appear to be no different in this regard, with one study finding 92% of OCG offenders were male (Van Koppen et al, 2010). It may be the case that the role that women play in group-based offending is under-researched<sup>21</sup>. Fiandaca (2007) found a mixed picture on the role that women play in the mafia. On the one hand women were often exploited and subjected to violence by mafia members. On the other, women played a pivotal role in the mafia's complex organisation and were highly respected. If law enforcement investigators are not expecting to find female perpetrators within OCGs then these offenders may be overlooked, or their role downplayed, during an investigation due to their gender.

The trend for offending to be a predominantly male activity may be changing. Van Mastrigt and Farrington (2009) found almost one in five offenders were female (18%, N=21,632) within their offender population (N=120,258). Female offenders committed slightly more offences with a co-offender compared to male offenders (24% to 21%), possibly indicating a greater need for exploration into the role women play in organised crime. The estimated figures for women involved in child sex offending in the UK vary greatly from 5% reported by the NSPCC (Bunting, 2005) to 20% reported by the Lucy Faithful Foundation<sup>22</sup>.

The latest MoJ (2011a) prison statistics show that for all offences the most common ethnicity of offenders is white at 72%. Many OCGs are nationally or ideologically specific with heterogeneous groups being uncommon (Reiss, 1988). The exception to this may be for digital enabled crimes where offenders in a group may never be aware of the true identity of their co-conspirators. When OCGs are made up of different races or nationalities there may be a

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<sup>21</sup> Suggested during a conversation with SOCA employees working on drug investigation teams.

<sup>22</sup> The Guardian, 2009, 4<sup>th</sup> October

historical 'pecking order' with some nationalities dominating others in the group. The majority of child sex offenders in the UK are White British (MoJ, 2011).

### **2.3.3 Group based sex offenders**

Sex offenders, and child sex offenders in particular, have traditionally been considered specialists: they commit one type of crime and rarely move into other criminal activities (Reiss, 1988). In reality most criminals are likely to be on a spectrum between specialist and generalist. Contrary to Reiss's findings, a number of large-scale studies, including Hanson and Bussiere's (1996) meta-analysis of 61 data sets from six different countries (N= 28,972 offenders) have shown that sex offenders are not only generalist offenders but are more likely to have their first conviction for a non-sexual crime than for a sexual offence. Smallbone and Wortley (2000) found that upon leaving prison for their sexual offence conviction offenders were more likely to be convicted again for a non-sexual crime than for another sexual crime. Over a third (37.1%) of the total offenders in their study (N=323) had never been convicted of any crime prior to their current sexual offence charge.

Less than 4% of offenders who completed all sections of Smallbone and Wortley's (2000) prison study (total N=169) had been involved in a CSA group, less than 9% had spoken with another sex offender and less than 30% knew of another sex offender prior to going to prison. When broken down by offender type, those who commit both intra and extra familial abuse (mixed) were the most likely to be involved in an offending group and to have talked to another offender, followed by extra familial offenders.

Harkins and Dixon (2010) found four factors that they believed affected the willingness of an individual to partake in a group-based sexual offence as shown in Table 2.5.



Table 2.5: Factors affecting willingness to commit a group-based sexual offence (Harkins and Dixon, 2010)

Factor	Sex abuse example
Deviant sexual interest	Paedophilic desires; need for power and control
Distorted attitudes towards the victim group	Believing that the victim wanted to engage in sexual activity; believing that the victim deserved what happened to them
Cultural, social and community influences	Abusing victims as part of a pre-existing social group
Perpetration of rape myths within a misogynist environment	Reinforcing the idea within the group that if the victim does not physically fight back then it is not rape

Smallbone and Wortley (2000) found that three in four child sex offenders in their sample were exclusively heterosexual. Excluding the few prolific offenders in the study who abused more than 100 male victims each, it was three times more common for offenders to target female victims than male victims. Convictions were only achieved for abuse against 40% of the children involved (N=1010). The intra-familial offenders tended to abuse a much smaller number of victims over a longer time period. Across all three offender categories (intra/extra/mixed), almost 50% of offenders committed offences against just one child.

A small number of studies has explored the age of sexual victimisation of children by offenders outside of their family. A study in northern Europe found that the mean age of children selling sex for the first time was 15.9 years in Sweden and 14.2 years in Norway (Fredlund et al, 2013). In regards to victims of multiple perpetrator rape in the UK, Horvath and Kelly (2009) found that 32% of victims from across 101 cases were aged 11-16 years. Another study into CSE found that the average age of first victimisation for females was between 12 and 14 years (Jordan et al, 2013). Smallbone and Wortley (2000) found that 75% of offenders abused children aged nine to 16 years. Each of these studies show a similar age range to those victims abused within the ICST context where the average age of disclosure was 15 years. It has been noted that some ICST victims are as young as 10 or 11 when the abuse began<sup>23</sup>.

<sup>23</sup> From various conversations with police officers involved in ICST investigations and third sector project workers who work directly with victims of CSE.

Table 2.6 shows findings from Smallbone and Wortley's (2000) study, comparing the three types of offender across a number of different areas. The offenders are categorised as intra familial, extra familial and those who commit both types of abuse (mixed). There are clear differences found in this study in the patterns exhibited by the three different groups, with the mixed group having the longest involvement with CSA and being the most prolific in terms of the number of victims abused.

*Table 2.6: Variations in offending patterns by offender type (adapted from Smallbone and Wortley, 2000)*

	Intra familial (N=79)	Extra familial (N=60)	Mixed (N=30)	Overall (N=169 <sup>24</sup> )
Abuse duration in years (mean over an offending career)	4.4	7.8	11.0	6.8
Number of victims (mean)	1.5	6.1	20	6.4
(Initial) victim was female	92.4%	53.3%	56.7%	72.2%
Victim already known to offender when abuse began	100.0%	86.7%	89.6%	93.5%
Knowledge of other sex offenders	25.0%	24.1%	53.6%	29.6%
Talked to other sex offenders prior to being charged	2.6%	8.5%	25.0%	8.6%
Involved in a child sex abuse co-offending group	0.0%	3.4%	13.8%	3.7%
Exchanged information with other child sex offenders in prison	0.0%	3.7%	17.9%	4.1%
Used the internet to gain contact with other child sex offenders	0.0%	0.0%	3.3%	0.6%

In the late 1990s it was found that of those who had been convicted, 19% of non-familial offenders reoffended, compared to less than half that (8%) of familial offenders (Hanson and Bussiere, 1998). CSA offenders, in general, are also twice as likely to be convicted for non-sexual crimes as sexual ones (Smallbone et al, 2008). Together this may mean that non-familial abusive behaviour is not being identified and properly dealt with by the authorities, making it imperative that offenders are successfully prosecuted and convicted when identified.

<sup>24</sup> Out of the 182 offenders who completed the self-report study, 13 were classified as 'deniers' as they claimed no child sexual abuse had taken place.

Until recently contact sexual offences against a child were seen as an overwhelmingly solo activity (Smallbone and Wortley, 2000). This has started to change as the number of ICST trials in the UK increases. The number of suspects in each ICST trial, however, may suffer from two opposing sources of error. First, some offenders may not have been part of the group but were offending against the same victim (artificially increasing the average group size). Second, not all group members who abused the victims were identified and charged (artificially reducing the average group size). Porter and Alison (2004, 2006) conducted research into average group size of identified CSOGs in the UK. They found group size ranged from two to 13 offenders with a mean of three offenders per group. In another study Horvath and Kelly (2009) found similar results with groups ranging in size from two to 11 with a mean of three. As more investigations go through the court system, it may be possible to gain a more accurate picture of typical or average ICST group size.

Trying to understand the prevalence of sexual offences, including those committed against a child, is notoriously difficult. Attempts to quantify victim numbers or abuse instances are impacted by the method employed to recruit participants and analysis techniques as well as the definition of sexual abuse which is used (Goldman and Padayachi, 2000). Studies conducted into the prevalence of youths exchanging sex for some form of payment found that in Norway 1.4% of 14 to 17 year olds had done so in the previous 12 month period (Pederson and Hegna, 2003), as had 1% of 16 year olds in Denmark (Helweg-Larsen, 2003) and 4% of 15 to 18 year olds in Canada (Lavoie et al, 2010). A UK study (Gallagher et al, 1996) found that when extrapolating results from an eight-area survey to the whole of England and Wales there would have been 278 cases of organised sexual abuse of children that year.

In 2011 CEOP conducted the first major assessment into ICST offending (referred to as localised grooming in the report) through requesting data from all 43 UK police forces and related NGOs and statutory agencies. Unfortunately, the study suffered significant limitations. The main issue was data; agencies failed to respond to data requests, partially due to the difficulty in distinguishing between different forms of sexual abuse and exploitation within the data sets available. Despite a lack of data, CEOP stated that over 2000 suspected child sex offenders had

been identified as operating offline<sup>25</sup> in the UK. A third of this identified population were believed to have operated in a group (N=754).

Following on from the CEOP report came the Office of the Children's Commissioner (OCC) report into CSE in gangs and groups, an interim report of a two-year study (OCC, 2012). This report also suffered a number of important failings including the lack of clear definitions and the over aggregation of the data provided. It was impossible to see any geographical trends or gain insight into the different forms of group-based offending as there was no distinction made between different forms that group offending could take such as online or peer-on-peer. The report, however, did state that over 2000 child sex offenders within the UK operate as part of a group although the report did not state if this number included online as well as offline offenders.

The CEOP and the OCC reports are currently the leading sources of information on group-based child sex offending for SIOs and, in addition to lacking robustness and clarity, offer very little in regards to investigation and prosecution guidance or best practice. The data that formed the basis for both reports is currently unavailable to outside researchers so no further clarity can be offered at this stage.

#### **2.3.4 The role of the Internet**

Technology may play an important role in the way individuals can commit crime as part of a group. For example, developments in technology increase the opportunity for child sex offenders to meet in online forums to share indecent images and discuss their interests with relative ease and perceived anonymity (Carnes et al, 2001; Wortley and Smallbone, 2012). By utilising ever more advanced and cheaper technology the modes of abuse and distribution of 'profit' in the form of images and videos can be shared on a larger scale than ever before. Groups of offenders can now also come together to witness the contact sexual abuse of children via live web-cam streaming (Wortley and Smallbone, 2012). The psychological benefit of belonging to an offending group, such as support and the proliferation of cognitive

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<sup>25</sup> This study looked specifically at those offenders who operated offline. This does not mean that the internet was not used at all, it may have been used to continue conversations with victims who had been met offline but exchanged online details.

distortions and neutralisation (see section 3.2.2) can also be seen online (Durkin and Bryant, 1999; Taylor and Quayle, 2003; O'Halloran and Quayle, 2010).

By forming groups online, offenders may be removing some of the barriers associated with a fear of exposure and the taboo nature of the abuse. The online groups can also be physically much larger than those groups which require face-to-face meetings. From an investigative perspective, removing one offender from a large online group may have relatively little effect on the group's activities (Reiss, 1988). The only exception to this would be when an offender who plays a pivotal, high-risk role, such as a producer of images or forum administrator, is removed. A fuller exploration of online CSOGs is outside of the scope of this thesis.

#### *2.4 The evolving law enforcement response to sexual offending*

When a victim stays in an abusive relationship it can further complicate both the investigation and the prosecution. A particular difficulty for anyone connected with the case is in understanding why the victim returns to an abusive situation. For many adolescents it may be a case of confusing controlling, possessive behaviour with demonstrations of love (Levy, 1990). This sometimes confusing behaviour of victims involved in ICST cases may undermine their credibility. Additional evidence to support the victim's testimony is therefore crucial to counter behaviours which may be incomprehensible to a jury.

Victims can have skewed ideas of what constitutes rape and can be inclined towards self-blame. Some fail to distinguish between an unpleasant sexual encounter and a sexual assault, a situation often not helped by the media and societal portrayal of rape (Orenstein, 2007). This confusion is particularly true for younger victims who may not have had any other sexual experience to use as a point of comparison. When grooming is factored in it is easy to see how ICST victims may be unaware that what happened was not a normal, mutually beneficial sexual encounter. This lack of self recognition can mean delays in disclosure and problems during the investigation and any subsequent prosecution.

There are a number of benefits to the police addressing this form of community-based CSE as trafficking. First, the police are able to apply for additional resources and funding to tackle organised crime, which incorporates trafficking offences under its immigration portfolio (SOCA,

2011). Second, in ICST, as in many CSE cases, the sexual exchange between the victims and offenders is often 'so painfully one-sided that it is difficult for adults to understand what prompted [the victim] to consent' (Oberman, 2000, p714). By introducing the offence to the court as trafficking it is hoped that victims are seen as victims rather than troublesome, promiscuous teens (Hanna, 2000). Finally, the use of the term ICST offers recognition of the recruitment, grooming and abuse cycle which, when considered together, goes some way to explaining why the victims often stay in the abuse situation for weeks, months or even years (Brayley et al, 2011).

#### **2.4.1 Changes to sexual offence investigations**

The 1980s saw a public outcry in reaction to the poor treatment of rape victims by police. One example was captured as part of a televised fly-on-the-wall documentary series involving Thames Valley Police. Episode three of 'Police' (Graef, 1982) showed a woman reporting a rape to three male officers. The officers not only dismissed her account but proceeded to subject her to hostile and accusatory questioning. This may have been enough to spark public outrage but it also coincided with a legal ruling by a judge who accused a women hitchhiker of 'contributory negligence' in her own rape (Shute, 1994). These two incidents, indicative of a much wider social attitude, led to a demand for change.

A lack of police action may potentially perpetrate the idea to victims that the abuse was their fault or it was not a serious offence. This is particularly true if the victim is then criminalized for the abuse that has occurred. In domestic minor sex trafficking cases in the USA, for example, many victims were treated as juvenile delinquents (Jordan et al, 2013). In the UK, it was not until the end of the 1990s that government guidance was introduced that recognized the exploitation and victimization of children previously seen as prostitutes (DOH/HO, 2000). Prior to this guidance female victims as young as ten years old were labelled as 'common prostitutes', a status awarded to individuals cautioned on two or more occasions for loitering and soliciting, under the Street Offences Act 1959 (Melrose, 2013). Aitchison and O'Brien (1997) found that in one year (1995) over 100 girls aged ten to 17 years were convicted under this act and a further 263 were cautioned.

The police are increasingly expected to play preventative, disruptive and educative roles, to collaborate with external agencies and to address a larger range of criminal and antisocial behaviours (Ratcliffe, 2004). The main objectives of an investigation are to discover what criminal actions were planned or occurred, who the perpetrators were, and what could be done to prevent further harm. Police investigations can be categorised as either reactive – i.e. in response to a reported crime – or proactive – i.e. an enquiry into a potential or unreported crime.

Investigations involving a child victim of a sexual offence are complex, time-consuming and expensive. Before an investigation can be launched, the SIO should address a number of important questions (Harfield and Harfield, 2008). These include:

- What are the objectives of the operation?
- How can the objectives best be achieved?
- Is this in the best interests of the victim?
- What are the total estimated costs?
- Is there a more cost-effective solution?

ICST investigations can involve reactive policing when a victim reports abuse that has been occurring for many months and proactive policing when a victim discloses continuing abuse. ICST cases can also suffer from another ‘hybrid’ problem of offenders being both known and unknown to the victims. This can take two forms: the victim is in a ‘relationship’ with an offender but only knows them by their nickname (full or real identification details unknown); and a known offender bringing along other unknown offenders to abuse the victim. The result for the police is the need to both identify unknown offenders and encourage victims to provide a statement and later testify against known offenders (Tilley et al, 2007).

One of the main issues faced by investigators of CSA is identifying the victims when relying on the initial disclosure (Paine and Hanson, 2002). The disclosure of current sexual abuse can involve a number of stages; initial disclosure, providing a statement, assisting with the investigation (e.g. identifying suspects) and testifying in court. The involvement of multiple perpetrators, repeated victimisation, length of abuse and relationship between victim and

offender have all been shown to have a negative effect on disclosure of abuse (Salter and Richter, 2012). Smallbone et al (2008), however, found no link between the likelihood of disclosing and age, gender, ethnicity or the severity of the abuse. Instead, they argued, many offenders commit sexual offences against children simply because it was possible. Children may seem a better choice than adults due to their inherent vulnerability; they are often more trusting and less likely to be able to offer a coherent account of the abuse when disclosing.

Only approximately one in four sexually abused children disclose their abuse during its occurrence, and only two thirds disclose by early adulthood (Cawson et al, 2000). Studies have also shown that even after a considerable delay of several years before victims disclosure abuse, they often chose to first disclose to a peer rather than parents or an authority figure (Schonbucher et al, 2012).

There are many reasons why a child may not disclose sexual abuse, including that the victim may:

- Not immediately recognise that what is happening is abuse
- Be afraid of getting their abuser into trouble
- Have been threatened with violence or humiliation
- Have been so heavily groomed that they feel complicit
- Believe that the behaviour is normal
- Have had a prior negative experience disclosing abuse making them reluctant to disclose again (NSPCC, 2009). This can include not being believed by an authority or trusted figure, being blamed for the abuse, or having the police or prosecutor decide to take no further action.

Each of these reasons for non-disclosure could result in further trauma for the victim particularly when the offender has gone unpunished. Clinicians working with victims of CSE have found that some perpetrators deliberately tried to induce psychological disorders in victims to reduce the likelihood of abuse disclosure (Salter and Richter, 2012). In addition to short term trauma, victims of sexual abuse have exhibited long term negative effects such as anxiety and depression, sexual problems, higher risk of future victimisation and negative social



stigmatization (Miller et al, 2012). Disclosure of abuse does not always lead to the abuse stopping (Schonbucher et al, 2012) and the victim is less likely to receive any support if they are considered to be complicit in their own abuse (Giglio et al, 2011). With less than 30% of sexually abused children receiving any form of therapeutic intervention (Sharland, 1996) and only one therapeutic support programme per 25,000 children in the UK (Allnock et al, 2009) a lack of support for the victim and action against the offender could have devastating effects on the victim.

Steps have been taken over the past two decades to ensure police are less likely to respond with disbelief, criticism of the victim, and the informal requirement of an injury or evidence of a struggle, before they take the allegation seriously (Ewing, 2009; Cabinet Office, 2011). The changes in the police approach have been both positive and institution-wide. Specially trained officers (STOs) and sexual offences investigation trained officers (SOITs) were introduced into police forces across the country to further support the victims and improve investigations (ACPO, 2009). These officers are responsible for gathering victim evidence as well as being the victim's primary contact throughout the investigation. In 2001 the Metropolitan Police Service launched project Sapphire as part of the Specialist Crime Directorate. This new command unit has the primary remit of investigating all sexual offence allegations across London<sup>26</sup> and as of March 2013 had 450 members of staff (Metropolitan Police, n.d.). Once a sexual offence is reported, an officer aims to be with the victim within an hour.

Individual police forces have been encouraged to produce their own localised strategies for how to deal with sexual offence allegations to complement best practice guidance being rolled out from central agencies. The NPIA has published two documents intended for front-line officers, focusing on victim support and preserving physical evidence (NPIA, 2009a and 2009b).

The first of these NPIA documents deals with initial victim contact and provides guidance for call takers or front desk staff (NPIA, 2009a). The document emphasises the importance of reassuring the victim, arranging for appropriate medical attention to be given and securing any evidence that may be available. If all the evidence is not gathered initially then it can be impossible to collect once the crime scene has been released or once medical samples can no

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<sup>26</sup> With the exceptions of those occurring within the City of London Police jurisdiction.

longer be taken<sup>27</sup>.

The second NPIA document provides guidance to officers who are called out to a victim after the initial call or report has been taken (NPIA, 2009b). One recommended way of preserving evidence is through the use of an early-evidence kit. This kit consists of a set of swabs and modules that can be used by the first attending officer to collect physical evidence from the victim before a more comprehensive medical examination can be conducted. Officers are advised to check clothing for signs of a struggle (e.g. tears or rips in the fabric) and for evidence that might corroborate the victim's account (e.g. if the rape occurred in a park is there any evidence on the clothing to support this?). Items of clothing are often searched for fibres or hairs that would link potential suspects to the victim.

The increased focus on policy and training alone cannot guarantee compliance. In May 2009 three Metropolitan Police officers were disciplined for their 'unprofessional and insensitive manner' towards two separate rape complainants (IPCC, 2011). More recently, a detective constable within the Sapphire unit was jailed for 16 months after pleading guilty to misconduct after he admitted to failing to take appropriate action on ten rape and three sexual assault cases (IPCC, 2012).

In 2009, the Association of Chief Police Officers (ACPO) and the NPIA produced a document aimed at providing police officers with guidance on dealing with rape allegations (ACPO, 2009). In the preface to this document a number of priorities for both the police and the CPS were clearly laid out. The focus was on improving the standard of investigation and prosecution of rape offences, improving the police experience for rape victims and improving multi-agency partnership. One output of this document was the development of a list of actions to be considered by law enforcement officers when dealing with multiple perpetrator rape, as shown in Table 2.7.

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<sup>27</sup> Common reasons include the offence taking place more than 72 hours before the medical exam or if other actions have occurred in between the offence and the exam, such as consensual sexual intercourse with a different partner.

Table 2.7: Actions to be considered for multiple perpetrator rape cases (adapted from ACPO, 2009)

Category	Types of action to be taken
Investigation planning	<ul style="list-style-type: none"> <li>• Prepare for the possibility of several scenes</li> <li>• Develop interview and evidence collection strategies</li> </ul>
Information analysis	<ul style="list-style-type: none"> <li>• Conduct network analysis of mobile and landline telephones</li> <li>• Analyse social networking sites</li> <li>• Identify known gangs or associates from the modus operandi and examine any possible links between suspects</li> <li>• Identify any vehicles used to transport the victim</li> <li>• Identify the primary or dominant suspect and run a background check</li> <li>• Identify any suspects who appears to have been coerced into committing the offence and interview them first where possible as they may break easily and give information useful for other suspect interviews</li> </ul>
Evidence collection	<ul style="list-style-type: none"> <li>• Obtain and attempt to cross match DNA samples obtained from the scene and forensic medical examination on the national DNA database</li> <li>• Collection of physical evidence such as fingerprints or footmarks</li> </ul>

Although this ACPO document provides details of some key areas for consideration, it fails to give guidance on how to implement these suggestions. For example, the new policy recommends that officers use existing systems to link offences but does not state how to do this in practice. These vague descriptions may result in discrepancies in the treatment of victims, and the potential increase in the risk of revictimisation (Jordan et al, 2013) even when officers believe that they are following the necessary procedures.

There still remain a number of challenges when dealing with sexual offences, not least managing the funding cut to police and partner services. As confidence in the police response improves, so does the number of victim disclosures. Work still needs to be done to improve the reporting rates for hard to reach groups. Investigators must liaise early with prosecutors to ensure the investigation is conducted to the highest possible standard, producing evidence which is admissible in court.

#### **2.4.2 Use of evidence in sexual offence investigations and prosecutions**

During any criminal investigation and prosecution, the state has access to wide ranging resources and expertise far beyond the reach of most defendants. Due to this inequality a

number of rules govern both the procedures used and evidence produced by the prosecution, as shown in Table 2.8.

*Table 2.8: Devices to redress the imbalance between state resources and the accused (adapted from Robert and Zuckerman, 2004)*

Device	Resulting Actions
Burden of proof	The impetus to prove guilt beyond reasonable doubt lies with the prosecutor The accused is not required to assist the police or CPS with their case
Prosecution disclosure	The prosecution is required to disclose all evidence to the defence, including unused material. The defence must now disclose some material to the prosecutor although this can happen any time before the start of the trial.
Free legal advice and representation	Defendants have the right to free legal advice and representation and access to experts (such as medical or forensic experts) as necessary.

Not all evidence can be presented to the jury; first it must be considered admissible (relevant and non-prejudicial) by the judge. Evidence can be deemed irrelevant when it adds little or no probative value and prejudicial evidence can only usually be included when its probative value is so high that it cannot be justifiably dismissed (Robert and Zuckerman, 2004). Bad character evidence is often inadmissible, under Section 100 of the Criminal Justice Act 2003, unless all parties agree to its inclusion and it is considered substantially probative.

There are two different types of criminal evidence; direct and circumstantial (Robert and Zuckerman, 2004). Direct evidence, such as a confession or eye witness testimony, requires no inference to establish what occurred, although this does not mean that the evidence giver is always honest or accurate (Fisher et al, 2009). Circumstantial evidence is anything which requires interpretation in order to give a probable account of what occurred and includes motive and opportunity as well as all forms of physical forensic evidence. Often portrayed in literature and film as irrefutable (for example see Stephens, 2006), physical evidence has limitations, many of which are due to human error when interpreting results (Sanders, 1977). There has been increased questioning of the validity of some forensic techniques in recent years and the certainty with which some forensic evidence is portrayed (for example see Cooley, 2006; Saks and Faigman, 2008). These concerns have increased with high profile cases

in which an individual has been accused and arrested for a crime he/she did not commit but for which forensic evidence appeared to indicate his/her involvement<sup>28</sup>.

ACPO (2009, checklist 18) outlined the information that police officers should aim to provide to the CPS to assist with charging and prosecution decisions, outlined in Table 2.9.

*Table 2.9: Details of information required by the CPS for charging and prosecution decision (adapted from ACPO, 2009)*

Area of evidence	Information required
Victims and Witnesses	All relevant victim and witness statements, including personal statements, record a video interview and any statement made in behalf of the victim. First description given of the suspect.
Defendants	Defendant interviews, details of any previous convictions, details of bail conditions. Also needed details of whether the defendant appears to have planned the incidence and whether they have made threats before or since.
Physical evidence	Case exhibits, forensic science report, medical statements, results of DNA searches, photographic or CCTV evidence and any identified cross contamination issues.
Victim/defendant relationship	Location of the victim and defendant addresses in relation to one another and location of the scene if different. Description of the scene with photographic evidence. History of any previous relationship between the victim and defendant if there has been one.
Investigation tools	Sequence of events, network charts, crime reports and intelligence relating to previous allegations.
Additional needs	Whether an interpreter is required and/or special measures will be used.
Disclosure documents	Details of any unused material gathered during the course of an investigation in accordance with the criminal procedure and investigations act 1996.

Police officers involved in evidence collection need to be aware of the different forms evidence can take including:

- Biological: blood, semen, saliva, fingerprints
- Digital: computers, cameras, mobile phones, memory storage devices
- Data: financial, employment, housing, benefits

<sup>28</sup> A recent example was that of accused police officer Shirley McKie whose fingerprint was allegedly found on the door frame of a house during a murder investigation. McKie claimed never to have been in the house and was sacked from her role within the police, arrested and charged. She was later found to be innocent. For full details of this case see APS Group Scotland, 2011.

- Other: trophy items kept by an offender, discarded clothing, drugs paraphernalia, information connecting the offender to the victim or other crime scenes

The forensic strategy would normally cover the following areas (adapted from ACPO, 2009):

- The collection of evidence that corroborates a victim's account (if available)<sup>29</sup>
- Medical evidence from the victim and/or offender including early-evidence kit modules
- The analysis of samples (priority ordering)
- Breakdown of expected costs including comparison of samples to the national DNA database<sup>30</sup>
- The processing and subsequent release of crime scenes and the completion of scene of crime job sheets and photographs.
- Storage, processing and continuity of evidence collection

The evidence collected as part of any investigation may also be a source of intelligence. DNA profiles and fingerprints, for example, may link one incident to other crime scenes or suspects, helping police identify patterns (ACPO, 2005). Practitioners are starting to use forensic science as a source of 'accurate, timely and useful' information relevant to the intelligence process (Kebbell and Hosking, 2009). Using forensic evidence as an intelligence source could also mean a greater utilisation of databases already in existence such as the national DNA database (Ribaux et al, 2003).

Under the rules of disclosure the prosecution has to provide details to the defence counsel of their evidence and of the witnesses they will call. This disclosure will typically include details of any analysis which was conducted and the method employed for evidence collection and storage. An exception to the rule of disclosure is when the prosecutor applies for public interest immunity (PII). This is when the prosecutor argues that sharing information, such as covert tactics, would not be in the public interest (Home Office, 2010). Prosecutors seeking to be awarded a PII by the trial judge can apply in one of three ways: 1) the application is heard

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<sup>29</sup> It should also be noted if expected evidence is not available which may question any statements given

<sup>30</sup> One biological swab analysed for a DNA profile and compared to the database costs approximately £900.

openly in front of the judge and the defence counsel; 2) the defence are aware of the hearing but are not permitted to attend; or 3) the hearing is held in secret and the defence are not made aware of the application (Harfield and Harfield, 2008). This process is carefully guided by the Crown Court Disclosure Rules 1997 of the Criminal Procedure and Investigations Act 1996 and more recently by the Criminal Procedure Rules 2005. A PII was awarded in Case 1A to protect the techniques used in covert operations from becoming public knowledge.

### **2.4.3 Changes to sexual offence prosecutions**

Despite the high public profile of criminal trials, there are relatively small numbers of contested trials held at Crown Courts each year. Roberts and Zuckerman (2004) found that over a one-year-period there were 74,318 Crown Court indictments. Of these 61% (N=45,470) of cases ended with a guilty plea, 11% (N=7840) were acquitted by either the judge or the jury and only 13% resulted in a conviction. This high number of guilty pleas has, unfortunately, not been seen within ICST cases to date. The result of not-guilty pleas has been lengthy and expensive trials.

To deal with the challenges associated with prosecuting adult and child rape cases the CPS has developed rape-specialist prosecutors and area rape coordinators (Saunders, 2012). If a prosecutor is considering taking no further action in a rape case they must now consult a rape-specialist prosecutor before doing so (ACPO, 2009). The role of an area level coordinator is to provide expert advice on serious sexual assault cases, supporting police training, mentoring newly trained rape-specialist prosecutors and monitoring the area performance in rape trials (ACPO, 2009). As of January 2012 there were over 800 rape-specialist prosecutors nationally and, of the 177 based in London, over half (N=100) have received additional child abuse training (Saunders, 2012).

Up until the late 1980s a trial judge was permitted to warn a jury of the dangers of arriving at a guilty verdict based on the uncorroborated evidence presented by criminal accomplices, sexual offence claimants and children (Roberts and Zuckerman, 2004). The warning that children could not be reliable witnesses was only withdrawn under Section 34 of the Criminal Justice

Act 1988<sup>31</sup> which also introduced the option for children to give their evidence via live link CCTV or from behind a screen. Many ICST victims come from chaotic backgrounds and some will have had negative police experience through their own prior offending (Cockbain and Brayley, 2012). This information can be used by the defence to discredit the victim's testimony, along with accusations of coaching from the police and collusion with other victims.

Research has shown that memory of an event fades over time and that the ability to recall events is impeded by distress (for example see Spencer and Flin, 1993). To reduce these negative memory effects the Criminal Justice System (CJS) report (2007) recommended that cases involving children should be prioritised. Unfortunately, pre-trial delays often mean that CSA cases are often slower to go to court than other types of cases (Plotnikoff and Woolfson, 2009).

The right to cross examine a witness who has given testimony in court is a mainstay of the English legal system but has in recent years been criticised for the trauma it can cause by overzealous and accusatory questioning (Robert and Zuckerman, 2004). The cross examiner aims to undermine the witness testimony by making the witness appear less confident, confused or contradictory and will try to discredit the witness by raising questions around integrity and reliability. These actions can also be seen by cross examiners aiming to reduce the impact of the testimony by casting doubt over the witnesses' moral character.

The ability to undermine victim credibility can be inadvertently assisted by information contained within prosecution disclosure files. The moral character of victims of sexual offences has often been attacked through in-depth discussion of their sexual history and any risk taking behaviour in order to undermine their moral standing (Temkin, 2000). Giving evidence in court is stressful and sex abuse cross-examinations are notoriously traumatic: two thirds of legal professionals involved in CSA stated that they would not want their own child to endure this ordeal (Eastwood, 2003).

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<sup>31</sup> The warnings regarding sexual offence complaints and criminal accomplices were later withdrawn under section 32 of the Criminal Justice and Public Order Act 1994.



Victim actions can play an important role in how a victim is perceived and treated. In a study of 1,000 British adults, one in three respondents agreed that a victim is partially responsible for the rape if the victim is being flirtatious and/or drunk and one in four agreed that a victim is partially culpable if the victim is raped whilst wearing 'sexy' or revealing clothing (AIUK, 2005). If the victim, after the incident had taken place, regains an interest in socialising then this too will undermine the perceived genuineness of the victim's account (Orenstein, 2007).

The BBC (2003) conducted a survey on domestic violence with 1,020 British adults aged 18-25 years. One quarter of respondents thought that there were instances when partner violence was justified, and almost half thought these issues should be dealt with 'behind closed doors'. Almost 80% of respondents said they would intervene if an animal was being abused but only 50% would do the same if it was a person. These attitudes, for both domestic violence and rape, may result in victims failing to acknowledge their own abuse, feeling unable to disclose the abuse to others for fear of being blamed or being unwilling to testify during a court case.

A study on jury deliberations in rape trials found that some jurors believed that in order for an offence to be considered rape there must be evidence of physical force (Finch and Munroe, 2006). Orenstein (2007) also found a correlation between successful rape convictions and the victim's appearance and lifestyle. The idea that a female is not a true victim of rape unless she was dressed chastely, acted cautiously, and wasn't in a 'bad' area late at night seemed to still be present in the courtroom (Miller et al, 2012; Menaker and Franklin, 2013). According to Orenstein, any hint of sexual promiscuity or risk taking behaviour on the side of the victim seemed to invalidate the claim of rape. Jurors may, therefore, be unwilling to convict an offender based on preconceived ideas around how a 'real' victim should have behaved.

In regards to child sexual abuse allegations, the abuse was perceived as more serious if the victim was younger and these victims were awarded less blame than teenagers (Giglio et al, 2011). The relationship between the offender and victim also had an important impact on perception. Abuse by a parent was seen as more traumatic than abuse by an unrelated adult, for example, and males attributed more blame to the victim than females (Giglio et al, 2011). Female victims were seen as more blameworthy than male victims, exasperated by any indication of prior sexual activity (Menaker and Franklin, 2013).

The legal system has made some headway in addressing some long held and inaccurate beliefs about similar crimes. For example, positive changes have been implemented to support domestic violence cases through the introduction of new policy in the mid-1990s (CPS, 2005), the creation of specialist domestic violence courts (Cook et al, 2004) and the training and support of specialist magistrates (Gilchrist and Blissett, 2002). Some of these positive steps, however, have been overshadowed by continued reports of implementation inconsistencies involving the poor provision of information from agencies involved and of inadequate evidence gathering (Cook et al. 2004). The change in outlook by the CPS and the wider legal system is encouraging, however, as it shows they are willing to adapt both their attitudes and processes to help address victim and case needs.

At least theoretically, it is possible to prosecute ICST cases even if the victim wishes to withdraw his or her statement. Although this has not yet occurred in practice, “victimless” prosecutions allow the police to investigate and gather evidence and the CPS to present the case in court without the victim needing to be present (for example see Safer Westminster Partnership, 2012). The CPS policy advisor on trafficking commented on the positive effect of this strategy by stating that ‘it is important for women to provide intelligence to the police even if they feel unable to testify in court and victimless prosecutions can help encourage this behaviour’<sup>32</sup>. Due to these types of prosecution, which deny both prosecution and defence the opportunity to question the victim in court, there is a necessary reliance on other form of evidence, such as physical forensic evidence, in order to prove the case.

## *2.5 Conclusion*

When offenders go unpunished they may develop a sense of impunity and continue to offend and victims may not feel comfortable disclosing their abuse (NSPCC, 2009). Children who experience abuse are at higher risk of being abused again in adulthood (Callahan et al, 2003), resulting in a need to break this cycle as quickly as possible (Dworkin, 1997). In addition to prevention and awareness work, the need to target perpetrators and gain successful convictions is paramount in tackling this crime across the UK.

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<sup>32</sup> The Guardian, 2011, 4<sup>th</sup> July

In Barnardo's reports (Harper and Scott, 2004; Barnardo's 2005 and 2011b) the need for proactive police investigations is emphasised in order to gather the necessary data and intelligence and to coordinate an appropriate response to CSE. A critical problem highlighted in the report is the low prosecution and conviction rate seen in these cases. One reason cited for this was the problem of being reliant on young people to give testimony, particularly those who are unable or unwilling to do so.

Despite the extensive literature on CSA and sex crimes in general, most of the research has focused on lone offenders. The emergent profile of ICST is that of group-offending. The group-element may influence the crime commission process as well as making it difficult for many unknown offenders to be accurately identified. There are a number of reasons why an offender may not be identified: the victim may not have known the offender personally prior to the abuse if the offending occurred in a large group; the offender may have used nicknames or not provided any personal information to the victim during the grooming process; and/or the victim may have been disorientated and confused due to the use of alcohol or drugs. An increase in understanding around group-based CSE, coupled with an increase in forensic evidence gathering may support the police when linking networks of offenders. There is also a need for greater partnership and multi-agency working. In order for this to be successful each agency needs to be able to communicate effectively with the others. Understanding how to better share information is therefore vital if this aim is to be met.

Under the Home Office's harm-reduction agenda (Home Office, 2004), the police are under increasing pressure to conduct investigations efficiently and effectively with little time for new research or evaluation of previous initiatives. Police forces across England and Wales are slowly starting to engage with the emerging issue of ICST, with a growing number of forces initiating proactive investigations (Brayley et al, 2011). Despite both CEOP's (2011) and the OCC (2012) reports there is still very little in the way of guidance for officers for how to deal with these crimes. Each force, instead, has been left to develop strategies and tactical plans for itself. It appears that a more co-ordinated approach is required by all agencies, not just law enforcement, but health, education and social care professionals and the voluntary sector. A joined up approach could enable agencies and academics to work together to target the perpetrators (NPIA, 2010).

Work to address the issue of group-based offending in a CSE context has the potential to benefit the academic knowledge base as well as support practitioners. It would not be possible, however, for one project to address all of the issues and gaps in the literature. This thesis explores the challenges faced by group-based CSE offending and how the gathering of additional forensic evidence can support and corroborate victim accounts of abuse. These are areas that appear to have received little attention in CSE and particularly ICST, but have practical applications and have the potential to greatly aid both police and prosecutors.

## Chapter Three: Theoretical framework

Typically, studies on sexual offending against children have focused on understanding what may have caused the offending behaviour from the perspective of individual pathologies and formative life experiences of perpetrators (for example see McKay et al, 1996; Hilarski and Christensen, 2006; Whitaker et al, 2008). Others, however, believe that behaviour is a combination of personality and situational factors with neither being fully capable of explaining the phenomenon alone (Mischel, 1968; Van Koppen et al, 2010). A middle ground theory incorporating the individualistic and situational influences is being suggested as a move forward in this field (Fleeson and Nofle, 2009). This section outlines the different approaches and theories to understanding crime from both a dispositional and situational perspective. Social psychology theories are also addressed as ways to better understand the impact of group involvement on an individual. The section concludes with an overview of the theoretical standpoint of this thesis.

This thesis is driven by the perceived needs of law enforcement practitioners and explores the criminal process from an investigation standpoint. The focus is on the challenges that arise from the group-based element in ICST cases; the dynamics of the crime as opposed to the dynamics of the criminal. To address the research questions posed, this thesis is not based on a single theoretical framework but, instead, based on a collection of interrelated theories, taken predominantly from environmental criminology and social psychology. The use of theoretical approaches from different disciplines allows for a more holistic approach to answering the research question. Proximal, as opposed to distal, causes of crime are the focus of this thesis.

This section is divided into three sub-sections: theoretical approaches to understanding crime; a social psychological understanding of criminal groups; and an overview of the theoretical stance of this thesis. Each is discussed in turn below.

### *3.1 Theoretical approaches to understanding crime*

Traditional criminology attempts to explain crime through a dispositional understanding of offenders (Clarke, 1997, 2004). These dispositional explanations centre on an offender's

pathology, personality, ingrained criminality and/or the inability to comprehend consequences to actions (Nagin and Paternoster, 1993). Many of the factors assumed to play a role in the development of the offender's criminality (e.g. poverty or lack of parental affection) are distal in nature. Formative life experiences may, therefore, influence how an individual interacts with others and the world around them at all stages of life. Others have argued that criminal disposition may even be genetically predisposed (Barnes et al, 2011).

The majority of research into CSA has also been of a dispositional nature (Wortley and Smallbone, 2006). A dispositional approach forms the basis for many sex offender treatment programmes currently operating in the UK, seen by many as successful (Marshall et al, 2006; MoJ, 2010). If, however, the rate of recidivism is not actually reduced through treatment programmes, as suggested by Zgoba (2004), then a situational approach may produce more effective results in reducing future sex crimes (Zgoba and Simon, 2006). Highlighting fundamental psychological differences between CSA offenders and the rest of society may be comforting to some and helps to set them apart, creating 'us' and 'them'. Irrespective of the desire to 'other' CSA offenders and to view them as irrational and impulsive (Pithers, 1990; Simon and Zgoba, 2006), Herman (1988) found no evidence that sex offenders were psychologically different from the wider population, a notion reiterated more recently in relation to Internet child sex offenders (Wortley and Smallbone, 2012).

In addition to the offenders not being fundamentally different from other types of offender, research has shown that many CSA offenders are versatile in the breadth of their offending (Wortley and Smallbone, 2006). This versatility is in contrast to the notion that all CSA offenders are 'dedicated, serial offenders driven by irresistible sexual urges' (Wortley and Smallbone, 2006; p. 11) and that sexual offenders are driven by an extreme loathing of the victim group (e.g. females) or are trying to restore their masculinity (Bachman et al, 1992). Knowing that many CSA offenders are criminally versatile does not support a law enforcement approach of responding to reports of CSA by focusing investigative efforts solely upon known child sex offenders in the area (Zgoba and Simon, 2006). Instead, the police should look at a much wider pool of suspects as the offender may have a criminal history but not have been convicted previously for a sexual offence.

Despite the influence a person's disposition may have on their motivation to offend, individual pathology may be difficult to understand, interpret, influence or change. In addition, correlations between character traits and types of offending do not necessarily imply causation. For example, it may be the case that there is a positive correlation between individuals who failed to form appropriate bonds with adults through their own childhood maltreatment and those who subsequently commit a sexual offence against a child. This correlation, however, does not mean there is a causal link or that all (or most) individuals who suffer this kind of abuse will grow up to offend in this way (Gilling, 1994).

Additional problems can also arise when considering crime from the disposition of offenders. Two of these problems are particularly relevant to this thesis as they relate to challenges posed to investigators.

First, dispositional approaches to crime often cannot be applied to a large number of offenders as the response required is specific to the individual. Understanding an individual's disposition may lead to effective sex offender treatment but this requires a tailored approach specific to the individual's needs. It is less likely that the same successes would be seen if using a dispositional approach to create wide-ranging interventions which aim to target multiple people simultaneously (see for example Smith, 1995).

Second, for investigators it can be more useful to understand the crime than the criminal as formative life experiences and motivations may not be immediately obvious from offender patterns. This individualism makes it very difficult for investigators to create targeted responses, especially as they may not know who the offender is early on in the case. The police are also not in a position to actively change or influence an offender's disposition whereas they are better placed to deal with offences that have occurred, or work to prevent future offences from occurring.

A crime cannot occur without an offender, a victim or target and the lack of formal or informal mechanisms to prevent an offence occurring (Cohen and Felson, 1979). For law enforcement officers seeking to prevent further crimes being committed it may be useful to look at all three areas rather than just the offender. Focusing on other aspects, such as what made the

environment attractive to commit a crime, may help produce more efficient and cost effective intervention strategies. For example, a child sex offender cannot commit a crime against a child if they are prevented from accessing children, irrespective of the strength of their motivation (Wortley and Smallbone, 2012). A situational approach may be a better way to understand and tackle crime from a practical law enforcement perspective.

### **3.1.1 Situational approaches to crime**

Situational approaches focus on the specific environment in which there was opportunity for the crime to be committed (Clarke, 1997). Situational approaches, used predominantly to tackle volume crime, are now thought to be applicable to all crime types (Clarke, 1997), demonstrated through the successful application to complex crime such as terrorism (Freilich and Newman, 2009) and organised and transnational crime (Bouloukos et al, 2003; Bullock et al, 2010). Opportunity factors as an explanation of crime are gradually becoming more accepted in the field of OCG research where social ties are seen as playing a pivotal role in the crime commission process (Kleemans and de Poot, 2008; Van Koppen et al, 2010).

A situational approach to understanding CSOGs forms the conceptual framework for this thesis. The reasons for this are twofold: investigators need to understand how to identify and tackle crime events irrespective of who committed them and the group-based nature of this research is fundamentally concerned with how the social situation affects the offending.

Sitting within the broad remit of situational understanding of crime are three crucial approaches: routine activity approach, rational choice perspective and crime precipitators. Each is discussed in turn below. Two other situational approaches, situational crime prevention and crime pattern theory are not addressed here.

#### **3.1.1.1 Routine Activity Approach**

The premise of routine activity approach is that in order for a crime to occur there needs to be opportunity. This opportunity can only arise when there is a likely offender and a suitable victim that converge in space and time. The convergence of these three fundamental requirements of crime - offender, victim and location - are shown graphically in Figure 3.1 as the crime triangle developed by Cohen and Felson (1979). In order for each element to be considered criminogenic there needs to be lack of control mechanisms or lack of suitable



guardian that could prevent the crime from occurring. For example, if there is a parent or teacher looking after a child then a capable guardian is present to protect the child from becoming a suitable victim. Similarly, CCTV or a patrolling police officer may be considered a control mechanism and make the location unsuitable for a crime to take place.



*Figure 3.1: Crime triangle*<sup>33</sup>

Routine activity has been used as the basis for research into sexual victimisation (Schwartz and Pitts, 1995; Mustaine and Tewksbury, 1998, 2002a; Tewksbury and Mustaine, 2001, 2003; Arnold et al, 2005) to understand more about how the crime occurred and what factors increased the risk of victimisation. Understanding that certain areas are hotspots for victim recruitment, for example, can assist law enforcement in knowing where to concentrate resources when investigating current crimes and preventing future offending. The need for a motivated offender has also formed the basis for research (Mustaine and Tewksbury, 2000; Schwartz et al, 2001; Walker et al, 2001). An assumption of the routine activity approach is that offenders will have their own motivations and inclination to offend (Felson, 1992) during the course of their normal routine activities. Guardianship, however, has received comparatively little attention (Tewksbury et al, 2008).

The routine activity approach has been used as the basis for some sex offender research (for example see Beauregard et al, 2007; Tewksbury et al, 2008; Deslauriers-Varin and Beauregard, 2010) and so may be useful for understanding more about ICST offending. Motivated offenders identify target-rich environments such as shopping centres where lots of potential victims congregate. There is often a lack of guardianship in these locations as the victims are spending

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<sup>33</sup> Taken from: <http://www.popcenter.org/about/?p=triangle>

time with friends away from family members or other adults who may otherwise be concerned about their welfare. Without suitable control mechanisms in place the victims are available to be approached by offenders and the early stages of offending can begin. Nagin and Paternoster (1993) extend the understanding of what makes a suitable victim by adding that a crime is more likely to occur when the victim is an accessible, vulnerable and attractive target. All three components are thought to be present when considering ICST victims.

The simplicity of the crime triangle has made it a popular model among law enforcement personnel. It can act as a reminder to consider all aspects rather than focusing predominantly on one area during an investigation. The familiarity of the crime triangle to police makes it appealing for use in this thesis. In this instance, however, it will need to be applied to an offending group and multiple victims and instances of abuse rather than a single offence committed by a single offender against a single victim. Using routine activity approach, these groups would be seen as forming based on the group members routine activity.

### ***3.1.1.2 Rational Choice Perspective***

Rational choice perspective is a form of social exchange theory (Emerson, 1976). Rational choice perspective argues that humans are essentially rational and will endeavour to gain the maximum benefit for the minimum effort (Cornish and Clarke, 1987; Clarke and Felson, 1993). In crime research, rational choice acts as a framework for understanding and investigating offender decision-making (Beauregard and Leclerc, 2007).

A key assumption in the rational choice perspective is that the offender purposefully commits a criminal act and that the immediate surroundings offer relevant information about potential risks and rewards (Wortley and Smallbone, 2006). Rewards may be in the form of money, increased status or, in the case of ICST, sexual gratification. The risks are related to the difficulty in committing the crime, the chance of getting caught and any sense of guilt or shame that may be experienced by the offender afterwards. According to this theory, the offender will consider the different costs and benefits of committing the crime along with any alternative methods available for achieving the desired outcome before offending (Beauregard and Leclerc, 2007).

Offenders are also likely to be affected by factors such as time and capability constraints and unconscious decision-making. This form of rational choice is known as bounded rationality (Newman, 1997). Perceived costs to be borne in the future have less of an impact than the more immediate rewards available, making the decision-making process less objective (Carroll, 1978; Piliavin et al, 1986, Gottfriedson and Hirschi, 1990). Prolific offenders may learn from previous offending experiences and modify their strategies in future to increase the reward or reduce the risk (Cornish, 1994). Similarly, if a set of actions has achieved the desired outcome previously then the offender may choose to follow the same course.

Applying rational choice to child sex abuse research, Proulx et al (1995) explored the offending process undertaken by the perpetrator. They found that the offender needed to make a series of choices some of which were directly related to situational factors, for example the type of area to 'hunt' for a victim and impacted upon the decisions that were made. Making a change to environments that made them less desirable for 'hunting' victims may make the risk of committing the crime too high for some offenders and reduce the overall number of criminal events. Other decisions are context specific, such as the time of the attack or victim type. Law enforcement officers should, therefore, not assume a consistent modus operandi for each offender. In regards to group-based offending, such as ICST, each offender may operate differently depending on which other offenders are present or if offending alone.

### **3.1.1.3 Crime Precipitators**

Crime precipitators explain how the immediate environment may lend itself to the commission of crime through one of four ways (Wortley, 2001, 1998, 1997):

- Prompts - a trigger or signal may prompt criminal activity along with imitation of actions or perceived or real expectancies placed on the offender by themselves or others.
- Pressures – the need to conform, comply or obey are strong psychological processes that can lead to criminality.
- Permissions – the offender or another individual may minimise the responsibility of the offender, the consequences of the actions and the injury caused to the victim to justify the commission of the crime. These processes are often referred to as neutralisation.

- Provocations – the offender may feel provoked into committing a criminal offence through frustration, environmental irritants or a sense of territoriality.

Each of these crime precipitators depends upon psychological processes that affect the decision-making ability of the potential offender. Those processes considered particularly relevant to child sex offending are discussed in more detail in section 2.4.2.

The use of situational approaches to CSA research has been demonstrated for more than a decade by Wortley and Smallbone<sup>34</sup>. Their early formulations led others to recognise the benefit of this approach (see for example Taylor and Quayle, 2006) and was the guiding principle behind the precursor research to this thesis (Brayley et al, 2011). Where this thesis differs from previous situational approaches to CSA, however, is its focus on group offending. The majority of CSA research, dispositional and situational, has typically considered CSA as a single entity (Smallbone and Wortley, 2000; Leclerc et al, 2013), split into familial and non-familial offending. Some studies have focused on particular sub-types such as internet offenders (Taylor and Quayle, 2006; Wortley and Smallbone, 2012), juvenile offenders (Barbaree and Marshall, 2008) and female offenders (Grayston and De Luca, 1999) but few, if any, have addressed CSOGs.

By changing the proximal environment, conditions can be made unfavourable to crime; the focus is on creating safe environments rather than safe people (Wortley and Smallbone, 2006). Situational approaches to crime reduction work best when dealing with a specific crime type to allow for a nuanced response. Context-specific problem solving can then be employed at the micro-level to produce bespoke and targeted responses to the crime type in question (Felson, 1997; Wortley and Smallbone, 2006). This research looks at a sub-set of CSA, crimes committed by CSOGs with a focus on understanding and developing investigative techniques to tackle the specific type of ICST offenders.

### **3.1.2 Criticisms of situational approaches**

There have been a number of criticisms of situational approaches to tackling crime, including concerns relating to the impact on civil liberties and the intrusiveness of interventions (Weiss,

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<sup>34</sup> See for example Smallbone and Wortley, 2000; Wortley and Smallbone, 2006, 2012.

1987; Garland, 1996). Three concerns, namely crime displacement, victim blaming, and a too-narrow a focus on physical environment, are discussed in turn below.

First, instead of reducing crime, situational initiatives have been accused of merely shifting it to new places, times or targets. This argument, assuming ubiquitous opportunities and highly-motivated offenders, has not been empirically supported (Allat, 1984; Hesseling, 1994; Weisburd et al, 2004). In further rejection of the displacement argument, some interventions have produced a 'diffusion of benefits' to other nearby areas where despite no direct intervention they too have seen a reduction in crime (Barr and Pease, 1990; Guerette and Bowers, 2009).

Second, allegations have been made that situational approaches to tackling crime can result in offenders being alleviated of guilt and victims made to feel culpable (for example see Bright, 1992). For sex crimes the criticism could be levelled at those who focus upon a victim's behaviour (e.g. alcohol consumption, walking alone at night) or choice of clothing (e.g. short skirt) prior to the assault. Similarly, the routine activity approach discusses an individual's exposure to offenders as impacting upon their likelihood of becoming a victim (Fattah, 1993). This again could be seen as blaming the victims for putting themselves in harm's way. Situational approaches, however, do not intend to shift the blame away from offenders and onto victims, but to simply understand the conditions that allow for the crime to be committed (Zimbardo, 2007).

Finally, in order to provide distance from dispositional theories of crime, situational approaches have tended to focus primarily on the physical environment (Ekblom and Tilley, 2000). This focus has led to criticism that situational approaches are too narrow and fail to adequately acknowledge or address social situational factors (Andreson and Felson, 2010). Situational approaches have traditionally steered away from the more social aspect of the crime but there is growing recognition of the benefits of exploring the social dimension to the framework. This has led to greater discussion around the 'who' as well as the 'what', 'how' and 'when' of crime (Andreson and Felson, 2010). Even so, there appears to be a significant knowledge gap around the application of situational approaches to understanding group-based offending.

Despite some of the differences between dispositional and situational approaches, such as practical application and research focus (Gilling, 1994), it serves neither side to treat the other as unimportant or irrelevant. Wortley and Smallbone (2006) state that the likelihood of criminal activity occurring is based on both individual disposition and the viability of the situation; criminal activity is an outcome of the interaction between an individual's characteristics and specific situational factors. They also highlight that a person's disposition has the ability to change over time or when the individual is in specific circumstances.

### **3.1.3 Combining situational and dispositional approaches**

Control theory, developed by Gottfredson and Hirischi (1990), states that an absence of restraint or self-control is a universal factor that leads to criminal activity. Offenders may also exhibit low self-control in other areas of their lives and lack the ability to maintain employment or form lasting relationships. The presence of a capable guardian in Cohen and Felson's (1979) crime triangle relates to the need for an external restraint. Control theory makes no distinction between offenders who commit different types of crime. Relating to both decision making and self-control, Cornish and Clarke (2003) developed an offender typology consisting of three categories; anti-social predator, mundane, and provoked offenders. Wortley and Smallbone (2006) applied these categories to the child sex offending context and used data from previous research (Wortley and Smallbone, 2000) to provide a breakdown of the number of offenders which fit into each category. These three categories are similar to those identified in domestic minor sex trafficking in the USA. This crime type, similar to ICST but with a more commercial element, has buyers of child sexual services split into three groups: preferential, situational and opportunistic. An explanation of the three categories is given below in Table 3.1.

Table 3.1: Types of criminal as described in general and CSA terms

Type	General description (Cornish and Clarke, 2003)	DMST <sup>35</sup> description (Smith and Vardaman, 2011)	CSA description (Wortley and Smallbone, 2006)
Anti-social predator	This is the default category encompassing those individuals who have an ingrained criminal disposition. These offenders tend to weigh the potential costs and benefits before offending. They are chronic and persistent in their offending and gain skills, knowledge and experience to better commit their crimes. This type of offender may benefit even further by belonging to a group where members can share experiences and skills, bringing up the overall knowledge of all members.	Preferential buyers of child sexual services are often paedophiles who specifically seek out young victims.	Within CSA, this category of offender could also be described as a predatory child molester who offends with high frequency. It was estimated that 23% of offenders in their sample fitted this profile.
Mundane offender	This category of offender comprises individuals who are ambiguous in criminal commitment who only commit crime when the opportunity presents itself. These offenders are subject to the same motivations as predatory offenders but hold stronger moral obligations or greater self control.	Opportunistic buyers purchase sex without consideration for age or willingness.	In the context of CSA, the name 'opportunist' was deemed more appropriate. These offenders are criminally versatile but offend infrequently. It was estimated that 41% of offenders in their sample fitted this profile.
Provoked offender	These offenders are induced to commit a crime through external factors or triggers and display a temporary loss of self control in another otherwise law abiding individual. The offences committed by this type of offender are often described as crimes of passion.	These offenders engage in child sexual offending due to ease of availability rather than sexual preference.	These offenders can be seen as situational offenders. They tend to late onset offenders who abuse only one victim but often over a long period. It was estimated that 36% of offenders in their sample fitted this profile.

<sup>35</sup> DMST stands for domestic minor sex trafficking

Early studies into ICST appear to show: strong pre-existing social bonds between offenders; a lack of impulsiveness to commit crime demonstrated through late onset of offending<sup>36</sup>; that many offenders are employed; and that some are married with children (Brayley et al, 2011; Cockbain et al, 2011). Prolific ICST offenders may be categorised as anti-social predators whereas others offend only when the opportunity arises (e.g. when at a party where abuse is taking place). The approach taken by law enforcement to tackle each type of offender will be different and so it is important to understand which categories ICST offenders fall into.

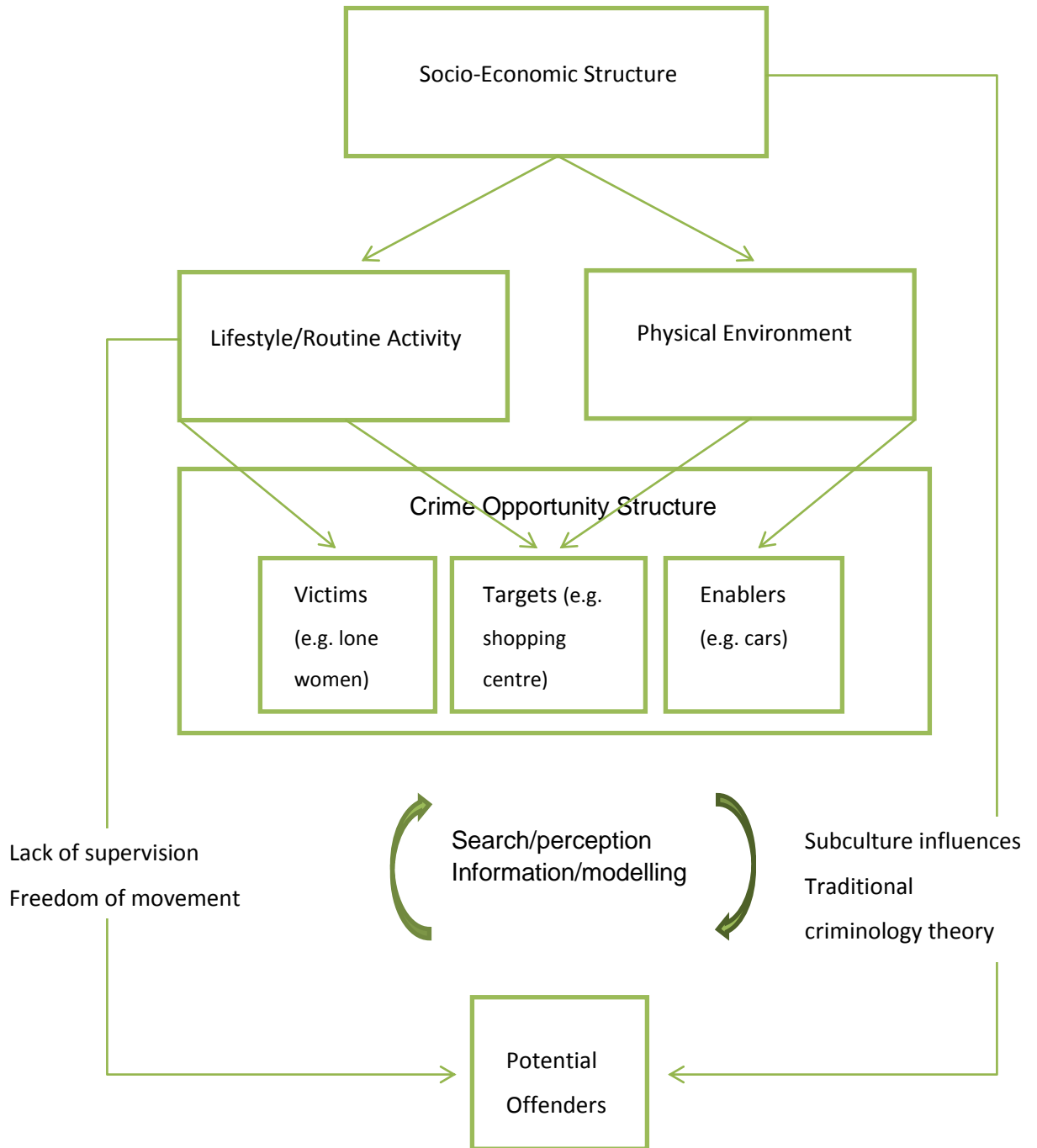
Clarke (1995) attempted to combine the dispositional and the situational understanding of crime in his criminal opportunity structure diagram, as shown in Figure 3.2.

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<sup>36</sup> Brayley et al (2011) found the average age of first ICST-related conviction was 29 years



Figure 3.2: Criminal opportunity structure (Clarke, 1995)



This model highlights the ‘interplay between...opportunities and offender factors’ (Kaufman, 2006, p. 112) and brings together the different situational theories to explain how crime can occur. The offender factors in this model link into the rational choice perspective and the

cost/benefit decisions offender make. This model may be useful for law enforcement as it clearly shows that crime is not purely about offenders but also about locations, victims and enabling factors. This wider remit may encourage investigators to consider different avenues when reacting to a crime and help them develop a proactive response for the future using situational awareness. Although this thesis does not focus on all areas covered by the model, and is primarily concerned with investigation rather than prevention, this model offers a way to view the many situational theories, combined with an appreciation of dispositional factors, and to understand their interlinking nature.

### ***3.2 A social psychological understanding to criminal groups***

Social psychology is primarily concerned with the study of how other people can influence the reactions and behaviours of an individual (Allport, 1985). This thesis is concerned with group-based offending behaviour and, as such, draws upon theoretical understanding of how the group can influence a person's actions. By understanding group dynamics and the role played by social situations, it may be possible to develop law enforcement initiatives that are more targeted and specific to individuals within a group.

#### **3.2.1 Co-offending and criminal groups**

There is no universally accepted definition of what constitutes a group within the crime context (Reiss, 1988). One definition includes all individuals who offend together, where offending can include planning as well as committing the offence. These individuals are known as co-offenders. Co-offending, however, is not used to describe a predetermined set of behaviours. Instead it has been referred to as a 'rather fluid, varying and dynamic phenomenon' (Weerman, 2003, p.401) and most co-offending groups are temporary in nature (Brantingham and Brantingham, 2008). Co-offenders who make up the offending group can also be part of a wider network of associates, playing varying roles and having varying involvement in the commission of crime (Warr, 2002). Williams (1998) characterised a 'network' as loosely connected individuals or groups, often lacking any formal organisational structure. Warr (2002) determined that an offending group is relatively small, typically consisting of up to four individuals although it was not a necessary condition that all members offended together. The definitions used in this thesis are outlined in Table 3.2.

Table 3.2: Definitions of key terms used (Brayley and Cockbain, 2012a)

Term	Definition
Co-offending	Co-offending is the collaboration of two or more offenders to plan, prepare for, or commit an offence. The opposite of co-offending is solo-offending: when an offence is committed by a lone perpetrator.
Offending group (hereafter group)	A set of two or more offenders who actively engage with one another in committing an offence(s). Any offending group necessarily involves co-offending but not all members of the group need to co-offend with all other members of the group.
Offender network (hereafter network)	A collection of connected offenders. Linked pairs share a mutual knowledge of each other's sexual interest in children. An offender network may comprise multiple distinct and overlapping offending groups.

In order to understand the distinction between the different terms it may be helpful to consider Figure 3.3 which illustrates the distinction between the different terms.

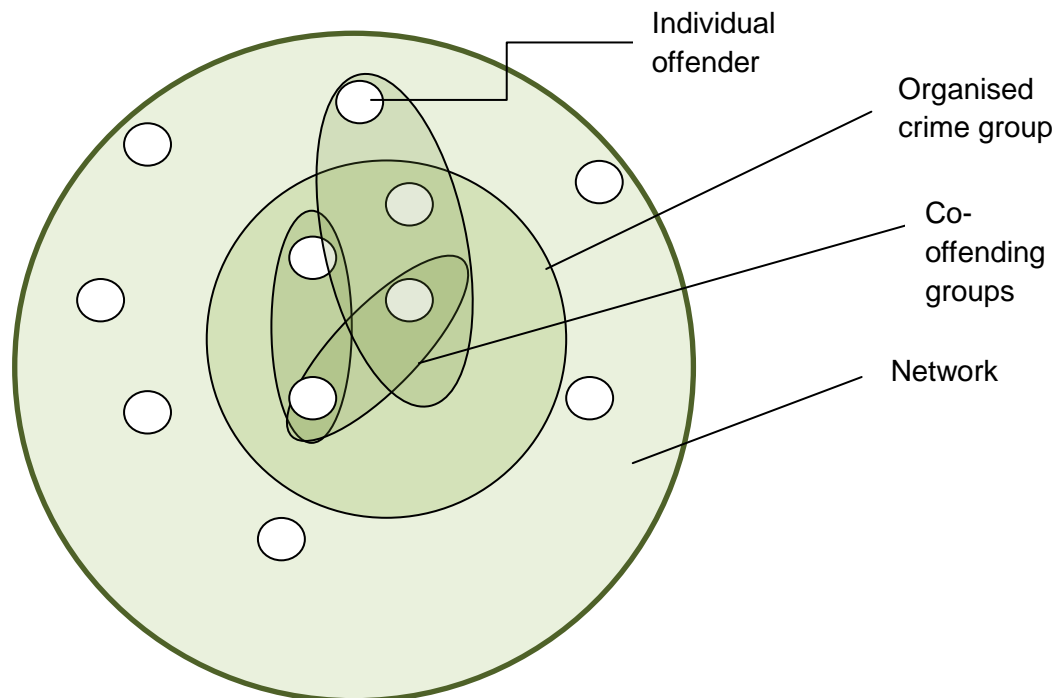


Figure 3.3: Networks, organised crime group and co-offenders (Brayley and Cockbain, 2012a)

In regards to OCGs, criticisms are levelled at both of the overly broad and overly narrow definitions offered (see for example: Baker, 2003; Finckenauer, 2005; Harfield, 2008; Clark, 2009). Levi (2008, p780) commented that ‘‘organised crime’ as defined by the EU or UN can mean anything from major Italian syndicates...to three very menacing looking burglars with a window cleaning business’. The wide variety of definitions available can make determining group organisation a difficult task. It is now starting to be acknowledge that an OCG needs to be neither hierarchical nor highly organised (McGuire, 2012), although it should have been deliberately formed for the commission of a crime (UN, 2000).

OCG definitions largely include two or three adult offenders who commit serious crime over a period of time and many authors also include the need for violence, corruption or fear (Interpol, 1988; Fijnaut et al. 1998) and profit-generation (Naylor, 1997). In the context of sexual offences against a child, organised abuse has been defined as two or more adults acting together to sexually abuse more than one child victim (Salter and Richters, 2012). This definition, however, encompasses a wide range of group offending including familial, commercially motivated and institutional offending groups.

For the purpose of this thesis an OCG definition was formulated utilising UK government policy, international conventions (UN, 2000; Council of Europe, 2002), and academic understanding (see for example Tilley and Hopkins, 2008) as:

A set of two or more adults who collaborate for substantial profit in a pattern of offending for which an offender could expect to be imprisoned for three or more years on their first conviction.

The term ‘profit’ is not limited to financial gain but can be taken in a broader sense to include the gaining of information, status or sexual gratification (McGuire, 2012). For CSOGs, profit may primarily be in the form of access to a child or IIOC material rather than financial gain (Home Office, 2011). Deciding whether the profits seen, or expected, can be considered substantial, as well as whether the actions seen amount to a pattern of offending, is subjective and should be viewed on a case-by-case basis.

All criminal events have a social element which is more obvious and pronounced when committed by an offending group. Failing to acknowledge the role that social influence may have on the crime commission process could lead to ineffective disruption strategies. Belonging to a criminal group can give individuals a number of physical and psychological benefits (e.g. increased profit and a sense of belonging). Groups can also facilitate the sharing of criminal information such as successful modus operandi or victim-rich locations. There can be a criminogenic result from belonging to a group; lowered personal culpability (Zimbardo, 2007), condoning of one another's behaviour (Warr, 1993) and the social pressures to join in (Wortley, 2001) can lead to more offending. Research into criminal groups is, therefore, of high importance although it can prove challenging due to difficulties in accessing accurate information on the inner workings of a criminal enterprise.

### **3.2.2 Specific social psychological concepts for this thesis**

There are numerous social psychological processes relevant to the study of criminal groups. Five of these are presented below, namely: deindividuation; diffusion of responsibility; conformity; imitation; and neutralisation. These five psychological processes were selected due to their relevance in understanding how members of a criminal group interact with one another and their applicability to this thesis. Each process also relates directly to situational approaches to crime, in particular crime precipitators as discussed in section 2.4.1 above. Each of the psychological processes discussed explains one aspect of how an individual can be negatively impacted upon through association with other offenders. The ability for otherwise law-abiding people to commit abhorrent actions through the influencing effect of social interactions has been labelled by Zimbardo (2007) as the 'Lucifer effect'. This effect may explain how some individuals become involved in child sex offending when committing offences in a social situation.

#### **3.2.2.1 Deindividuation**

Deindividuation is a loss of personal identity and self-awareness when operating within a group leading to anti-normative behaviour (Festinger et al, 1952; Diener et al, 1980). The concept of deindividuation was developed by Zimbardo (1970) and reiterated by Le Bon's (1985) research into crowd behaviour. Deindividuation has since been used to explain antisocial behaviour online (Lea and Spears, 1991; Kiesler and Sproull, 1992). Deindividuation is believed to lead to increased severity in offending. The effect is magnified with perceived anonymity and the level

of arousal (Zimbardo, 1970). Deindividuation may help to explain why when a perpetrator is offending within a group environment their actions may become more extreme than if they were offending alone. Early research into ICST (see Brayley et al, 2011) indicates that many offenders use nicknames when the victims are present to create a sense of anonymity. This, in conjunction with the presence of other offenders, may cause a perpetrator to act in a more aggressive or derogatory way towards the victim if others in the group are doing so.

### **3.2.2.2 Diffusion of responsibility**

Diffusion of responsibility is the reduction in personal responsibility for action (or inaction) when others are present. A potential outcome from deindividuation, the diffusion of responsibility effect can be seen in both legal and illegal contexts. For example, a bystander's willingness to assist (Darley and Latane, 1968) and consequence awareness of criminal behaviour (Mathes and Kahn, 1975; Zimbardo, 1971) both decrease in the presence of others. Diffusion of responsibility increases with individual anonymity and with the size of the group (Leary and Forsyth, 1987). Three witnesses (two friends of a victim and one mother of another victim) in an early ICST case<sup>37</sup> were questioned by prosecutors as to why they failed to act to prevent abuse if they were present when it was occurring. The responses were that the witness did not feel it was their place to get involved or that if the victim really needed help they would have asked directly. This concept may help explain the actions of the witnesses seen in this case and others like it. Diffusion of responsibility also applies to offenders who may feel less personally culpable for the offences being committed as part of a group as the responsibility is shared with others.

### **3.2.2.3 Conformity**

Conformity is the matching of one's actions and beliefs to implicit societal or group norms (Cialdini and Goldstein, 2004). The pressure to conform can be direct or through subtle influences and has been demonstrated through a number of conformity experiments (for example see Sherif, 1935; Asch, 1951; Zimbardo, 1970). The desire to conform differs between cultures: individuals from collective cultures are more likely to conform to societal norms than those from individualist cultures (Milgram, 1961). Social control occurs when conformity prevents an individual from engaging in antisocial behaviour (Hirschi, 1969). As a person's

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<sup>37</sup> From trial two in Case 1A

behaviour is shaped by the situation in which they are in (Mischel, 1968), an individual could feel the need to conform to criminal expectations within the offending group.

Many ICST offenders to date have come from similar backgrounds to one another and the groups have been largely homogenous in terms of ethnicity, culture and current lifestyle (Brayley et al, 2011). This homogeneity may have a strong influence on the actions and behaviours of the offenders. Due to the pre-existing social ties between many ICST offenders (Cockbain et al, 2011), this concept may explain why individuals started offending when in the presence of other ICST offenders. Conformity may also explain why some offenders on the periphery of the group commit fewer offences compared to their more group-ingrained counterparts.

#### **3.2.2.4 Imitation**

Imitation is the observation and replication of behaviours demonstrated by others (Bandura, 1979). Although similar to conformity, imitation is a conscious and willing process. Imitation is often discussed in child development literature as a way in which children learn how to behave by mimicking others (for example see Carlson, 2005). The same imitation, however, can occur in criminal groups. Bingenheimer et al (2005) showed that new gang members were more likely to commit gun crime when exposed to it by other group members. There has been anecdotal evidence by NGO and project workers<sup>38</sup> that ICST offenders are involving younger siblings in the recruitment and grooming of new victims. These younger siblings are then being exposed to the offending and the behaviour is thereby normalised. Research into two early ICST cases (Brayley et al, 2011) showed that both cases involved a set of brothers and in one case there was an uncle and nephew among the offending group. Imitation may help explain why previously non-offending group members mimic the behaviour of others and become offenders themselves.

#### **3.2.2.5 Neutralisation**

Neutralisation is the temporary suspension of social control influences. Festinger's (1957) work on cognitive dissonance has similarities with the five forms of neutralisation developed by Sykes and Matza (1957). The five forms are: denial of responsibility; denial of injury; denial of the victim; condemnation of the condemners; and appeal to higher loyalties. Both

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<sup>38</sup> From practitioner conferences where NGOs and project workers have presented some of their own case studies.

neutralisation and cognitive dissonance concepts have been fundamental to understanding behaviours of CSA and sex offenders more generally. In relation to ICST cases some offenders during their police interviews have commented that the victims were promiscuous teenagers and were willingly engaging in sexual behaviour. This process of neutralisation may help explain why some offenders admit to having committed the offences but claim that they had done nothing wrong.

By understanding some of the psychological influences at play on group members, it may be possible for law enforcement to develop effective investigation and disruption tactics. This could be done by attempting, for example, to counter the breakdown in social control influences within the process of neutralisation through education and awareness campaigns. Another example could involve investigators using imitation if one offender pleaded guilty in order to persuade others to do the same, reducing the time, effort and expense of a lengthy trial. These psychological processes can help to make sense of some of the group-based actions exhibited by perpetrators during ICST offending and support law enforcement practitioners during the investigation and prosecution.

### *3.3 Theoretical standpoint for this thesis*

The important role that social context plays is recognised in both social psychology, which focuses on social influences on an individual's behaviour, and the social situation conducive to criminal activity. Social, in this context, refers to social situational factors such as the presence of other offenders, rather than the distal social causes of crime (e.g. poverty). The focus in this thesis on the social situation provides a balance to other CSA situational research which has focused more on the physical situation that leads to offending.

The combination of social and situational theories in relation to crime events has been selected here due to their potential to support in a practical way law enforcement investigations. Whereas the dispositional research may indicate that each offender is different in his or her psychopathology and formative life experiences, social situational theories look at how the group environment in which the crime occurred was conducive to the crime event. These social situational theories can offer guidance to police during their investigation. For example, rather than seeing all offenders as highly motivated and criminally disposed, some ICST offenders may



only offend to feel part of the group or due to peer pressure. Others may have offended when in a social setting, such as a party, where they justified their actions as others were behaving in the same way. Offenders may have rationalised their actions through thinking that there were no 'real' victims as the abused were all promiscuous.

The forensic work conducted in this thesis can also be viewed within a situational framework. Whether DNA can be recovered from laundered clothing previously stained with offender spermatozoa has not been tested in the context of ICST cases. If it is found that DNA profiles admissible in court can be generated then law enforcement have an additional tool for use during the investigation and prosecution stage. The potential to gather additional evidence may act as a deterrent to some offenders who may not have been aware of this capability. The change in perceptions by offenders fits within a situational approach.

Applying these social situational theories to ICST cases, and CSOGs more generally, offers police a different perspective from the dispositional research into understanding these types of criminal groups. This alternative viewpoint may support law enforcement when deciding on a course of action. Instead of the police looking for suspects on a list of known predatory paedophiles, for example, they may chose to focus on what environmental factors were in place that allowed for the recruitment of new victims. Identified environmental factors could then be altered to make victim recruitment more challenging or more risky, deterring some opportunistic offenders. The police may also benefit from shifting their investigation starting point from known offenders with prior convictions (dispositional approach) to members of the community who have easy access to children, possibly through employment but may not have come to police attention before (situational factors).

Using key situational theories such as the routine activity approach and the crime triangle, the police are no longer confined to looking at the offenders alone. The focus could also be on victims and the social or situational factors that lead to their victimisation. For example, in early ICST research it has been shown that a child has an increased chance of becoming a victim themselves if they are friends with an existing victim (Cockbain et al, 2011). When a victim is identified, the police may be able to gather useful evidence or intelligence from their friends and possibly uncover more victims. The victims will also be affected by the same social

processes in play as the offenders and the police may be able to encourage disclosure of abuse through imitation or conformity. Overall, social situational approaches may be able to offer practical and wide-reaching suggestions for disrupting and investigating ICST cases that are not already in use.

Despite the innovative work of Wortley and Smallbone (2006) and others<sup>39</sup> in approaching CSA research from a situational perspective there are still knowledge gaps. These are most obvious around the phenomenon of group-based child sex offending. The dearth of research in this more nuanced area may be due to the perceived rarity of CSOGs, although this notion is starting to be challenged (CEOP, 2011; OCC, 2012). Equally, the prevailing focus on the physical environment within situational research may have resulted in group offending being overlooked. The difficulty in accessing detailed information about group-offending behaviour may have prevented researchers from tackling this area. This thesis focuses on the little-understood crime type of ICST from a social situational theoretical standpoint with the aim of supporting future law enforcement investigations.

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<sup>39</sup> See contributed chapters from a range of authors in Wortley and Smallbone, 2006.

## Chapter Four: Method

This chapter provides details of the data sources and methods used for analysis for the subsequent chapters in this thesis. The chapter begins with a detailed overview of the ways in which open-source and sensitive and restricted closed-source data were selected and handled. The qualitative methods of case study analysis used to analyse the data are outlined. The chapter concludes with a summary of the ICST case files that have been analysed in this thesis, broken down into categories based on offender group involvement.

### *4.1 Data Sources*

Operational details were a key requirement for this thesis so data on the specific operations, as well as crime groups more generally, were gathered from a number of open and closed sources as shown in Table 4.1. The main sources of information, however, were the police case files and SIO interviews. Case files are considered an effective way of gathering large quantities of relevant information about a specific case and are often seen as more ethical than interviewing victims and offenders about the incident directly (Horvath and Brown, 2006).

Table 4.1: Sources of data used in this thesis

Restrictions	Type	Examples used	Primary purpose
Open and semi-open <sup>40</sup>	Media	Online and print news Radio and television Magazines e.g. The Economist	General context and media/public response to the related court cases Slant of opinion and comment pieces to understand key issues
	Government, NGOs and private industry	Reports and reviews Official statistics Legislative debates Parliamentary hearings Press releases	Current policy and legal positions Stance of important NGOs Scoping of the problem, largely from a victim perspective
	Academia	Conferences Peer-reviewed journal articles Professional associations	Research basis of group-based offending, child sexual offending and law enforcement strategies National and international perspective
	Online communities and user-generated content	Social networking sites Video sharing sites Wiki's Blogs Twitter	Extreme views from groups such as the British National Party Public and commentator responses to a trial or report
Closed and restricted	Operation case files	Offender and victim record of video interviews (ROVIs) Police manual of guidance case files known as MG's Evidence collection files Victim statements	Case overviews Key details such as number of victims and offenders involved Evidence gathered and presented in court Prosecution strategy
	Interview material	Primary source interviews conducted with SIO's for the case Secondary source access to interviews with offenders <sup>41</sup>	Case overviews Key investigation and prosecution strategies Further context to group-based behaviours
	Other documentation	Restricted documents from SOCA, CEOP and UKHTC Police problem profiles Military documentation	Group-based behaviours Current law enforcement priorities and practices Terminology used by law enforcement

<sup>40</sup> These include items that require paid access but can be purchased without restrictions.

<sup>41</sup> From CEOP's offender interview archive. Not connected to the cases used in the case file analysis.

Selection of the most valid and appropriate data was important in preventing spurious findings and in avoiding perpetuating unfounded assumptions. The methods for selecting the different data sources are outlined within this section.

#### **4.1.1 ICST case study selection**

Due to the limited number of documented cases of ICST it was not possible to utilise a random sampling method. Theoretical sampling is often used for case study analysis (Glaser and Strauss, 1967) as this method does not rely on randomly selecting cases but instead choosing the cases that allow the researcher to explore certain areas of interest (Eisenhardt, 1989). This could include only selecting cases with a set number of offenders, or cases that were conducted in one geographical location, for example. For a case to be considered for inclusion as an ICST operation in this thesis the trial must have begun (and case files prepared) and preferably completed to avoid any issues with sub-judice data. Due to the sensitive nature of the topic and growing media and public interest, SIOs were understandably cautious about sharing their data externally.

Through contacts at the UKHTC, SIOs were approached and invited to take part in the research. It was important to include only cases that met the criteria set out in Table 2.2, and shown again here as Table 4.2.

Table 4.2: Criteria for inclusion in the proposed ICST definition (Brayley and Cockbain, 2013)

Category	Rule for Inclusion	Reason
Victim	Child, aged 17 years old or younger	To meet national and international definitions of a child
Offenders	Adult, aged 18 years or older	To exclude peer-on-peer offending
	Two or more offenders involved	To ensure consistency with the UK definition of organised crime
Transportation	Any mode of transport	To include all forms of movement.
Movement	No minimum distance required	To ensure victims are not arbitrarily excluded from the definition
	'Integral' to the abuse process	To emphasise that this is deliberate movement without which the abuse cannot occur. Defined as movement to an abuse location, to offenders awaiting sex, or to both.
Abuse pattern	At least one victim must be abused more than once	To distinguish ICST from other forms of child sexual abuse.

Initially two SIO's agreed to share case data (Case 1A and Case 1B). These operations were analysed as part of a precursor study to this thesis (Brayley and Cockbain, 2010). Upon the successful outcome of that research other SIOs were willing to take part. There is no minimum number of cases that are required for analysis, but between four and ten is considered ideal (Eisenhardt, 1989). This range is so that there are enough data to generate theories but not so much that the complexity and volume of the data become overwhelming. A total of five ICST operations (out of a possible eight) were included in this thesis, with selection based on the SIO's willingness to share the case files, the completeness of the case files and willingness of the SIO to be interviewed. Each criterion was considered important in order to get a complete picture of the case and to understand the difficulties faced when investigating these group-based crimes. Eight additional cases have been included in this thesis to provide further context and provide a point of comparison with other similar CSOGs.

#### 4.1.2 Additional documents selection

As outlined in chapter two, there is relatively little academic research that has been conducted in the UK that relates specifically to ICST. CSE, as a whole, exhibits a number of challenges to research. In particular, the hidden nature of the populations involved makes it difficult to

conduct robust, large-scale academic studies into victims and/or offenders. Little peer-reviewed academic literature exists focusing on police or other agency practice in tackling ICST, with only marginally more available on local authority interventions (for example see Pearce, 2006; Jago et al, 2011). Instead, the bulk of the limited available literature is victim focused and comes primarily from NGOs, many of which appear to be ideologically-driven and heavily politicised.

Although NGO research is frequently anecdotal and involves small outreach studies, it can give interesting insights and be used effectively to spark debate, highlighting the spread of an issue across the country. Unfortunately, the statistics generated, and subsequently generalised to a wider population, are rarely transparent. Coupled with a lack of discussion of the methods employed and the limitations to the research conducted, the overall credibility of the information that is available is reduced. Frequently, the primary finding of an NGO study is that its service must continue, preferably with greater funding. Independent academic research can therefore be seen as more robust due to its implied impartiality and evidence-based, action-oriented approach (HumanTrafficking.org, 2011).

With the need for accurate and transparent analysis in mind, three criteria were used to decide whether to include data as part of this thesis, namely, source, reliability and relevance. These criteria have been adapted from the National Intelligence Model (NIM) 5x5x5 system (ACPO, 2007). The NIM 5x5x5 model, so called because of the three sections each containing five options, is used to assess the quality of intelligence and allows for consistent reporting across law enforcement and partnership agencies. The 'handling code' category used in the NIM model was not considered applicable to the current study. Instead 'relevance to project' was used as the final category as a means of excluding irrelevant data. The original NIM model is shown in Table 4.3 and the adapted model is shown in Table 4.4. As with the NIM model, the data selection process in this thesis also used a five-point scale.

Table 4.3: National Intelligence Model 5x5x5 system (ACPO, 2007)

Area	Code	Meaning
Source Evaluation	A	Always reliable
	B	Mostly reliable
	C	Sometimes reliable
	D	Unreliable
	E	Untested source
Intelligence Evaluation	1	Known to be true without reservation
	2	Known personally to source but not to officer
	3	Not personally known to source but corroborated
	4	Cannot be judged
	5	Suspected to be false or malicious
Handling Code	1	May be disseminated to other law enforcement and prosecuting agencies, including law enforcement agencies within the EEA, and EU compatible (no special conditions)
	2	May be disseminated to UK non-prosecuting parties (authorisation and records needed)
	3	May be disseminated to non-EEA law enforcement agencies (special conditions apply)
	4	May be disseminated within the originating agency
	5	No further dissemination: refer to the originator. Special handling requirements imposed by the officer who authorised collection

Table 4.4: Replacement of 'Handling Code' with 'Relevance' when assessing data for use in this thesis

Area	Code	Meaning
Relevance to project	1	Highly relevant and specific to project aims
	2	Relevant to specific sections of the project
	3	Contains material relevant to the wider project
	4	Largely irrelevant but may help to put some other data in context
	5	Irrelevant



The 'source of data' refers to where the information originated rather than the publisher<sup>42</sup>. For example, the offender being interviewed is the source of data rather than the police ROVI. This is an important distinction and it can affect the classification given in the second category of 'reliability of data'. For the purpose of this thesis it is assumed that a police report will be accurate and published in good faith and so would be given a rating of A or B. In contrast, if the offender gave a statement that contradicted other evidence available it would be given a C or D rating.

Data were only used when they met the following criteria:

Source of Data must be level A, B or C

It can be difficult to know how reliable a source is when dealing with complex sexual crimes, particularly if the source was involved in the crime. This primary evidence is, however, a rich and important source of data and so cannot be excluded from analysis.

Reliability of data must be 1, 2 or 3

As the majority of data has come from police files or other restricted sources it has already been assessed as reliable. Some additional data may have been included in reports with caveats to its use or may have come from open sources where the reliability has not been tested.

Relevance to project must be 1, 2, 3 or 4

It can be difficult to know the relevance of a piece of data early on in the project and so it is important not to discount information that may later prove to be crucial. Any data that meet the previous two criteria can be included as long as it has some relevance to the project as a whole or a specific area of the research, or if it allows other information to be put into context. Only completely irrelevant data will be excluded from the research before analysis has been conducted.

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<sup>42</sup> 'Publish' in this context does not refer to any formal publication, rather the person or organisation who is presenting the information

### **4.1.3 Archived interview selection**

Interview footage with convicted group-based child sex offenders was made available through CEOP. Although these offenders were not part of an ICST group and the semi-structured interviews were not designed with group-based questions in mind, the interviews were informative and provided additional context to what is currently known about CSOGs more generally. Having a broader understanding of how CSOGs operate is beneficial in developing law enforcement strategies for dealing with group-based CSE offences in the future.

Due to the relative rarity of CSOGs, and the even rarer instances of those convicted offenders being willing to discuss their circumstances with researchers, only three offenders within the archive met the requirements for inclusion in this thesis. The criteria for the inclusion of an offender in this study were:

#### **1. Relevance to research questions.**

The offender must be:

- Adult
- Male
- Involved in at least one CSOG
- A serial and/or prolific offender (more than two offences)
- Involved in committing a contact offence against a child

#### **2. Volume of data.**

The offender must have been:

- Interviewed on more than one occasion
- Interviewed for at least 30 minutes per session
- Interviewed for a minimum total of three hours

#### **3. Consistency of data.**

The offender must be:

- Currently serving a prison sentence for a sexual offence against a child/children
- Convicted under UK law

The criteria were selected to ensure consistency across the interviewees and that a minimum amount of data was available for analysis.

The personal details of the three offenders included in the research have been anonymised and the offenders will be referred to as offender 1, 2 and 3 throughout the text. The details of each offender are shown in Table 4.5.

*Table 4.5: Interview archive offender details*

Offender	Age	Marital status	Sexual interest <sup>43</sup>	Current conviction	Abuse method	Group involvement
1	78	Single, never married or in a serious relationship	Non-familial children aged 8-16 years	Possession of indecent images of children (IIOC)	Contact offences and producing and sharing (offline) IIOC	Member of small contact offending and IIOC producing group and key member of an intellectual paedophile network
2	85	Divorced, several previous serious relationships. Step father to three children	Mixed children aged 8-16 years	Contact offences against step children	Contact offences	Operated as part of a sex party group who would pay <sup>44</sup> for the sexual services of a child or exchange sex for accommodation and/or food with vulnerable runaways
3	35	Divorced, several previous relationships. Step father to three children	Familial, children aged 8-16 years	Contact offences against step child	Contact offences and online IIOC	Key member of a large internet child sex offending group. Producer of images for other offenders to access

<sup>43</sup> Based on Smallbone and Wortley's (2000) definitions of purely intra familial, purely extra familial or mixed.

<sup>44</sup> Often to an intermediary who supplied to victim, otherwise a small sum to the child directly

The majority of data used in this research is classified as restricted and/or considered sensitive material. In order to maintain the security of these data precautions were put in place (see Table 4.6) and any reference to specific cases, victims or offenders have been anonymised throughout.

*Table 4.6: Handling of sensitive and restricted documents*

Issue	Actions Taken
Accessing sensitive and restricted documents	Contracts and information sharing agreements were in place with police forces and other agencies supplying confidential data sources. Ethical approval for the project was granted (including laboratory work using DNA), reference number 11/LO/0928. Security clearance (SC level) and criminal records bureau checks were completed before accessing restricted files. Some documents were not allowed to be removed from their original location and were not bought back to the UCL offices. These documents were accessed on location and were shredded on completion of the work.
Generating new sensitive data	Interviews were conducted with police and pre-recorded interviews with offenders were accessed. These new sets of data were stored securely with the other sensitive and restricted documents.
Storing documents securely	All documents were stored in accordance with the Data Protection Act 1998 and in line with UCL requirements (UCL Data Protection registration number: Z6364106/2011/04/13 Section 19). All hard copy files were stored in secured filing cabinets and electronic files were encrypted and password protected.
Using the data appropriately	Data used for analysis needed to be in full form but was anonymised during the write up phase. Approval was granted before any force was identified in presentations or other communication of results (this was often at the request of the police force who wished to be acknowledged for their contribution).
Disposing of documents after use	Many documents are required to be kept securely for a set period of time (see UCL data protection requirements for further information). Those who are to be destroyed are done so securely and in line with the requirements of the data providers.

## *4.2 Data collection*

A number of different types of data, both primary and secondary, were collected and analysed. The secondary data sources, making up the majority of the documents analysed, came predominantly from police case files. The primary data sources for this thesis came from two separate sources. First, interviews with SIOs were conducted to supplement the data in the

case files and provide details of why certain decisions were made for example. Second, laboratory experiments were conducted to better understand an aspect of the forensic evidence collection. All data collection methods are discussed in turn below.

Each chapter in the analysis section draws upon analytic techniques most appropriate for the specific questions being addressed. The methods used can be divided into two broad categories: a) those requiring human participation and b) those who rely solely on documents already created. The main method used across all analysis chapters was case analysis of operational files, which enabled key themes and patterns to be identified.

#### **4.2.1 Case files**

The CPS requires case files be prepared for court but each police force collates the core files and supporting documents differently. The result was a number of similar but non-identical sets of documents pertaining to each operation. The minimum data collected from each case file were: the suspect charge sheet; a manual of guidance (MG) 5 case summary; ROVIs for victims and offenders; victim statements and a list of exhibits used during the trial. Some case files also included detailed descriptions of investigation strategies, use of covert methods and support given to victims during the investigation process. After the data collection period ended in June 2012 a number of additional cases have come to court and, although these cases cannot be used here, they could be included in future analysis.

#### **4.2.2 Additional documents**

To supplement the case files, additional documents from a number of sources were collated. These documents included open and closed source material from government, law enforcement, NGO/third sector, private industry and military agencies. The documents were identified through a number of different methods including a keyword literature search using Google search functionality (including Google Scholar). Terms used included child sexual abuse and CSA, child sexual exploitation and CSE – alone and in conjunction with gang, group, multiple perpetrator or offender, ‘localised or ‘on-street grooming<sup>45</sup>, and internal or domestic trafficking. Unsurprisingly, these searches resulted in large numbers of documents, many of which could be quickly discounted. Any remaining documents were subjected to the inclusion

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<sup>45</sup> Terms coined by CEOP and the media respectively. Neither terms was fully defined but are thought to be closely related to the ICST definition used here.

criteria in Table 3.4 above. In addition to the literature search, documents were also collected through work with partner agencies, conferences and training events, mail-out lists (predominantly from the NWG and Barnardo's), meetings and through recommendations from trusted associates such as the Director of the NWG and a tactical advisor at the UKHTC.

#### **4.2.3 SIO Interviews**

Interviews were conducted with the SIOs involved in each ICST case in order to gain further insight into decisions that were made during the investigation process. Each SIO was interviewed once for between 60 and 120 minutes using a semi-structured interview schedule (as shown in Appendix A). All participants declined to allow audio recording of their interview, and so responses were recorded in note form during the interview. Agreement to participate was on the provision that no details would be recorded that identified the interviewee or operation. In case 1B a second officer connected to the case was also interviewed due to a change in leadership during the investigation. All interviews took place in a police building where the SIO was based to minimise disruption to the participant (Stake, 1995). An added benefit of using the participants' place of work was that details could be checked if needed, improving the accuracy of the information they provided.

#### **4.2.4 Laboratory work**

The purpose of the laboratory experiments was to examine one area of forensic evidence that had potential for greater use during the investigation and prosecution stages of ICST cases: the ability to develop a DNA profile from laundered semen-stained clothing. Dealing with laundered clothing worn by both victims and offenders had been highlighted by police officers as something relatively common in this type of case and that police were unsure how to proceed. A detailed account is given in Chapter Seven.

### ***4.3 Method of analysis***

This section outlines the methods used to analyse the data throughout this thesis.

#### **4.3.1 Case study analysis**

The data used in this thesis needed to be analysed in an adaptable and flexible way to support the development of meaningful conclusions from the small data set. Case study analysis is

typically applied to complex issues and is described as fulfilling the fundamental principles of qualitative research, namely describing, understanding and explaining (Tellis, 1997; Zainal, 2007). Case study research is frequently used in the academic fields of medicine, law and the social sciences and by practitioners such as those working within government agencies. Case study analysis is particularly common when researching societal and community-based problems (Grassel & Schirmer, 2006; Johnson, 2006). In these instances, quantitative methods can be seen as ineffective, particularly if they do not allow for a nuanced examination of a set of outcomes or if they require aggregation from data across numerous projects (Tellis, 1997). Case studies allow for a more in-depth examination of a phenomenon where detailed information is important and where there is little existing theory or prior research.

Yin (1984), a seminal author on the topic of case study research, defines the method as "...an empirical inquiry that investigates a contemporary phenomenon within its real-life context; when the boundaries between phenomenon and context are not clearly evident; and in which multiple sources of evidence are used "(p23). Case study analysis is used to describe the micro-level, as opposed to qualitative methods which use frequency of observations to address the more macro-level (Zainal, 2007). The lack of flexibility in experimental and quasi-experimental research can leave case study analysis as the most viable option, principally when trying to understand complex, real-world scenarios (Tellis, 1997; Zainal, 2007). As this method does not require a minimum number of cases it can be particularly useful when conducting research into areas where there is minimal data or that requires a holistic understanding of systems of action (Feagin, Orum and Sjoberg, 1990).

There have been numerous categorisations of the types of case study research that can be conducted, shown in Table 4.7.

Table 4.7: Different categorisation of case study methods

Key Reference	Category	Explanation
Yin, 1984	1. Exploratory	Allows for any phenomenon of interest to be studied
	2. Descriptive	Describes the natural phenomenon which are found in the data set
	3. Explanatory	Examines the data at different levels in order to provide an explanation for the activity seen
McDonough and McDonough, 1997	As above plus:	
	4. Interpretive	Supports or challenges conceptual categories
	5. Evaluative	Extends interpretive to include the researchers own value judgements.
Stake, 1995	A. Intrinsic	Allows for a detailed understanding a particular case
	B. Instrumental	Examines a set question using a single case study example
	C. Collective	Extends 'Instrumental' to include multiple cases

There is no definitive guide for conducting case study analysis. Instead many researchers have suggested ways in which a study could be organised and conducted. Soy (1997) developed a six-step process for conducting case study analysis based on the collation of many different study techniques. This process met most of the requirements for the current research and so was adapted accordingly. This adaptation took the form of expanding upon the original step two (case selection and data analysis) to create separate steps two (case selection) and three (data collection and analysis) as these were integral to the project and needed due thought and consideration. Actions not relevant to this type of project were removed. This adapted version is shown in Table 4.8.



Table 4.8: Process for conducting case study research (adapted from Soy, 1997)

Step	Action
1. Define the research question	<p>Establish a firm research focus and purpose for the study</p> <p>Determine the research objective (e.g. entity, person, group etc)</p> <p>Conduct a literature review to provide context and framing</p> <p>Form research questions about the situation or problem, often 'how' or 'why' questions</p>
2. Select cases	<p>Decide on a single or multiple case study</p> <p>Define criteria for selecting cases</p> <p>Develop boundaries for the case analysis</p> <p>Ensure selected cases are available and contain the minimum requirements in line with the needs of the research</p>
3. Determine data collection and analysis techniques	<p>Determine most appropriate data collection techniques. These can include surveys, interviews, document review and observation</p> <p>Determine most appropriate data analysis techniques. These can include both quantitative and qualitative methods most suited to the data type</p>
4. Prepare and collect the data	<p>Prepare any necessary storage facilities, electronic database, filing systems or other form of systematic data organisation. that can support large amounts of data</p> <p>Data must be collected and stored in a comprehensive manner in formats that can be referenced and sorted</p> <p>Data collection can occur at a number of sites and over a period of time. A schedule to manage this is recommended</p>
5. Evaluate and analyse the data	<p>Examine raw data using different interpretations and sorting in different ways to find linkages and patterns</p> <p>Remain open minded and willing to explore new insights</p> <p>Triangulate the data where possible</p> <p>Look for conflicting data to confirm or rebuke theories</p> <p>Cross-check facts and any discrepancies as they arise</p> <p>Use quantitative techniques and data (when available) to corroborate qualitative findings</p> <p>Consider using multiple investigators to gain different insights and perspectives. Convergence may increase confidence in results</p>
6. Prepare the report	<p>Data and findings should be reported in a way that allows for ease of understanding, despite the complexity of the issue being addressed</p> <p>Sufficient evidence should be presented to support theories and give the reader confidence that the findings are accurate</p> <p>Limitations to the study must be clearly stated including details of conflicting propositions</p> <p>Reports can take the form of a single narrative, a case-by-case account or an exploration of the different aspects to the question posed</p>

Although the process shown in Table 3.8 gives a good overview of the different steps that should be taken when conducting case study analysis, very little is provided in the form of prescribed instructions. The result is varying quality in research but a flexibility that allows the data to drive the project.

In this thesis, cases were analysed for similarities and differences, with themes being identified within the data. Specific methods are outlined in each chapter. The analysis process was highly iterative with many documents being referred to on numerous occasions. This is in line with Eisenhardt (1989) who recommended that the research process should systematically compare the emergent theory with the available data, similar to traditional hypothesis testing. Glaser and Strauss (1967) advocate both simultaneous data collection and analysis, only stopping the research once theoretical saturation has been reached.

#### **4.3.2 Multiple data sources**

Case study analysis works best when utilising multiple data sources and multiple methods. This strength of case study analysis was first acknowledged in the social sciences by Campbell and Fiske (1959) and involves bringing together different sources, formats, methods and perspectives to achieve triangulation (Yin, 1984; Jick, 1979). This thesis achieves triangulation through its multi-method, multi-data sources approach across multiple cases.

Despite its many applications, case study research is often seen as being in a “curious methodological limbo” (Gerring, 2004, p341): it is simultaneously widely used and disregarded as a method in its own right. A number of prominent academics have been swayed by the merits of well-conducted case study research, including Campbell (1975) who a decade earlier had been a fierce critic (Campbell and Stanley, 1966). Similarly, Eysenck (1976) originally a critic went on to state that “sometimes we simply have to keep our eyes open and look carefully at individual cases—not in the hope of proving anything, but rather in the hope of learning something!” (p. 9).

A number of criticisms do still remain. These are largely related to: a general inability to extrapolate results to a larger population; complexity of generated theories; subjective and non-replicable findings; and investigator bias influencing the results (summarised in Flyvbjerg,

2006). Many of these criticisms are similar to those applied to qualitative studies in general but they can, at least in part, be overcome through careful planning and conduct. One way to overcome many of these issues is through the use of multiple methods, particularly those spanning both qualitative and quantitative data. It can be observed from Table 4.9 (adapted from Flyvbjerg, 2011) that mixed-methods can balance one another. Including both qualitative and quantitative methods “helps explain both the process and outcome of a phenomenon through complete observation, reconstruction and analysis of the cases under investigation” (Tellis, 1997 as quoted in Zainal, 2007, p1).

*Table 4.9: Complementarities of case studies and statistical methods (adapted from Flyvbjerg, 2011)*

Merits	Case Studies	Statistical methods
Strengths	<ul style="list-style-type: none"> <li>• Depth</li> <li>• High conceptual validity</li> <li>• Understanding of context/ process</li> <li>• Understanding causes of a phenomenon and ability to link causes with outcomes</li> <li>• Fostering new hypotheses and research questions</li> </ul>	<ul style="list-style-type: none"> <li>• Breadth</li> <li>• Understanding how widespread a phenomenon is across a population</li> <li>• Measures of correlation for population cases</li> <li>• Establishment of probabilistic levels of confidence</li> </ul>
Weaknesses	<ul style="list-style-type: none"> <li>• Selection bias may over- or under-state relationships</li> <li>• Weak understanding of occurrence in population of phenomenon</li> <li>• Statistical significance often unknown or unclear</li> </ul>	<ul style="list-style-type: none"> <li>• Conceptual stretching by aggregating cases into larger sample</li> <li>• Weak understanding of context, process and casual mechanism</li> <li>• Correlations do not imply causation</li> <li>• Weak mechanism for fostering new hypotheses</li> </ul>

Some quantitative analyses, largely involving descriptive statistics, were conducted when appropriate data were available. This quantitative analysis has largely been used to compare data in different case files (numbers of victims and offenders, for example) in chapters five and seven.

### **4.3.3 Thematic analysis**

The main form of analysis used in this chapter is the qualitative method of thematic analysis; a flexible way to analyse documents and can be used within a case study method (see section 4.3.1). Thematic analysis is far less rigid than some of its counterparts, such as discourse

analysis and so is suitable for an exploratory project using multiple data sources and document types.

Thematic analysis is a form of pattern recognition involving the systematic search for pertinent themes which describe a phenomenon within a qualitative data set (Fereday and Muir-Cochrane, 2006; Smith and Firth, 2011). Without these themes there is nothing to describe, compare and explain (Ryan and Bernard, 2003). It is not possible to foresee all of the themes which will be identified within a dataset ahead of the analysis and 'there is no single set of categories [themes] waiting to be discovered. There are as many ways of 'seeing' the data as one can invent '(Dey, 1993, p. 110-111). Themes are comprised of expressions found within the data set and can be broad concepts or more specific. Ryan and Bernard (2003, p. 87) stated that 'You know you have found a theme when you can answer the question, what is this expression an example of?'

This study conducted thematic analysis following the six steps outlined by Braun and Clarke (2006):

1. Familiarising oneself with the data;
2. Generating initial codes;
3. Searching for themes;
4. Reviewing the themes;
5. Defining and naming the themes; and
6. Producing the report.

In addition to these steps, it is a requirement that the data interrogators address how the analysis will be approached. Three areas are specifically considered, namely whether the method used will be inductive or deductive, whether the data will be taken as factual or requires contextual interpretation and what theoretical framework will be applied to the findings.

For this study, an inductive or data-driven approach was used, frequently referred to as 'bottom-up'. An inductive approach involves analysing the data and highlighting areas of

interest as they are identified within the data. In contrast, a 'top-down', or deductive, approach interrogates the data in order to support or reject specific theories or assumptions. The inductive approach was chosen for this study due to the novel and exploratory nature of the questions posed, allowing the data to drive the findings and reducing the possibility of bias that could be introduced if searching for preconceived themes in a nascent area of research.

When interpreting the written and oral accounts, a semantic approach was taken where the literal meaning was assumed to be the intended message. Due to the sensitive nature of the topic and the questions being asked, it was expected that some participants would be unwilling to openly discuss their offending or would revert to hypothetical examples rather than giving details of genuine experiences<sup>46</sup>. This unwillingness to discuss all areas openly was evident when analysing the CEOP offender interviews, police case files and other supporting documentation. In these situations, however, it was considered more appropriate to interpret the meaning behind the words using a latent approach. The latent approach examines assumptions and underlying reasons why a participant may have given a certain response. In this thesis a semantic approach was taken for the large majority of analysed files, including all the ICST case files and for the supporting, open source documents. The only time a latent approach was used was when analysing offender interviews when the offender was talking in hypothetical terms or was being deliberately cryptic. This was most pronounced in CEOP Interviewee 2 video files where the offender was smiling and laughing when making claims that were verifiably untrue.

Finally, the theoretical framework for this analysis is based on a combination of situational approaches and social psychology theories. Situational approaches, such as rational choice perspective and routine activity approach, are an important conceptual framework for this thesis due to their focus on the crime rather than the criminal disposition and the support these approaches can offer to the development of law enforcement strategies. Social psychological theories, such as neutralisation and deindividuation, also play an important role due to the group-based nature of the crime type. A detailed description of the theoretical standpoint of this thesis is provided in chapter three.

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<sup>46</sup> Cited in CEOP restricted documents and reiterated in conversations with CEOP employees who work with offenders.

The thematic analysis of text begins with a thorough reading and identification of key phrases “because they make some as yet inchoate sense’ (Sandelowski, 1995, p. 373). When a phrase or topic repeats this can be seen as an indication of an emerging theme (Ryan and Bernard, 2003). The text should be read through more than once to gain a complete understanding of the data set as a whole rather than as individual documents (Bogdan and Biklen, 1982).

Within thematic analysis there are a number of techniques for identifying themes within the data set. Some techniques are more successful under specific circumstances or when dealing with certain types of data. Ryan and Bernard (2003) set out diagrammatically the different options available and when best to use each one, as shown in Figure 4.1. The data available for analysis in this thesis follows that of the far left hand branch within this figure. The main techniques used here were identifying repetitions, comparing expressions for similarities and differences and cutting and sorting key phrases into themes. Identifying repetitions involved analysing all of the data and looking for topics that arose on more than one occasion. These topics were seen as important and possible themes. Looking for key similarities and differences between expressions was another way to identify possible themes or sub-themes. Comparing expressions for cutting and sorting involves separating each key phrase and then sorting all the phrases into piles of expressions that go together. These groups of expression represent the identified themes.

The key phrases identified were not paraphrased but remained in the original text as taken from the data. This allows the analysis to stay true to the data by preventing researcher interpretation from inadvertently altering the true meaning of the expression (Smith and Firth, 2011). In the initial stage of thematic analysis each expression can be seen as a potential theme but as the coding progresses the expressions are grouped together and themes develop. These initial themes form a coding index and a way of organising the remaining data. It is important, however, to refine the themes as new insights emerge (Smith and Firth, 2011).

## Selecting among Theme-Identification Techniques

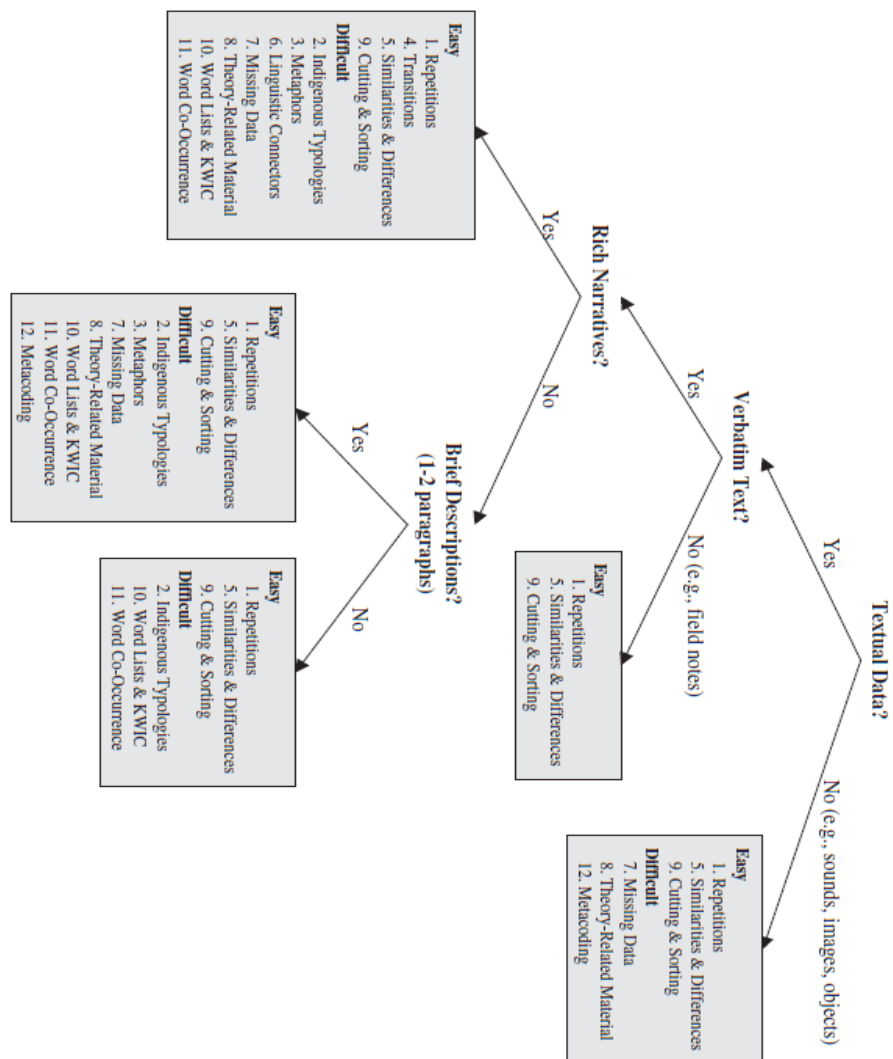
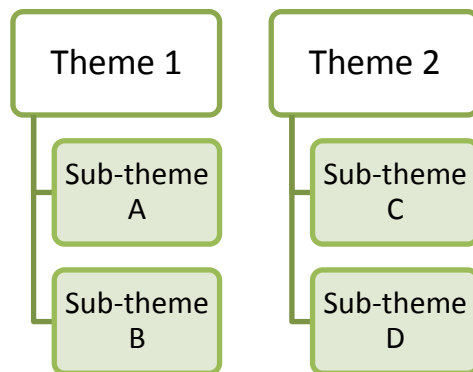


Figure 4.1: Diagram of when to use each of the different theme identification techniques

The analysis stages began by reading through all the ICST case files, including notes taken during the SIO interviews. The areas of interest, namely, group-based CSE and ICST, formed the basis of inclusion when coding the documents and transcripts to provide a clear research focus. Any reference to group interaction, co-offending or co-victimisation was recorded and subsequently filtered for relevance. To provide further details additional documents, such as SOCA and CEOP case files and interview transcripts, were also analysed along with open source documents such as NGO reports. Each set of case files contained between 3000 and 6000 pages of transcripts, police reports and court documents. The SIO interviews, recorded as

written notes, totalled approximately 25 pages per interview and over 100 additional documents, from a wide range of sources, were used as supporting data.

Themes (or nodes) were not identified prior to coding, unless other explicitly stated, to ensure that the themes generated were data-driven and not preconceived. When relevant information, defined as relating to one of the research questions, was unearthed it was recorded and coded. Each reference was then reviewed and grouped with other similar findings. Each grouping was then analysed, collated with similar nodes and used to shape key themes and sub-themes. Before the findings were interpreted, a final review was conducted, this time on the themes to ensure mutual exclusivity. The final step was to label each theme and sub-theme as outlined in Figure 4.1.



*Figure 4.1: Example of theme and sub-theme structure*

Specific details of the theme identification for each sub-question are provided in the relevant chapters and sections.

Once the themes had been identified for each sub-question and inter-coder reliability had been established (see section 4.3.4), the themes were shared with the data owners (SIOs for each case) to offer them the opportunity to provide feedback and correct any misinterpretation of the data. This is considered an appropriate and recommended step for research, such as that conducted within this thesis that is intended to be utilised by those who supplied the data (Ryan and Bernard, 2003).



#### 4.3.4 Inter-coder reliability

Inter-coder reliability is the degree to which independent coders agree on the themes assigned to a qualitative data set (Ryan and Bernard, 2003). The validity of the findings based on these themes is therefore closely linked to the level of inter-coder reliability. Inter-coder reliability also protects against themes being generated which are not supported by the data but are instead a product of coder bias, for example (Sandelowski, 1995). The optimal process is referred to as blind inter-coder rating where the second coder is not aware of the themes generated by the first coder. Blind coding prevents the second coder from being unduly influenced by the initial coder's findings.

Inter-coder reliability can be measured using a variety of indices. The one selected for use here is Cohen's kappa coefficient. There is no general consensus as to which index is optimal but Cohen's kappa is widely used and accepted when dealing with nominal data as it corrects for chance agreements and can handle multiple coders (Kang et al, 1993). The theme selection here can be categorised as nominal by awarding a score of one when there is agreement and zero when there is no agreement on a theme. Cohen's kappa measures the extent of agreement between coders who have assigned expressions into mutually exclusive categories<sup>47</sup> using the equation:

$$\kappa = \frac{P_o - P_c}{1 - P_c}$$

Where  $P_o$  is the observed agreement among coders and  $P_c$  is the probability of a chance agreement. A  $\kappa$  score of one shows complete agreement and a score of zero shows no agreement other than what would be expected by chance alone. Neuendorf (2002) stated that a Cohen kappa score above 0.7 is acceptable.

Inter-coder reliability has been used in two instances within this thesis. First, the ICST case material, including SIO interviews, was checked for theme reliability in each of the individual studies (see Chapters five and six). The second coder was a colleague who was familiar with the material and who had the necessary security clearance to review the material. Due to the large

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<sup>47</sup> For further details see Cohen, 1960.

amount of data used and the limited time frame available, a sample of material was selected and given to a second coder. The sample was taken from case files and included 30-50 separate documents depending on the specific research question being addressed. The second coder was then asked to blind code the material into themes (they had not seen the themes generated by coder one). The themes from the second coder were then compared to the themes generated by the first coder to assess the level of agreement. The inter-coder score was always above 0.7 and so considered acceptable. There were instances where expressions were grouped in a theme by both coders but a different term had been used. For example, for group involvement coder one had labelled the theme 'physical' and coder two as 'tangible'. This was considered an agreement in regards to inter-coder reliability and the most appropriate term was selected in each case.

Second, in chapter eight a series of scores are awarded to each ICST case study when comparing the material across of a number of group characteristics. In order to ascertain a level of validity with the scores awarded, the material and the categories were sent to a practitioner with knowledge of all five cases. This was also blind rating and the second coder was not aware of the scores from coder one. Again the Cohen kappa score was 0.83 and so above the minimal requirement of 0.7. The few inconsistencies were addressed through discussion between the two coders and the coding adjusted accordingly.

#### *4.4 Case Summaries*

The findings from this thesis have predominantly come from analysing ICST and related cases. The five main cases used here have been investigated and prosecuted and then identified by the thesis author as meeting the criteria of ICST. In order to offer additional information and to provide points of comparison, additional cases that do not meet the ICST criteria have also been included. Some cases are thought to be ICST cases but due to the current stage of the investigation it is not possible to categorise them as such. Finally one case has been included that started out as an ICST investigation but has now become a long-standing project. All of the cases used here have been split into three categories, one category for the ICST cases and two categories that describe the main attributes of the additional CSOG cases. Categorisation was necessary so that when the cases are referred to throughout the thesis it is clear which type of case is being discussed. The categories are as follows:

1. Cases that include a single offending group.

This is defined as the ability for each offender to be linked to every other offender in the group through a small number of connections. A typical type 1 case would involve a group where co-offending among most members is common.

2. Cases that include sub-groups of offenders.

This is defined as each offender being connected to at least one other offender but not necessarily connected to other offenders within the same investigation. A typical type 2 case would involve a number of victims being exploited by disparate groups all partaking in similar behaviour. Some members of each group may overlap. Cases include online operations where a large-scale network has been disrupted but there is no evidence that all members were connected to one another.

3. Cases that have developed into more permanent projects.

Only cases that deal with group-based CSE offending have been included here. These cases offer insight into best practice and can support learning for future investigations.

The most data-rich cases in each category are discussed first and subsequently described case decrease in detail. As the most relevant to this research question due to being categorised here as ICST cases, category 1 cases are outlined in the greatest detail. Other categories may include only very brief summaries due to a lack of data available. Summaries of each case are given below.

#### **4.4.1 Category 1: Single offending group**

These five cases form the basis of much of the analysis in this thesis as they focus on ICST offending. A summary, general overview and brief outline of the victims and offenders are given for each case. More details on individual investigation and prosecution strategies are presented in chapter five.

##### **4.4.1.1 Case 1A**

Data available:

- MG case files and case summary

- Victim and offender ROVIs
- Text message data
- Transcripts of covert probe data
- Evidence logs
- Interview with SIO
- Restricted presentation material used as a case study example for other police officers

Overview:

This is the biggest and most complicated case to date. A group of male offenders were involved in the recruitment, grooming, trafficking, and sexual abuse of large numbers of victims. Victims were picked up by offenders who drove around searching for likely targets. The victims were offered alcohol and drugs and taken to ‘parties’. While at these locations the victims were sexually abused by one or more offenders. Victims were then dropped off at home or other locations convenient to the offenders (such as a bus stop or in the town centre) or told to leave. Offenders would call the victim at a later date and arrange for them to meet up where further abuse would take place. Many of the victims believed that they were in relationships with one or more of the offenders and were made to feel complicit in the abuse.

Victims: 27 females, aged 12 – 19 years at start of the investigation.

Offenders: 14 males charged, aged 24 – 38 years at start of the investigation. Many of the offenders were connected to one another through pre-existing social ties such as being friends, colleagues or relatives.

#### **4.4.1.2 Case 1B**

Data available:

- MG case files and case summary
- Victim and offender ROVIs
- Evidence logs
- Interview with SIO

Overview:

This case had a similar profile to Case A. Male offenders were picking up female victims in cars and taking them to ‘party houses’ for abuse. There was more of a commercial element to this

case, however, with a number of girls being given small amounts of cash in exchange for sexual services. One girl was 'pimped out' every week for over a year. Abuse would usually take place in cars and cheap hotels. On two occasions the abuse occurred in the victim's own home where there was no supervision. In another instance a victim's mother had moved out of the family home to stay with her boyfriend, leaving her teenage daughters to live alone. In the second example, the victim's behaviour had deteriorated to the point where she was moved into her own flat. The operation was both fluid and complex with changes being made to charges right up until the start of the trial.

Victims: 9 female victims, aged 13 – 17 years at start of the investigation

Offenders: 10 male offenders charged, aged 18-56 years at start of the investigation. Many of the offenders were connected to one another through pre-existing social ties such as relatives and work colleagues. To date two men have been convicted in the first trial, aged 22 and 26 years.

#### **4.4.1.3 Case 1C**

Data available:

- MG case files and case summary
- Victim and offender ROVIs
- Evidence logs
- Interview with SIO

Overview:

Victims were introduced to offenders through friends who were also being abused. The victims would meet up and 'hang out' with the males in car parks and flats. They would drink and socialise together. The victims were expected to provide sexual services to a number of males, particularly those who had provided alcohol. There was limited evidence of commercialisation across the group although the SIO believed one offender was attempting to profit from selling the victims' services to paying clients. For the majority of the offending group the abuse was described as a hobby.

Victims: Four female victims, aged 13-16 years at start of the investigation

Offenders: 9 male offenders charged, aged 18-28 years at start of the investigation. The offenders all belonged to a tight knit social group of friends with some offenders related to one another.

#### **4.4.1.4 Case 1D**

Data available:

- MG case files and case summary
- Indictment and details of previous investigation
- Victim and offender ROVIs
- Evidence logs
- Interview with SIO

Overview:

Victims were frequenting a small number of take away restaurants and being offered free food, alcohol and a place to 'hang out' by some employees. After a few visits these employees would ask for sexual services in exchange for food and free taxi rides. Some offenders would give the victims' small amounts of money (approximately £10 for full vaginal intercourse or oral sex), claiming the victims were working prostitutes.

Victims: Five female victims, aged 15-19 years at start of the investigation

Offenders: 11 male offenders charged, aged 20-57 years at start of the investigation. Many of the offenders were connected to one another through employment as take away restaurant workers and taxi drivers in the night-time economy.

#### **4.4.1.5 Case 1E**

Data available:

- MG case files and case summary, victim and offender ROVIs
- Defence, witness and case opening statements
- Intelligence reports
- Social network analysis (SNA) of offender networks
- Evidence data including diagrams showing location of semen stains on victims clothing and mobile phone data

- Interview with SIO

Overview:

This case involved a single abuse instance over one night. It did, however, involve a number of separate sexual offences. Two girls were invited to socialise with a slightly older female<sup>48</sup>. All three females were picked up and driven around by older men who gave them drink and drugs before taking them to an empty house. In the house one of the victims was orally, vaginally and anally raped and both victims were then orally raped in the back of a car when being driven home. The female offender prevented the second victim from going to her friend's aid during the rape in the house. Both victims reported the abuse to care home workers immediately after the incident.

Victims: Two female victims, both aged 16 years at start of the investigation

Offenders: Three male offenders and one female offender charged, aged 17 years (female offender) and 34-37 years (males) at start of the investigation. The female offender was believed to have been a victim of CSE for a number of years. The male offenders were friends with one another prior to offending.

#### **4.4.2 Category 2: Multiple small group and individual offenders**

This section involves two cases, one an offline, contact offending case, similar in nature to the category one case files, and the other an amalgamation of four online investigations. The online cases have been included here to provide a comparison between online and offline offending.

##### **4.4.2.1 Case 2A**

Data available:

- MG case files and case summary, victim and offender ROVIs
- Charge list and statement of offence
- Interview with SIO

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<sup>48</sup> Who had previously been victimised herself but in this instance was assisting the men in committing the sexual offences

This case involved the sexual abuse of one victim by three independent groups of offenders and a lone offender. This operation has been included as it was viewed by authorities as a single case with all 11 offenders tried together.

**Overview:**

An investigation was started when a child of 14 years was reported missing from her long-term foster home. She had been reported missing on a number of previous occasions. The investigation escalated when the victim was taken to hospital in hysterics after being missing for five consecutive nights. The victim had been picked up by one of the offenders, given alcohol and drugs before being abused by himself and three friends. The victim was then dropped off in the city centre where she was picked up and abused by a lone offender. The original three offenders abused her again later that night. The following day the victim was picked up by another offender who abused her as well as forced her to become a sex worker, being abused by up to six men a night for the next five days. Some of the clients were arrested and tried as part of the case. The victim was rescued by police when members of the public alerted the authorities to a distressed child running along a main road.

**Victim:** One female victim, aged 14 years at start of the investigation. She had lived in a number of care homes and was also looked after by foster parents. She was described as having a chaotic lifestyle.

**Offenders:** 11 male offenders were charged. Although many of the perpetrators did not know one another and had not abused the victim together they were tried as part of the same case. The average age of the offenders was 29 years with a range of 26-33 years at the start of the investigation.

**4.4.2.2 Case 2B: Online operations**

**Data Available:**

- Interview with CEOP and UKHTC officers working on the investigations



- Case files<sup>49</sup> for each operation (predominantly case overviews and investigation outcomes)

#### Overview:

Three Internet investigations were selected for analysis based on their relevance to this project. All four cases involved the swapping of indecent images of children (IIOC) images between offenders across multiple locations. In all four cases at least one offender was involved in producing new images involving the abuse of accessible children, in these cases often a child known to the offender through social activities. There were also core offenders within each of these investigations who had key roles such as web forum administrator or producer of images.

Many of these offenders would also socialise (mainly online but occasionally in person) outside of the offending behaviour, exchanging real names and other details about their lives and displaying some similar characteristics to those seen in ICST offending (Cases 1A-E). One fundamental difference between the online and offline groups, however, was the typical age of the children involved. For the online offending it is not always possible to identify each victim depicted in IIOC but they are generally thought to be aged 12 years and younger. These cases have been collated and included here to offer comparisons with offline offending groups and to show different investigation styles, tactics and strategies (see Chapter 5) that may be of use when developing best practice guidance for future ICST style investigations.

Two of these investigations were started by intelligence being received by CEOP from foreign law enforcement counterparts. One of the investigations was started when a member of the public contacted a law enforcement agency with concerns over their child's relationship with older men online. This led to a number of indecent images that had been sent by an offender based in the UK being found on the child's computer. The final investigation was begun after a website hosting company raised concerns with the police about a website that allowed individuals to share indecent images.

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<sup>49</sup> These are not the same case files as received for offline investigations as many of the Internet operations involved multiple police forces in the UK and overseas.

Victim: The victims in these cases come from across the globe, are of both genders and span a wide age range<sup>50</sup>. Unfortunately, only a small number were identified from the images and videos seized from offenders' hard drives. The victims in these four investigations appeared to range in age from very young (12-18 months) up to pre-teen (11-12 years old). There was a roughly even mix of female and male victims across the four cases.

Offenders: Predominantly male although some female offenders have been arrested as part of global investigations. Many of the offenders are never apprehended due to the size and scale of the investigations. Of the core offenders who were arrested the average age was 41 years with a range of 18-69 years. These ages, however, do not provide any indication for how old the offenders were when they first started sexually offending or viewing IIOC.

#### **4.4.3 Category 3: Ongoing projects**

Due to the increasing numbers of investigations into ICST offences, a small but growing number of police forces are creating permanent projects that can tackle CSE in the local area. These teams are set up with specially trained officers and often involve multi-agency collaborations to improve the service on offer. One of these projects is discussed below.

##### **4.4.3.1 Case 3A**

Data available:

- Interview with team manager and police lead within the project
- Internal documents relating to the project set up, monitoring and communications strategy
- Open source data from online reports

Overview:

In 2006 a joint police and social services operation identified a number of children, predominantly in the care home system, going missing and becoming the victims of sexual exploitation. Due to the number of victims and offenders/offending groups being identified the decision was made by the police and a number of partner agencies to set up an ongoing

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<sup>50</sup> Many offenders have a gender and age preference and so will exchange images with others that have similar interests.

project with the aims of protecting victims, preventing new and further exploitation and prosecuting offenders involved. Four objectives were identified:

- Change the way the police investigated these crimes and better utilise intelligence to support and corroborate victim accounts;
- Identify victims early on and prevent new or re-victimisation;
- Achieve successful prosecutions and rely less heavily on victim testimony;
- Support victims and their families

This project became the UK's first multi-agency co-located team addressing CSE and received the regional (North West) Tilley award<sup>51</sup> for their innovative approach to crime prevention and detection. The current team comprises police, social workers, youth workers, representatives from Brook (sexual health services), representatives from Lifeline (alcohol and drug services) and a Barnardo's worker. They are widely acknowledged as a leader in the field.

#### *4.5 Conclusion*

This chapter provided an overview of the data sources, data collection methods and analysis techniques used throughout this thesis. A large volume of data was secured for use in this research making it important to carefully critique and scrutinise all sources before they were included. All data were assessed against inclusion criteria to ensure a consistent approach. Case file analysis has been the primary form of data exploration and examination, utilising other quantitative and qualitative methods when needed. The data that are deemed relevant went on to be analysed using the techniques above to understand more about the nature of CSOGs and ICST specifically. The data outlined here provide the basis for the following analysis chapters. Where additional data or analytic techniques in individuals chapters have been used these have been outlined as necessary.

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<sup>51</sup> A project outline can be found at <http://library.npia.police.uk/docs/hocrimereduc/tilley2009regwin-gonw.pdf>

## Part 2: Analysis

### Chapter Five: Child Sex Offending Groups (CSOGs)

This chapter provides an analysis of the possible structures, functions and dynamics of CSOGs. A range of CSOGs are explored, using examples from both online and offline groups. By appreciating the manner in which a wide array of CSOGs behave, ICST groups can be compared with other groups and the similarities and contrasts better understood. Understanding some of the similarities and differences between offending groups may give insights into the characteristics of successful investigation and prosecution strategies. Following an introduction each of four areas is discussed in turn. Each section includes an overview of the data and method of analysis used followed by the key findings. The chapter concludes with a discussion on how the findings from this chapter can be applied to law enforcement strategy development.

#### *5.1 Introduction*

This chapter answers the question ‘What is meant by group offending and how do individuals interact as part of a group?’ through a number of small, individual studies each of which answers one of the following sub-questions:

1. How do CSOGs evolve over time?
2. How do new members join and why do members stay within a CSOG?
3. What are the benefits and risks associated with offending as a group?
4. What roles are played within ICST groups in particular?

The perceived rarity of CSOGs goes some way towards explaining the lack of attention and research directed to this area. The literature focusing on group-based offending and criminal careers is based predominantly on youth offending and high volume crime (Kleemans and de Poot, 2008), at the expense of adult offenders, particularly those operating in OCGs (see for example Weisburd and Waring, 2001; Piquero and Benson 2004; and Shover and Hochstetler, 2006). In order to design targeted, insightful and effective interventions against criminal

groups, their nature and function must be properly understood (Reiss, 1988). This chapter redresses the knowledge gap around the group-based element of child sex offending by examining the different dimensions to group activity, challenging the notion that all groups are homogenous.

This chapter utilises a large number of data sources and different analytic techniques to understand more about key aspects to ICST offending as a group and the effect this may have on those individuals involved. The key data sources, separated out by section, are shown in Table 5.1.

*Table 5.1: Data sources utilised in chapter 4 sub-sections*

Section	CEOP case files	CEOP offender interviews	SOCA case files	ICST case files	Open source
5.2: Group Evolution	✓	✓	✓	✓	✓
5.3: Modes of Joining a Group	✓	✓	✓	✓	
5.4: Staying in a Group		✓	✓	✓	✓
5.5: Benefits and Risks of Group Involvement	✓	✓	✓	✓	✓
5.6: Typology of ICST offenders				✓	✓

As shown in the table above each section of analysis used a different combination of data sources. All sections, however, utilised a case study method for the ICST, SOCA and CEOP case files and analysed all of the data using thematic analysis. Specific details of the method are provided within each section.

The CEOP case files and offender interviews addressed a large number of different types of offending groups which could be categorised in a variety of ways. References were recorded when they mentioned an offending group, regardless of the specific topic they referred to. As the documents were largely from CEOP, all of the offending groups related to child abuse cases

and so filtering out non-child abuse groups was not required. Only open source documents relating to child sex offending were then sought for additional data.

A large number of references were gathered and grouped together into similar categories. Three options for categorisation of themes were initially considered by: type of victim abuse; the offender's relationship to other members of the group; and the way offenders first access a child for abuse. Due to this thesis' focus on investigation strategies and the situational framework it was decided that the way in which offenders first access a victim would be used as the basis for categorisation. From this base point, five themes were identified and reviewed, namely group evolution, modes of joining a group, reasons for staying within a group, benefits and risks to group involvement, and types of ICST offenders. Each is discussed in turn below.

## *5.2 Group evolution*

This section answers the question:

How do child sex offending groups evolve over time?

Traditionally, co-offending relationships are short lived (Reiss, 1988). These transient relationships are not the norm in ICST groups, where many offenders stay together for months if not years. It may be the case that for taboo crimes it is harder and/or more risky to find others who share the desire to offend, limiting the pool of potential co-offending candidates. The size of a group can change rapidly and often (Suttles, 1968) and the more prolific offenders may belong to several groups at any one time (Reiss, 1988). These offenders may act as a nexus point between separate groups and facilitate a much larger network of offenders. This section is an extension of initial work conducted with SOCA and a colleague from UCL (Brayley and Cockbain, 2012a). Reiss (1988) identified high turnover within offending groups and offered three core reasons for this fluctuation in membership, shown in Table 5.2.

Table 5.2: Key reasons for high turnover in group membership (adapted from Reiss, 1988)

Activity	Explanation	Outcome
Transience	When a group member or members move away from the area. It may also refer to members who leave to join another group.	The group is initially depleted until new members can be recruited, either with specific jobs to be filled or more generally to increase the size of the group.
Arrests	When a member is arrested they are no longer available to support the crime commission process <sup>52</sup>	The group may lose one or many members depending on the nature of the investigation. There is also the worry that the arrested member will discuss group-workings in order to secure a better outcome for themselves.
Lifestyle change	Offenders desist from crime when they are offered meaningful employment, entered a serious relationship or had children	As young members, often the most prolific, begin to mature they may turn away from criminal activity and start to take more responsibility for their actions.

The factors identified in Table 5.2 are focused predominantly on young offenders. They do not address those offenders who began their criminal careers in adulthood, who are often in relationships, who have children and who have the opportunity for steady employment already. Among the category 1 ICST offenders (N=40), 42% (N=17) were married or in serious relationships and 65% (N=26) were employed. There appeared to be very little commercial motivation behind the majority of ICST offences. Employment did, however, play a role in giving the offenders access to children through the night-time economy, access to desirable commodities (food, free taxi rides etc) and a reason to be away from their family homes when they were involved in offending.

### 5.2.1 Method

The method used to analyse the data for this section was thematic analysis, as outlined in section 4.3. This involved reading through the data and identifying key phrases, before grouping the expressions together to form themes.

The data used for this section included:

- SOCA case files

<sup>52</sup> This is not always the case and there have been numerous accounts of offenders continuing their operations from within the prison environment. For example see Reiss 1988

- CEOP case files
- CEOP offender interviews
- ICST case files
- NGO and other open source reports and information

A wide range of files and documents, addressing OCGs generally and ICST specifically, were utilised in this section to gain as much information about how groups evolve and change over time.

References were recorded if they mentioned a change in group size. There was little direct reference to group evolution in the ICST case files as this was not a focus of any of the investigations. Twelve key phrases were gathered from the case files that related to a change in group numbers. Due to the small number of key phrases found within the ICST case files, additional documents were also examined. These included the CEOP offender interviews, SOCA case files and open source documents. Analysis of these additional document meant that the total number of key phrases was now 48. Not all of the references related to CSOGs and it may be the case that different OCGs evolve in specific ways.

Using similarities and differences as a technique for identifying themes, the first initial differences that were identified were between those that described depletion in group numbers and the opposite, an increase in group numbers. Once these two categories had been identified, other topics were identified such as a larger group splitting up into smaller, independent groups or a group seemingly cissing to exist. These topics were then grouped into similar areas as representing either an increase or a decrease in group numbers. These mutually exclusive factors become the two themes of 'group increase' and 'group decrease'. All of the key phrases and identified topics fit into one of these two themes. The more specific topics then became the sub-themes. Table 5.3 shows examples of the expressions which led to the development of each theme and sub-theme. The table also includes the number of supporting expressions within each sub-theme.



Table 5.3: Expressions leading to themes and sub-themes for group evolution

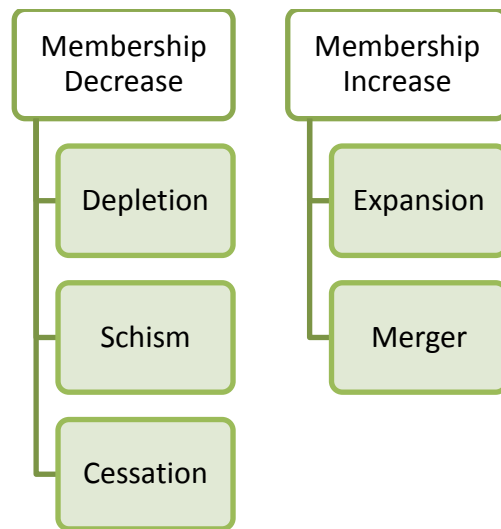
Theme	Sub-theme	Examples of key phrases	Frequency of expression
Group decrease	Depletion	<p><i>'I've...cut myself off from the people in that association now because I reckon most are a little bit too dodgy.'</i> (CEOP interview)</p> <p><i>'We fell out about some work stuff...so I just stopped hanging out with them, stopped going to the parties'</i> (ICST case)</p> <p><i>'I stayed offline after X was arrested, because I'd been trading with him the night before his arrest and I panicked.'</i> (ICST case – category 2)</p>	19 key phrases
	Cessation	<p><i>'The old group was now sat there... with no members'</i> (SOCA case)</p> <p><i>'After the arrest phase there has been no more reports of the group operating, nothing from the NGOs or project workers so we think it's over for them'</i> (ICST case)</p>	4 key phrases
	Schism	<p><i>'They'd split... basically what happened was they had an argument over security...and there were personality problems and they got upset with each other and they didn't cross between the two [groups]. '</i> (CEOP interview)</p> <p><i>'X's brother moved to [another city] and so we stopped seeing him and his mates but they still hang out together and stuff'</i> (ICST case)</p>	8 key phrases
Group increase	Expansion	<p><i>'Very quickly we built up a lot of people that were trading with large amounts of images, 10,000 plus.'</i>(CEOP interview)</p> <p><i>'Everything works in a circle, it all starts with one man in the middle and he adds to that one and to that one.'</i>(ICST case)</p> <p><i>'X introduced his cousin who then bought some friends along, no one minded because they bought girls along as well'</i> (ICST case)</p>	15 key phrases
	Merger	<p><i>'They merged into one group – they now had access to more resources and could move the goods a lot quicker.'</i> (SOCA case)</p> <p><i>'The groups were very fluid, not organised in the way you would think and would often join together if they thought it would be mutually beneficial'</i> (NGO report)</p>	2 key phrases

Some sub-themes were more prevalent within the data than others (e.g. depletion compared to merger). The prevalence of key phrases does not, however, indicate the validity or importance of a theme.

### 5.2.2 Key findings

From the data analysed it became clear that offending groups are not always static and should be viewed as dynamic constructs, shrinking and/or growing over time. These fluctuations can occur quickly or slowly, be the result of deliberate actions by members and happen out of necessity or through a more naturally occurring change.

The different forms of group evolution identified here are shown in Figure 5.1 and are an extension of work completed in conjunction with CEOP. Within these mutually exclusive classifications, nuanced group changes explain the fluctuations in group size. As groups can be considered as constantly evolving it was not possible to accurately quantify the type of evolution occurring. As more data on CSOGs becomes available there may be potential for future studies to conduct quantitative research of this nature.



*Figure 5.1: Themes and sub-themes for group evolution*

The process for each sub-theme is shown graphically in Figures 5.2a – 5.2e.

### 5.2.2.1 Membership decrease

Three ways in which group membership can decrease were identified: depletion; schism and cessation.

A group depletes when members desist from committing a crime as part of that crime group. Crime desistance can be due to arrests, fear of discovery<sup>53</sup>, breach of trust, internal rivalry and frustrations at perceived member status or transience<sup>54</sup>. CSOG members may have nothing more in common than their sexual interest and so gradual separation of members, as well as more dramatic fractures through tensions and disputes, may be seen.

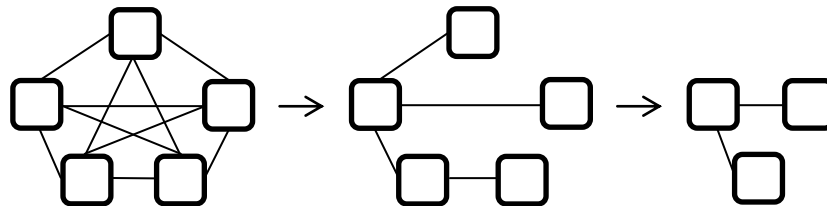


Figure 5.2a: Depletion – members leave the group

A schism is where a group splits into two or more independent groups. This can occur for similar reasons mentioned in depletion above. Alternatively, it could be due to a change in direction that some group members wish to take or differing interpretations of an ideology. A number of intellectual paedophile and pro-paedophile activist groups suffered schisms when some members wished to pursue a more active stance of legalising paedophilia and others wished to remain anonymous (Interviewee 1). Members of these intellectual and activist groups share their paedophilic interests with others, for example, through the exchange of fictional stories and discussions of historical paedophilia (such as Roman attitudes to sex with children). Some groups also actively lobby government for a change in legislation to allow sexual contact with children. Examples of these groups include the Paedophile Information Exchange (PIE) and the North American Man/Boy Love Association (NAMBLA).

<sup>53</sup> This could be by law enforcement or other social ties such as a partner or employer discovering the crime

<sup>54</sup> As outlined in Table 4.4

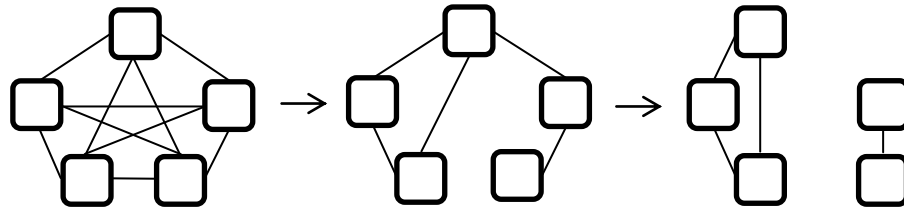


Figure 5.2b: Schism – a previously connected group splits into two or more separate groups

Cessation is when a group ceases to operate. This cessation can be temporary or permanent but does not necessarily mean that group members have stopped offending; they could simply have moved to another group or started offending alone. Reasons for cessation range from whole group arrests through to the result of a slow depletion. Groups believed to have ceased may simply be operating under the radar or have reduced their offending for fear of apprehension.

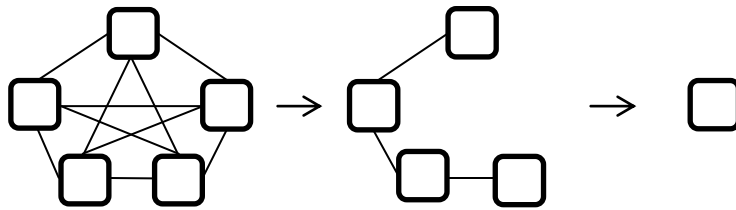


Figure 5.2c: Cessation – the offending group no longer exists in any form

### 5.2.2.2 Membership increase

Two ways in which group membership can increase were identified: expansion and merger.

Groups can expand as the result of deliberate actions by members or through natural growth with the addition of new members. Within CSOGs this growth can be through members bringing willing friends along to abuse ‘parties’ or individuals hearing about a forum online and requesting to join, for example. All group expansion needs to be managed by the group in order to minimise the risk of exposure.

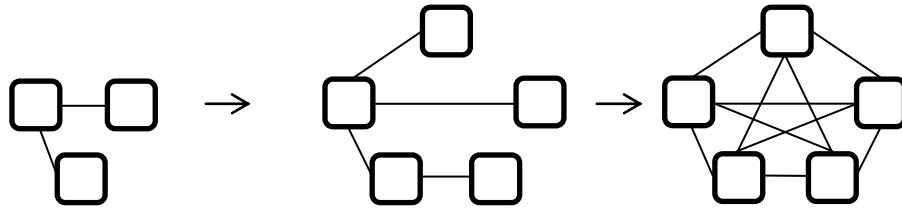


Figure 5.2d: Expansion – new members join the group

A merger is when a new group is formed from the fusion of two pre-existing groups. This can be to improve efficacy or profit. When online groups merge it may be to provide new IIOC to both sets of members.

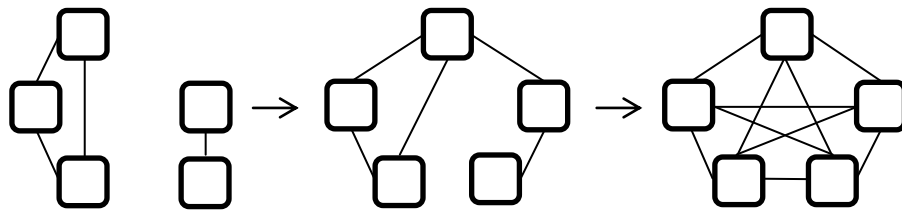


Figure 5.2e: Merger – two previously unconnected groups join together

### 5.3 Modes of joining a group

This section aims to answer the following question:

How do new members join an offending group?

While members may join an OCG of their own accord, possibly with the expectation of increased profit from operating with other offenders<sup>55</sup>, it may also be the case that members are tricked, forced or coerced into joining. Understanding how individuals, with or without previous offending histories, may become involved in an OCG can be valuable to law

<sup>55</sup> From conversations with SOCA employees

enforcement looking to prevent and disrupt offending groups. This is an extension of initial work conducted with CEOP and a colleague from UCL (Brayley and Cockbain, 2012c).

### **5.3.1 Method**

The method used to analyse the data for this section was thematic analysis, as outlined in section 4.3. This involved reading through the data and identifying key phrases, before grouping the expressions together to form themes.

The data used for this section included:

- SOCA case files
- CEOP case files
- CEOP offender interviews
- ICST case files

SOCA and CEOP files were utilised in this section as well as ICST case files to gain a better understanding of how OCG members, whether connected to child sex offending or not, joined a group.

The first stage of analysis identified 208 expressions relating to individuals joining an offending group. The large majority of expressions indicated a willingness to join the group which became the first topic. Using similarities and differences, a lack of willingness to join but still belonging to a group was another recognised topic. These two areas accounted for 196 of the references but the final 12 highlighted another possibility for group involvement, that of passively becoming involved in a group. Taking these three identified topics, an overarching theme to which all references could be assigned. This was the level of willingness of an individual to become involved in an offending group. As all references fell into this category, the three identified topics formed the sub-themes. Examples of expressions from each of these themes are shown in Table 5.4.

Table 5.4: Expressions leading to themes around willingness to join an offending group

Theme	Examples of key phrases	Frequency of expression
Voluntary	<p><i>'X was a money launder who worked for lots of different groups, he made a good name for himself and made a lot of money' (SOCA case files)</i></p> <p><i>'I saw that others in the community were getting in on the action and I wasn't about to be left out, I got involved in as much as possible' (SOCA case file)</i></p> <p><i>'Everyone was doing it so why should I miss out on the fun' (ICST case file)</i></p>	149 key phrases
Involuntary	<p><i>'We knew we were dealing with a tiger case [a person kidnapped and then forced to commit a crime in exchange of release of the hostage] as soon as we saw they had used the internal code' (SOCA case file)</i></p> <p><i>'He told me that if I bought a friend a long then I wouldn't have to have sex with all of them, the more friends I bought the less I was expected to do' (ICST case)</i></p> <p><i>'He said he would leave me if I didn't send him the photos and I couldn't imagine my life without him' (CEOP case files)</i></p>	47 key phrases
Passive	<p><i>'I noticed something was wrong with my computer, it was slow and buggy. I knew it was infected with malware but couldn't be bothered to run a clean-up as it took ages' (SOCA)</i></p> <p><i>'He knew the situation was a little off but he could rent the room and pocket the cash...he didn't really give it a second thought' (ICST case)</i></p>	12 key phrases

Although this breakdown offered interesting insights into the potential coercion of some group members it did not explore specific ways in which members joined an OCG. A second phase of analysis was then conducted purely on the CSA related files to explore more detailed descriptions of ways in which offenders in CSOGs had voluntarily joined a group.

Only those documents relating to CSOGs were included in this second phase of analysis. A total of 64 references were found using ICST case files, CEOP case files and CEOP offender interviews. A key topic that was expressed in many offender interviews contained within the ICST case files was that many offenders in the group knew other members in a social setting, prior to joining the offending group. This topic was labelled as 'pre-existing social network'. Using similarities and differences between expressions, another topic that was identified was 'no previous affiliations'. The remaining expressions could then be grouped together as a mid-

point between the two. This group of expressions referred to situations where a 'wider network awareness' had led to involvement in a group. These three topics made up the themes.

Within each theme the references were cut and sorted into sub-themes that differentiated expressions. Two sub-themes were found within each of the three themes which accounted for all of the expressions. Table 5.5 show the themes, sub-themes, examples of expressions to support the sub-theme and the frequency in which the key phrases were found. Due to the presence of 'introduction' as a sub-theme in two themes and a variation of 'introduction' in the third and the presence of 'recruitment' in two themes there was a discussion between the two coders as to whether 'introduction', 'recruitment' and 'opportunity creation' should be the themes with 'pre-existing networks', 'wider network awareness' and 'no previous affiliations' as sub-themes. The decision was made not to change the theme and sub-theme relationship as it was felt that the key themes explained the phenomenon more adequately than the sub-themes would at this stage. This may be an area for future research consideration if more data becomes available.



Table 5.5: Expressions leading to themes and sub-themes for joining a CSOG

Theme	Sub-theme	Examples of key phrases	Frequency of expression
Pre-existing social networks	Introduction	<i>'My friend took me to the party, I didn't really know the other guys there but I had seen them around' (ICST case)</i> <i>'My cousin introduced me to his mates, we started chillin' together most days' (ICST case)</i>	22 key phrases
	Recruitment	<i>'When I started work as a taxi driver these guys that I sort of knew invited me to hang out with them, I used to offer free lifts to them and some of the girls they were friends with' (ICST case)</i> <i>'He was obviously good with the ladies and when the other guys saw that they started inviting him to drive round with them when looking for new victims (ICST case)</i>	19 key phrases
Wider network awareness	Recruitment	<i>'I was approached after my trial for indecent images, these two guys said they wanted me to join their group – I had heard of them before but never really thought of getting involved' (CEOP interview)</i>	6 key phrases
	Introduction	<i>'As soon as it got out that I was a producer, lots of people started chatting to me and I was allowed to join a group despite not having nearly enough image for normal admission' (CEOP interview)</i>	7 key phrases
No previous affiliations	Opportunity creation	<i>'Everyone knew that you could pick up kids at the train station so I would go there to see who I fancied. I met a few other guys doing the same thing and we used to share' (CEOP interview)</i>	4 key phrases
	Prison introduction	<i>'Before he went to prison there was no evidence of him knowing other sex offenders, but after he came out he joined a group straight away' (CEOP files)</i>	6 key phrases

### 5.3.2 Key findings

The key findings can be divided into two parts; those related to willingness to join a group and those related to methods of joining.

### 5.3.2.1 Willingness to join a group

In addition to voluntary and involuntary involvement with an OCG, there is a third category of involvement comprising offenders who enable the crime to occur without being part of the main offending group. These three categories, developed from analysis of SOCA case files, can be defined as voluntary, involuntary and passive, as shown in Table 5.6. It is possible that an offending group can be made up of members that fall into all three categories.

Table 5.6: Different modes of joining an offending group

Mode of joining	Explanation	General OCG examples	Hypothetical sex offending group examples
Voluntary	An individual readily joins an OCG when invited or actively seeks others with whom to form an offending group	<ol style="list-style-type: none"> <li>1. A specialist in passport forgery who agrees to collaborate with an OCG.</li> <li>2. A drug manufacturer who looks for a distribution network.</li> </ol>	<ol style="list-style-type: none"> <li>1. A producer of indecent images of children agrees to share his collection with an offending group in exchange for access to new material.</li> <li>2. An offender going online to actively seek out online groups with a sexual interest in children</li> </ol>
Involuntary	An individual is tricked or forced into joining an OCG against their will and/or without their knowledge of the illicit nature of the groups function	<ol style="list-style-type: none"> <li>1. A bank official who is threatened if they do not collaborate with the OCG</li> <li>2. A computer specialist who is kidnapped and forcibly recruited by an OCG</li> </ol>	<ol style="list-style-type: none"> <li>1. A victim of an offending group who is told that if they bring along a new victim then they will no longer be abused themselves.</li> <li>2. A nursery worker who is told that unless she takes photographs of the infants in her care then sexually explicit photographs that she privately sent to a member of the group will be posted on her social networking site.</li> </ol>
Passive	An individual joins an OCG by merit of their inaction, a failing of due diligence or by enabling crime through the provision of key facilities	<ol style="list-style-type: none"> <li>1. A police officer who observes a group of corrupt colleagues without intervening</li> <li>2. A person who becomes a 'money-mule' for an OCG by allowing their bank account to be used to transfer funds</li> </ol>	<ol style="list-style-type: none"> <li>1. An adult who allows others to use his car to traffic children for sex or his home to rape them, but does not get involved himself.</li> <li>2. A hotel owner who frequently allows group of men to check in with different unrelated children and who pay by cash to avoid a paper trail</li> </ol>

The mode of joining may be different for each member of an offending group. It may also be different from the reason an individual remains involved with an offending group. To illustrate consider the following two examples<sup>56</sup>:

Example one:

Paul, an officer in the army cadets, voluntarily joined an offline CSOG. His role within the group was to groom victims and bring them along to another member's house for abuse by himself and the rest of the group. After a year he wished to leave the cadets, cutting off the supply chain of available children. The other group members did not want to lose this valuable commodity and so threatened him with violence if he left. Although Paul had voluntarily joined the group he was now staying involuntarily.

Example two:

Nik, the owner of a corner shop became aware that a group of men who he regularly sold alcohol to after hours were hosting sex 'parties' with children. After a few weeks he built up the courage to ask if he could attend a party in exchange for discounted alcohol. The other group members agreed and he was bought into the group. Nik initially was an enabler to the offending group but became a voluntary member.

The assumption was made that those members who were coerced into joining would be good targets for law enforcement already. It was also assumed to be unlikely that many CSOG members would be coerced into joining due to the taboo nature of the crime and the fear of apprehension by other members. Passive members would also be a good target for law enforcement as they may be privy to information that could aid the investigation without being involved in the child sex abuse themselves. Those members who join voluntarily are the least understood by law enforcement<sup>57</sup> and so further research into this group may bring the most benefit to law enforcement officials.

Due to the taboo nature of sexual offending against children and the skill sets required for providing key assets – either children to abuse or images to share – it is likely that the majority

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<sup>56</sup> These are adapted from real case examples from SOCA documents.

<sup>57</sup> As commented by CEOP employees

of offenders will have actively sought out a group with which to offend with and will voluntarily stay with that group. This assumption is based on the belief that child sex offenders would be unwilling to advertise their sexual preference to a wider criminal group in the hope of finding willing co-offenders without first being confident that they would not be met with an adverse reaction. It may also be difficult to force a member to continue to positively contribute to a CSOG if they no longer wished to be involved. Unwilling members may also prove to be an unacceptably high risk to the group as a whole, particularly in regards to avoiding detection. The mode of joining and staying within an offending group can have implications for law enforcement interventions and subsequent prosecution strategies.

### 5.3.2.2 CSOG specific findings

From the ICST case files, additional files on group-based CSE and CEOP interview footage it was possible to identify three main avenues through which a person may voluntarily become involved in a CSOG<sup>58</sup>, namely: pre-existing social ties; wider network awareness; and no previous affiliations. Within each of the three themes are two sub-themes as shown in Figure 5.3 below. This work was based primarily on CEOP case files and interviews and was supplemented by police case file analysis.

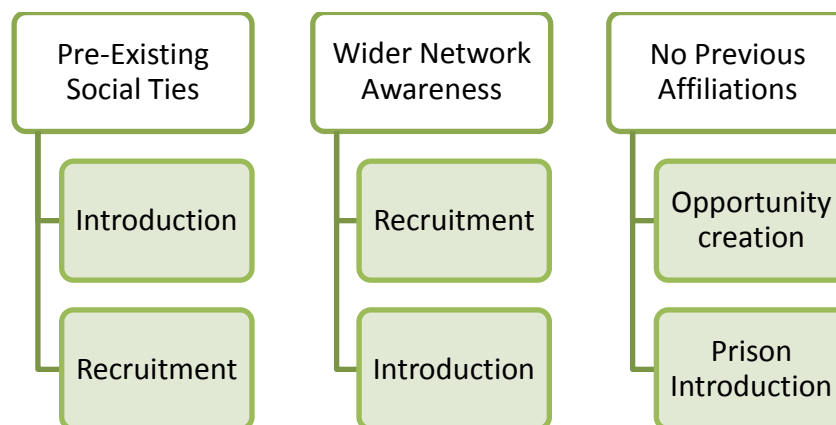


Figure 5.3: Themes and sub-themes of voluntary group involvement for CSOG members

<sup>58</sup> These themes may also extend to other forms of OCGs but this would require further analysis.

Pre-existing social ties were the predominant route to group offending in the ICST cases. Many offenders were related to another member of the group, typically brothers or cousins but in some cases uncles and nephews or fathers and sons. It was also common for an offender to work with or have gone to school with another offender. These friendships and close family relationships are strong ties and may bolster the trust within the group and lower the risk of an offender disclosing during any subsequent police investigation.

When first starting to offend, perpetrators may have initially only known one or two other members but due to the casual offending environment it is highly likely that the relationships between offenders became stronger and additional bonds were formed. In some cases group members were informally invited to offend through their ties with other members (Case 1C) or recruited due to key assets they had such as access to a house to host abuse 'parties' (Case 1D). Other members were introduced to the key perpetrators who decided whether they could be involved in the offending (Case 1A). Groups formed from pre-existing social bonds may make it difficult for an individual to resist or later desist from being involved due to the high level of peer pressure that can be exerted. Removing oneself from this type of group may also mean wider social ostracism.

Finding suitable co-offenders can bring a number of criminal benefits. Some offending groups are lacking in essential skills required to expand or improve the offending experience for members. Under these circumstances, new offenders may be actively recruited for their assets or specialist capabilities. These can include access to children, abuse locations, new IIOC or skills, for example the capability to set up vetting procedures for an online group forum.

In some cases, solo offenders may actively seek out similar individuals beyond their wider network of acquaintances. This is considered the riskiest of the three methods of joining a group as there is little way of knowing the other offenders ahead of any meetings. One way in which offenders attempt to join an unconnected group, or create a new group of like-minded individuals, was to visit places with a reputation for hosting sexually deviant activities. In the 1980s there were a number of locations around Soho and Piccadilly Circus in London that had reputations for being 'active' in the child sex scene (Interviewee 2). These locations include areas of transit such as bus terminals and train stations as there are high volumes of people in

the area and no one would look out of place if they were seen leaving with a child. By visiting these places, particularly outside peak hours, offenders increase their chances of meeting other offenders. This is mirrored in the online world where offenders can be recruited to a group previously unknown to them by spending time on IIOC forums or other sexually deviant websites (Interviewee 3).

Through their incarceration for child sex offences, offenders may meet potential future group members or gain valuable insight into evading detection and grooming tactics through the prison system<sup>59</sup>. This notion is supported by Smallbone and Wortley's (2000) study, where over one in three offenders (37.3%) had spoken about child sexual offending with another prisoner while incarcerated.

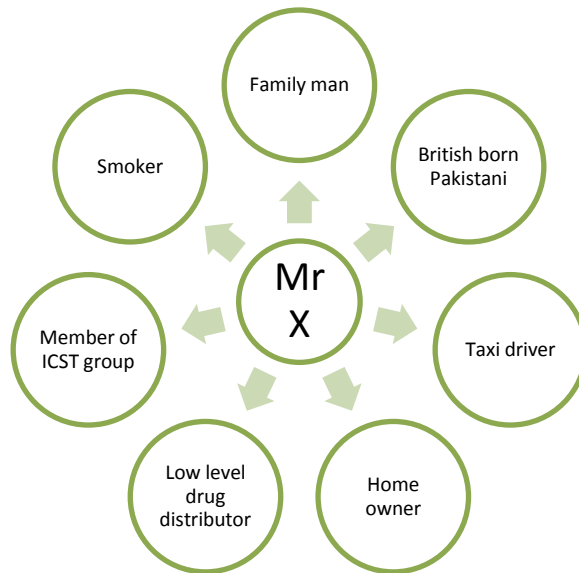
Other forms of OCGs have recruited new members through chance meetings. For example, one study found that individuals were hired as transporters for an illegal cigarette business in Germany through a chance encounter in a bar (von Lampe, 2003). This method of joining a group, however, is unlikely for CSOGs, not least due to the difficulties in identifying others with a similar interest without indicating one's own deviant interests in an untested environment.

There is a tendency to see OCG involvement as an all-encompassing, defining aspect to an individual. In reality, offenders may belong to a number of legal and illegal groups, some they can opt in and out of and others they were born into. Each person, therefore, has their own dynamic and nuanced affiliation space made up of all the groups they are currently attached to. This individual affiliation space includes both fundamental aspects of a person as well as any outside interests that they have. For example, an affiliation space can include 'membership' of a gender and an ethnicity as well as being part of legal and illegal organisations ranging from sports clubs to membership of an OCG. Combined, these individual memberships give rise to complex and fluid connections to other people. Figure 5.4 shows an example of the possible affiliation space<sup>60</sup> of an ICST group member, as identified within this thesis.

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<sup>59</sup> See Cockbain, Brayley and Sullivan, forthcoming

<sup>60</sup> Affiliation space diagram adapted from restricted SOCA document to fit with a profile of an ICST offender



*Figure 5.4: The possible group affiliations of a generic ICST group member, Mr X*

Understanding more about an offender’s legal activities may help support law enforcement strategies. Targeting legal areas of activity may offer novel ways to access an offender. Investigators for Case 1B set up a subsidiary investigation with the aim of targeting known offenders through driving misdemeanours in an attempt to remove cars as a commodity. The tactics involved stopping offenders for driving violations, typically speeding or parking illegally, and fining or adding points to their licences with the end goal of removing their license. A small number of offenders lost their driving licenses this way, potentially reducing the ability for the offenders to attract new victims, drive them to abuse locations or abuse them within the car. It is important, however, that ethical issues around police harassment are fully explored before using this method in other investigations.

#### **5.4 Staying in a group**

This section aims to answer the question:

Why do members stay within an offending group?

Irrespective of the mode of joining, there are a number of reasons why a member may stay involved in group activities. For OCGs, these are outlined as push and pull factors in Figure 5.5.

These push and pull factors were created in 2010 as a part of a restricted government commissioned study<sup>61</sup>. Push factors are those who keep a member involved and pull factors are those who cause strain. Critically, push factors for one group may be seen as pull factors for another and within a group there may be different factors affecting different members at any one time. These variations can be attributed to a combination of individual, social and situational factors.

#### **5.4.1 Method**

The method used to analyse the data in this section was thematic analysis (see section 4.3.) but instead of using an inductive approach, as seen in the majority of this thesis, this section used a deductive approach. This meant that themes identified in the literature (taken from a restricted military document but reproduced in Figure 5.5) were used as a starting point for the analysis rather than developing new themes from the data. This approach was taken for this section as research used by law enforcement and the military to understand possible reasons for members staying within a group already exists. This research, however, has never taken into account CSOG members. Rather than developing a new set of themes there was a clear benefit in applying an accepted framework to this new data set. This would develop an understanding around how similar CSOGs are to other OCGs and allows for testing of the existing themes to see if they adequately account for the CSOGs.

The data used for this section included:

- CEOP case files
- CEOP offender interviews
- ICST case files

The themes to be explored were referred to as 'push' and 'pull' factors. A push factor is a benefit gained by the individual and keeps them within the offending group. A pull factor acts against the desire to stay within the group and may cause an individual to leave an offending group. The sub-themes, shown in Figure 5.5, are not divided into either of the themes directly. Instead each sub-theme is seen as being capable of acting as a push or pull factor depending on the specific circumstances facing an individual at a specific point in time. For example, the sub-

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<sup>61</sup> This is a restricted document and so does not appear in the reference list.



theme of trust and loyalty could be a push factor if the individual feels trusted and a sense of loyalty to the group. This same individual, however, could see this sub-theme as a pull factor if they are betrayed by the group and lose the sense of loyalty they once felt.

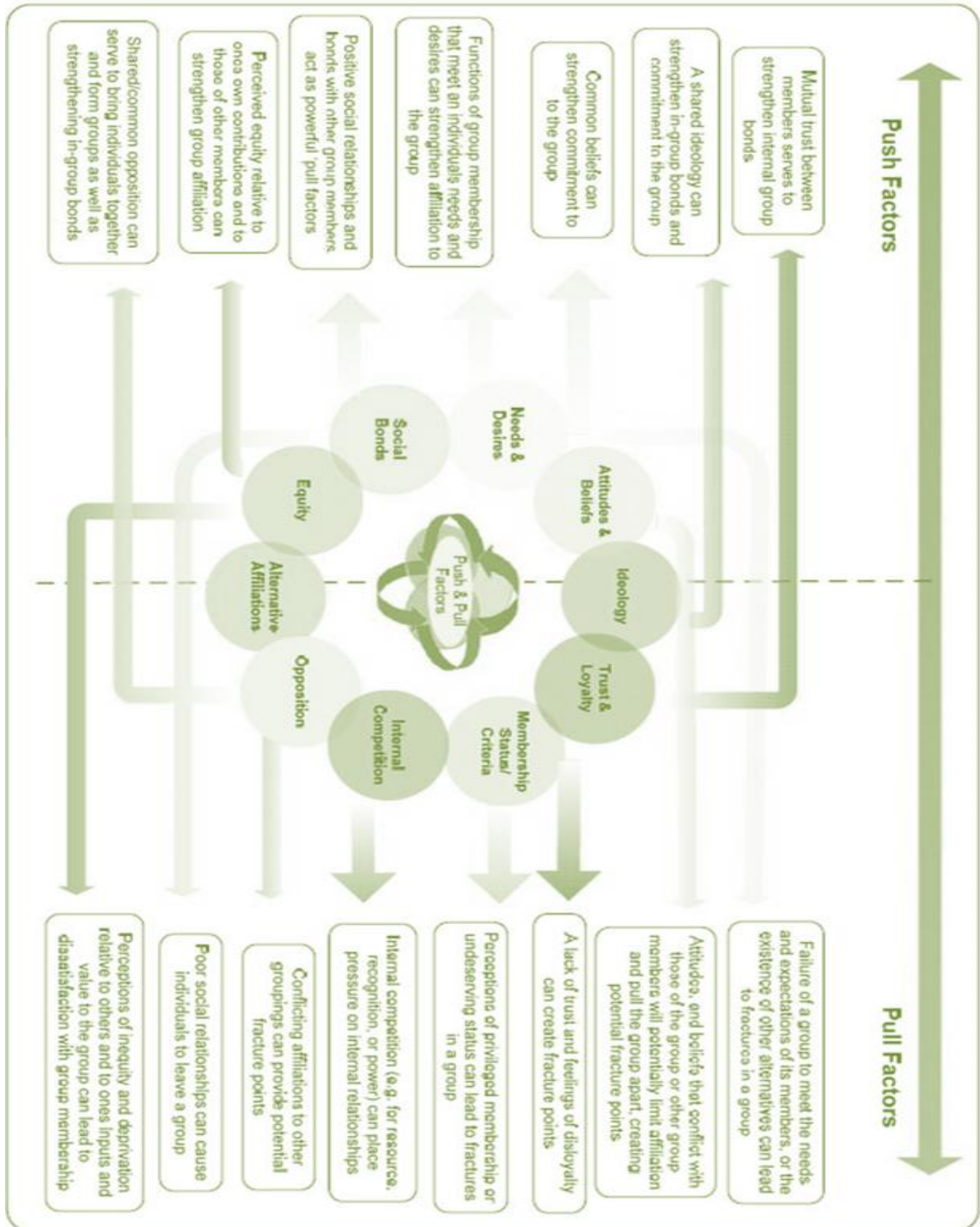


Figure 5.5: Push and pull factors impacting upon commitment to a group (restricted document)

By using these factors as a starting point, references were sought that either supported or rejected the notion of push and pull factors in general and if they were found to understand more which ones existed for CSOGs. A latent approach was needed in this section as, in many cases, the references identified alluded to the push and pull factors rather than discussing them directly. For example, when a member is discussing the closeness to other members of the group outside of offending behaviour this was interpreted as a strong social bond acting as a push factor. In total 75 expressions relating to the sub-themes were identified.

Analysis was conducted on the references to understand more about what CSOG push and pull factors could be identified in the data. Table 5.7 shows the sub-themes, which theme it sits within, examples of expressions to support the sub-theme and the frequency in which the key phrases were found.

Table 5.7: Expressions related to pre-identified pull and push sub-themes

Sub-theme	Push or pull	Examples of key phrases	Frequency of expression
Trust and loyalty	Push	<i>'They had my back and I had theirs' (ICST case)</i> <i>'You had to trust that the person you were sharing with was who they said they were and not the cops' (CEOP interview)</i>	8 key phrases
	Pull	<i>'Once the first offender had ratted out a few of the others, the group broke down' (CEOP case file)</i>	2 key phrases
Ideology/attitudes and beliefs	Push	<i>'The kids weren't being abused, they were well worn in and didn't mind at all' (CEOP interview)</i>	3 key phrases
Needs and desires	Push	<i>'We were all there to have a good time, getting some was why I went' (ICST case)</i> <i>'It was somewhere I could go, get what I needed and then be fine for a week or so' (CEOP case file)</i>	12 key phrases
	Pull	<i>'The group was no longer working out for me, there was no point me in me staying if I wasn't getting anything from it' (CEOP interview)</i>	4 key phrases
Membership status/equity/ internal competition	Push	<i>'I was treated like a god, as a producer everyone wanted to be my friend' (CEOP interview)</i> <i>'There were two leaders in that group and the others followed them' (ICST case)</i>	9 key phrases
	Pull	<i>'X was an outsider, he never really fit in the group and was definitely bottom of the pile' (ICST case)</i>	3 key phrases
Social bonds	Push	<i>'We were all really close, like brothers' (ICST case)</i>	26 key phrases
Alternative affiliations	Pull	<i>'You would have assumed that being religious would have stopped them' (ICST case)</i> <i>'Many of them were married and a couple had kids of their own' (ICST case)</i>	6 key phrases
Opposition	Push	<i>'The police were always picking on us, it was harassment' (ICST case)</i>	2 key phrases

As seen in Table 5.7, not all sub-themes had both pull and push factors associated with them from the CSOG data available. Some of the references identified related to more than one sub-theme so these were grouped together. For example, within the CSOG data there was little differentiation between ideology and attitudes and beliefs.

### 5.4.2 Key findings

Within a child sex offending group the main sub-themes supported were the push of social bonds and the push of meeting the individuals needs and desires through involvement in the group.

Klein and Crawford (1967, p. 65-66) noted that for the specific group structure of a gang 'elimination of external sources of cohesiveness...would be followed by dissolution of a relatively large proportion of gang membership'. Members of CSOGs are likely to be operating as a group to maximise their individual profits in the form of access to children and for IIOC. For ICST offenders, the abuse is seen more as a lifestyle choice or hobby rather than the deliberate committal of a crime and so would not easily be broken down through an attack on external cohesion (Brayley et al, 2011). In order for a group member to maintain their offending status they may be expected to adapt their own attitudes to coincide with that of the group and play an active role in group activities (Sherif and Sherif, 1964; Short and Strodtbeck, 1965).

Relating to the push and pull factors the following was found to be evident:

#### Push

- Strong internal bonds between members, particularly when members come from pre-existing social networks.
- Belonging to the group gives the offender benefits that would not be possible acting alone<sup>62</sup>
- Shared interests and sexual desires makes those in the group feel accepted

#### Pull

- A lack of trust or fear of exposure to loved ones or law enforcement
- Internal conflict, not feeling comfortable living out the fantasy
- Perceptions of inequality within the group where some members receive special treatment

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<sup>62</sup> See section 4.6 for further details.

Each of these findings is important in understanding why an individual in an ICST offending group may remain in that group. Law enforcement may benefit from considering these findings and trying to understand the push and pull factors at play within the specific group they are targeting.

### *5.5 Benefits and risks of group involvement*

This section aims to answer the following question:

What are the benefits and risks associated with offending as a group?

Operating within an illegal group has a number of benefits and risks to its members, largely dependent on the individual characteristics of the group in question. There are, however, some universal benefits for group involvement. Reiss (1988) noted that in addition to division of labour, some members may receive the support and encouragement they need to commit their first crime. The combination of many individuals' awareness space (See Brantingham and Brantingham, 2008) may also positively impact the number of criminal opportunities available to the wider group (Snook, 2004).

McGuire (2012), in his large scale study of digital OCGs, highlighted three areas of benefits to group involvement that are also relevant to CSOGs, namely gains in finance and information; pleasure; and status, power and politics. When financial gains were present in ICST cases they were more of an afterthought than a deliberate aim. Only a small number of offenders (Case 1B, 1C and 2A) made any attempt to make money from the abuse of a victim and only a small number of offenders in Case 1C and 2A appeared to achieve this goal<sup>63</sup>. 'Information' in this context could refer to the exchange of IIOC images, the *raison d'être* for the majority of online CSOGs. Hedonic rewards are rarely included in the literature on OCG member benefits, possibly due to the focus on drug, fraud or terrorist groups. With the inclusion of CSOGs it is important to acknowledge the sexual rewards many members require. Power and politics are also relevant to sex offending groups as they may help to understand the structure of the group in question and explain why some offenders appear to offer a lot of assets to the group in return for status rather than material gains.

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<sup>63</sup> It is not known how much was charged for the abuse of the victims or the total amount made.

### 5.5.1 Method

The method used to analyse the data for this section was thematic analysis, as outlined in section 4.3. This involved reading through the data and identifying key phrases, before grouping the expressions together to form themes.

The data used for this section included:

- SOCA case files
- CEOP case files
- CEOP offender interviews
- ICST case files
- NGO and other open source reports and information

The full range of available documents were utilised in this section in order to first understand the more general benefits and risks of belonging to a group follow by a more nuanced exploration of CSOG data in a second phase of data analysis.

The first stage of the analysis was split into two separate parts so that initially documents were interrogated solely for benefits of joining a group, followed by a second analysis of risks of belonging to a group. This was done so that a clear focus could be maintained. During the search for benefits of belonging to a group 346 expressions were identified. Far fewer references were identified for risks at 104 expressions highlighted. For both overarching themes (benefits and risks) all of the key phrases could be split easily into those that referred to tangible benefits and risks and those that referred to intangible benefits and risks. Through cutting and sorting, the labels given to the sub-themes were 'physical' and 'psychological' for both benefits and risks.

An example of the themes and sub-themes along with key phrases which categorises those sub-themes and frequency of key phrases is shown in Table 5.8.

Table 5.8: Expressions related to benefits and risks of OCG involvement

Themes	Sub-theme	Examples of key phrases	Frequency of expression
Benefits	Physical	<p><i>'By working with others I had access to all the things I needed, it just made things easier' (SOCA case file)</i></p> <p><i>'I didn't need to worry about the logistics, that was taken care of by the others I was working with' (SOCA case file)</i></p> <p><i>'The kids in that area had no chance, either join the gang or be a target – the gang acted as their protection' (NGO report)</i></p>	282 key phrases
	Psychological	<p><i>'It was the first time I felt comfortable being open about my sexual desires, it felt good to talk to someone who understood' (CEOP interview)</i></p> <p><i>'Everyone was doing it, it was no big deal, if I hadn't sold [the drugs] then someone else would' (SOCA case file)</i></p>	64 key phrases
Risk	Physical	<p><i>'Our security was tight but once X had cracked the rest of us were going down, he had dirt on all of us' (SOCA case file)</i></p> <p><i>'We arrested one of the guys but had no idea how connected he was until he started talking – we made a deal, a reduced sentence for names' (SOCA case file)</i></p>	28 key phrases
	Psychological	<p><i>'I knew I couldn't trust them anymore, any day they could turn on you' (SOCA case file)</i></p> <p><i>'I don't know how it happened, I didn't mean to take it that far but felt that I couldn't say no, there were expectations on me' (SOCA case file)</i></p>	76 key phrases

In a similar outcome to section 5.3, it was identified that although these themes were interesting from an OCG perspective, a more nuanced analysis was required to gain a detailed understanding of the specific benefits experienced by CSOG members.

For this second stage of analysis only CEOP case files, CEOP interview transcripts and ICST case files were analysed. The thematic analysis process utilised in this phase was a combination of deductive and inductive analysis. The two themes of 'physical' and 'psychological' already identified in the more general findings were searched for in the CSOG specific data sets

(deductive). The expressions identified within each theme were then further divided into sub-themes that were not predefined (inductive).

Using the more limited range of data, 105 key phrases were found for benefits of belonging to a CSOG and 28 key phrases related to risks of CSOG involvement. Table 5.9 shows the themes, sub-themes, expressions that led to the identification of the sub-themes and the frequency of those expressions occurring for benefits. Table 5.10 shows the themes, expressions and frequency of expressions for risks associated with group affiliation.

*Table 5.9: Expressions related to the benefits of CSOG involvement*

Themes	Sub-theme	Examples of key phrases	Frequency of expression
Physical	Access to children	<i>'We would meet at someone's house and they would supply all the kids, we just got to pick the one we wanted and then we could all swab round' (CEOP interview)</i> <i>'The girls seemed to find him attractive so he was always sent out to recruit new victims to exploit' (ICST case)</i>	51 key phrases
	Access to abuse locations	<i>'X had converted his garage into a room where the men would meet to abuse the girls' (ICST case)</i> <i>'He knew a guy that worked nights at the B&amp;B so they could always get a room, no questions asked' (ICST case)</i>	26 key phrases
	Access to indecent images of children	<i>'Once I had joined I could swap and share images with loads of new people' (CEOP interview)</i> <i>'His house was described as a treasure trove of child pornography, no wonder so many people spent time there' (CEOP case file)</i>	11 key phrases
	Access to specialist skills	<i>'I had no idea how to set up online security but X did, he kept us all safe' (CEOP case file)</i>	4 key phrases
Psychological	Psychological	<i>'They didn't think anything of it, they were all at it so it gave a sense of mutual acceptance and agreement' (ICST case)</i> <i>'It was just nice to have a group of people who thought and felt the same' (CEOP interview)</i>	13 key phrases



Table 5.10: Expressions related to the risks of CSOG involvement

Theme	Examples of key phrases	Frequency of expression
Physical	<i>'We arrested the guy and found his computer was still on, we were able to get many other offenders through that one bit of good luck and set up many more arrests' (ICST case – 2B)</i>	21 key phrase
Psychological	<i>'During his interview he kept saying that he never meant to get violent but he didn't want to look weak in front of the others' (CEOP case file)</i>	7 key phrases

### 5.5.2 Key findings: benefits to group involvement

The findings within this section focus on the benefits of group membership. By understanding what benefits the group members gain for their involvement it may be possible to develop counter-strategies to make these benefits seem less desirable using the principles of situational approaches to tackling crime.

Building on the literature and using data available for this thesis it was possible to develop a comprehensive list of potential benefits of belonging to a CSOG. The developed list of benefits, expanded upon from work conducted in conjunction with SOCA (Brayley and Cockbain, 2012a), can be split into two overarching themes: physical resources and psychological gains. These benefits, identified within this thesis, are shown in Table 5.11, but are not meant as an exhaustive list.

Table 5.11: Physical resources and psychological rewards gained from belonging to an OCG

Type of resource	Examples
Physical	<ul style="list-style-type: none"> <li>• Material goods Money, cutting agents, drugs, weapons, vehicles, real estate and digital devices</li> <li>• Status</li> <li>• Reputation</li> <li>• Knowledge and proficiencies Information, forgery skills, hacking ability</li> <li>• Back-up</li> <li>• Protection For self and others</li> <li>• Favours</li> <li>• Contacts and access Links to corrupt officials , way into target organisations</li> <li>• Commodities unconnected to crime</li> </ul>
Psychological	<ul style="list-style-type: none"> <li>• Companionship</li> <li>• Camaraderie</li> <li>• Acceptance By others in the group, by the wider community</li> <li>• Approval</li> <li>• Support Within and outside of the crime context</li> <li>• Peer reinforcement</li> <li>• Self-worth</li> <li>• Normalisation of deviant behaviour</li> <li>• Diffusion of responsibility</li> <li>• Alleviation of psychological strains associated with not joining the OCG</li> <li>• De-individualisation</li> </ul>

A connection to an individual who can offer physical resources, such as specialist computer skills or easy access to children, can be very appealing to an offender. The scarcer the resources made available the more valuable that person becomes to the group. For example, an increased access to children could outweigh the additional risks operating as a group can pose. Likewise, psychological rewards may enable an offender to justify his or her actions and provide a sense of camaraderie which fuels further offending behaviour.

Each group member is likely to derive a unique set of benefits within an offending group, based on their previous experiences, disposition and current situation. It is also probable that an individual within a group may acquire different benefits at different points in time. When these

gains are considered for child sex offending groups five themes were identified, outlined in Table 5.12. The first four relate to physical resources and include access to children, abuse locations, IIOC, and specialist skills. The final theme relates to the psychological rewards offenders may receive from belonging to the group.

Table 5.12: Potential gains received by belonging to a CSOG

Theme	Gain	Outcome
Physical	Access to children	Through group membership offenders may have access to a much broader range of children than available when they operate alone. Within ICST cases a small number of offenders take on the role of recruiters and provide victims for the wider group to abuse. In commercial CSE it has been noted (in Case 1B for example) that a discount was offered to groups of offenders at a restaurant, making it cheaper per offender.
	Access to abuse locations	Abuse can take place in a variety of locations, inside houses and cars or outside in parks and local beauty spots. Being part of a group can mean a greater range of abuse locations or a fixed location that is always available. In Case 1A, one of the main offenders had access to a house which was frequently used for 'parties'. This was similar in Case B where one offender appeared to have been accepted into the group purely for the use of his flat.
	Access to IIOC	Belonging to a group may mean a seemingly exponential increase in the number of unique images made available. If a member of the group is also a producer of IIOC then new images are available on a regular basis and in some circumstances can be made to order. An increase in digital storage capacity and technological capabilities has meant more images can be shared and stored than ever before with images being shared globally. This, however, comes with the risk of being caught with large numbers of images which cannot be easily explained away as accidental downloads.
	Access to specialist skills	Specialist skills can range from computer skills which enable an online group to function securely to more personal skills such as the ability to persuade, influence and coerce victims into participating in abusive acts. These skills are seen as highly desirable as they often reduce the risk to the group by decreasing the likelihood of a victim disclosing or being believed or the group being uncovered by investigators. For law enforcement, if a group is reliant on a particular skill then this can become the focal point for intervention.
Psychological	Psychological	A sexual interest in children is taboo in current society and so finding other individuals who share the same desire may provide a sense of relief and an ease of conscience to many offenders. The group may also provide a sense that the abuse is OK and that there are no real victims to the crime. This has been seen in some cases where offenders were reported to the police but no further action was taken <sup>64</sup>

<sup>64</sup> For example see 'Edge of the City', a channel 4 documentary filmed in the North of England where a segment of the programme looked at early ICST type cases.

### **5.5.3 Key findings: risks connected to group involvement**

In contrast to the benefits of group involvement there were a number of risks identified as belonging to a CSOG. The first of these is whether an offender is more likely to be apprehended if they operate within a group, a consideration also referred to as the differential apprehension hazard hypothesis (Erickson, 1971). Hindelang (1976) found that those who commit crimes both within a group and alone have a comparable risk of apprehension per crime as those who always offend alone. The risk posed by law enforcement, however, may not be static as changes in political focus can impact on the attention paid to certain crimes. In the 1980s, for example, child sex offending became a focal point of public outrage, mobilising practitioners to respond to the seemingly growing phenomenon (Finkelhor, 2008). The same is now being seen, although on a smaller scale, with ICST offending.

A critical risk of offending as part of a group is violation of trust. The term 'trust' can be defined as the 'firm belief in the reliability, truth, or ability of someone or something' (Oxford Dictionary of English, 2012) and is connected with the way in which a person deals with uncertainty. Trust is an important commodity in all groups and is a fundamental requirement when deciding whether to commit a crime with others (Zaitch, 2002; Weerman, 2003). Breaches of trust and secrecy can affect future decisions regarding group involvement. This is particularly true for offending groups as perpetrators have no legal recourse if a partnership becomes dysfunctional.

Trust is especially important for taboo crimes such as child sex offending. All members of the group need to trust that no one is working with law enforcement but also that everyone will act in a mutually beneficial way. Von Lampe and Johnansen (2003) found that 'members of a deviant subculture share a set of norms and values and are likely to harbour feelings of solidarity in view of a hostile outside world'. Conversely, Simmel (1992), as cited in von Lampe and Johnson (2003) noted that secrecy can encourage and enhance group cohesion, allowing members to shield themselves from external influences.

Paoli (2003) argues that the closeness or cohesion of an ethnically homogenous or strong inter-familial group can provide a competitive edge. One reason for this may be the ease at which trusting relationships can be formed when co-offending and the obligation many feel towards

their kin (Giddens, 1991). Trust within the family, community or ethnic group is thought to be based on familiarity, similarity and shared norms (Misztal, 1996). Within these close-knit groups loyalty is highly regarded along with the need to insulate activities, both legal and illegal, from the outside world (Bovenkerk, 1998). These groups tend to rely on generalised trust, relating to the social group as a whole (von Lampe and Johansen, 2003) as much as individual trust.

Following situational principles, disloyal behaviours can be mitigated against through three mechanisms: reducing the possibility for betrayal; increasing the cost of betrayal; and increasing the levels of trust (von Lampe and Johansen, 2003). Each is outlined in turn below.

#### Reducing the possibility for betrayal

Typically involves the monitoring of procedures but can also include segmentation of activities to protect the overall enterprise. Examples within CSOGs may include asking all potential members to go through a vetting procedure or to commit a criminal act, such as sharing IIOC, before they can join. Additionally, anonymity among online offenders can eliminate some of the need for trust (von Lampe and Johansen, 2003)

#### Increasing the cost of betrayal

Threats and use of violence are ways in which betrayal of the group becomes a less attractive option. With taboo crimes threats of exposure to the wider community can also act as a suitable deterrent to betrayal. This approach may, however, risk other members of the group and so may only be used under extreme circumstances (von Lampe and Johansen, 2003).

#### Increasing levels of trust

Individuals may be able to earn increasing amounts of trust over time. Trustors will offer trustees the opportunity to show they are loyal and dependable through a low-risk venture (Gambetta, 1988). If deemed successful then additional trust may be earned (Good, 1988).

Offenders apprehended for crimes related to child sexual abuse then they could be fearful of their treatment within the prison system and may be more willing to make a deal with law enforcement to get a reduced sentence. These self-serving actions make these offenders

dangerous to the rest of the group<sup>65</sup>. One high-status group offender (Interviewee 3) made a deal with police: a shorter prison term in exchange for the passwords and knowledge of the inner security workings of a major online group. Law enforcement commented that it would have taken them years to access the data without this information<sup>66</sup> (Case 2B). This offender is believed to be directly responsible for the identification of a large number of previously unknown offenders.

## *5.6 Type of ICST offenders*

This section aims to answer the question:

What roles are played within ICST groups?

It can be helpful to breakdown the type of offenders into categories to better understand the actions and roles played by different individuals within the group. By identifying different membership functions, law enforcement may be able to develop interventions which target specific sub-groups within the larger offending network, disrupting or preventing further abuse.

### **5.6.1 Method**

The method used to analyse the data for this section was thematic analysis, as outlined in section 4.3. This involved reading through the data and identifying key phrases, before grouping the expressions together to form themes.

The data used for this section included:

- SOCA case files
- CEOP case files
- CEOP offender interviews
- ICST case files

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<sup>65</sup> All three offenders interviewed (Interviewee 1, 2 and 3) highlighted this in some way.

<sup>66</sup> Interview with SIO on the case

An initial search of the full range of available documents relating to the level of harm caused by individual offenders and the status of an offender within a group produced 178 references. Using cutting and sorting, the expressions could be grouped into three themes relating to the level of involvement in the offending group of an individual. Expressions referred to those with a high level of involvement and high level of offending, those who were involved in offending but were not part of the core offending group and those who enabled the offending to take place through offering services to the group. These three themes were labelled key players, peripheral offenders and facilitators. Table 5.13 shows the themes, expressions relating to the theme and the frequency of the expression.

*Table 5.13: Expressions relating to the role of offenders within a group*

Theme	Examples of key phrases	Frequency of expression
Key player	<i>'X was right in the middle of it all, coordinating and overseeing everything that went on' (SOCA case file)</i> <i>'Before anything happened, we had to check with either X or Y and get approval' (SOCA case file)</i> <i>'X ran the whole site – you only got in with his approval' (CEOP interview)</i>	102 key phrases
Peripheral offender	<i>'X wasn't involved a huge amount, he would just turn up on occasion' (SOCA case file)</i>	18 key phrases
Facilitator	<i>'X would pick the girls up in his taxi and drop them off at the party' (ICST case)</i> <i>'By turning a blind eye, the group could continue with impunity' (CEOP case file)</i>	58 key phrases

Based on the expressions which identified these three themes, a set of criteria was developed to categorise offenders into each group. This is shown in Table 5.14.



Table 5.14: Characteristics of the three levels of offender in ICST groups

Type	Level	Key characteristics
Key players	High	Play a primary role in the planning and commission of the crime. These are initiators of the criminal activity and may take on a leadership type role on occasion.
Peripheral offenders	Medium	Play a more minor role than core offenders but still contribute to the offending.
Facilitators	Low	Facilitate the commission of the crime without committing contact offences themselves. Enablers may be willing to assist with group offending in order to ingratiate themselves into a better group position.

These criteria led to a second stage of analysis using only the ICST case files. Using the categories identified in the wider data set, ICST cases were explored for examples of offenders who fit into each area. SIO interviews within the case files were imperative to this section along with offender and victim interview transcripts and network charts, to allocate an offender into a specific group. Once each offender had been categorised the details were checked by the SIO to allow them to provide further input. No changes were recommended by the SIOs to the allocation of offenders.

### 5.6.2 Key findings

Each OCG has a unique set of requirements in regards to activities to be completed and roles to be filled. It appears, however, that all crime groups are constructed of three types of offender: key players, peripheral offenders and facilitators. These themes were developed through the offender's level of involvement and the characteristics of his offending actions. The themes could also be seen as high, medium and low level offenders, although it is important not to under-represent the role played by those who facilitate the crime. Table 5.15 shows the three levels of offending, the key characteristics and the roles played by ICST offenders.

Table 5.15: Characteristics of the three levels of offender in ICST groups

Type	Level	Key characteristics	ICST Roles
Key players	High	Play a primary role in the planning and commission of the crime. These are initiators of the criminal activity and may take on a leadership type role on occasion.	Arranging access to victims through recruitment and grooming of children. Preventing disclosure through threatening behaviour and use of violence. All core ICST offenders commit contact offences
Peripheral offenders	Medium	Play a more minor role than core offenders but still contribute to the offending.	Group members who attend parties or are otherwise socially connected to core offenders. Abuse victims when available or request and pay for access. This group contains paying clients who have no other role in the crime commission process
Facilitators	Low	Facilitate the commission of the crime without committing contact offences themselves. Enablers may be willing to assist with group offending in order to ingratiate themselves into a better group position	Supplying key commodities such as a house or car where the abuse can take place or drugs and alcohol for the parties and to subdue the victims

The ICST offences analysed in this thesis were committed exclusively against extra familial victims and many of the core offenders come into contact with potential victims through their working environments. Taxi drivers and take away restaurant workers, who make up a significant number of employed offenders, had the dual advantage of being present in places that naturally attract young people and the ability to offer an appealing commodity.

The total number of offenders in each category was then counted to give a breakdown of offender types within and across each category one case. The result of the assessment of category one cases against the typology above is shown in Table 5.16.

Table 5.16: Number of each offender type within category one cases

	Case	1A	1B	1C	1D	1E	Total
Typology of offenders	Key players	4	4	6	5	3	22
	Peripheral offenders	6	5	3	2	0	16
	Facilitators	4	3	0	2	1	10

With the exception of Case 1C, all offending groups utilised at least one non-contact offending facilitator. These offenders provide key commodities, without which the offending may not take place or would be more difficult or risky. If these individuals can be identified early on in an investigation then they may prove to be a good target for intervention. It is harder to judge the roles of the peripheral and key players as the allocation here may be a function of data limitations. The decision to categorise an offender as a key player was based on victim statements and charge lists, two highly correlated sources of data. It may be the case that some of the offenders labelled as peripheral in Table 4.10 may be much more important to the group but their abuse activities have gone unreported, overlooked or down-played during the investigation. It may, therefore, be prudent for law enforcement to treat key and peripheral players in a similar manner until sufficient detail is ascertained.

### *5.7 Conclusion*

Co-offending studies have typically focused on juveniles, leaving a knowledge gap around adult group offending, particularly those who commit sexual crimes against children. It may be beneficial to new investigations to view ICST groups as OCGs, for potential increase in resource availability<sup>67</sup> and to portray the seriousness of this crime. Offenders can be involved in solo offending, group offending or a mix of the two. Offenders can also operate within different groups simultaneously and these factors should be considered during ICST investigations.

The four research questions for this chapter were:

1. How do CSOGs evolve over time? (section 4.4)
2. How do new members join and why do members stay within a CSOG? (section 4.5 and 4.6)
3. What are the benefits and risks associated with offending as a group? (section 4.7)
4. What roles are played within ICST groups in particular? (section 4.8)

A categorisation of CSE sub-sets has been proposed based on the initial access to the child. Each category could include solo and/or group-based offenders. Crime committed by groups may not always be carefully planned out and the requirement for 'organisation' should be as

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<sup>67</sup> See Case A for further details

flexible as possible. Levi (2008) suggests a three-tier typology<sup>68</sup> of: pre-planned, involving the conscious effect to commit crime; intermediate, where legitimate activity leads to criminal behaviours; and slippery-slope, the commission of crime that was unintended or naively committed. Different offenders within a single ICST group could fall into any of the three categories through a) the deliberate targeting of victims, b) those who end up abusing victims by attending a party and committing crimes of opportunity, and c) through victims becoming perpetrators by recruiting other victims for abuse.

Despite many groups being ethnically homogenous adult males in their 30's, each group must be considered as a unique entity. A one size fits all approach will be of little use when dealing with a varied collection of individuals. Law enforcement can, however, utilise emerging knowledge of group structure and dynamics to better understand the working of a group. Situational approaches to crime can play an important role when designing interventions. New areas for police consideration have been highlighted in this chapter that may open up new avenues for addressing criminal group based behaviour in the future, as explored in Chapter seven.

Law enforcement efforts should focus on decreasing the group membership size where possible and taking advantage of any periods of uncertainty and change within the group environment. Implemented initiatives may deprive the group of the necessary skills for the crime commission and weaken the group structure.

This chapter has highlighted dimensions to a group that support a framework for assessing and responding to child sex offenders within a group, as well as the group as a whole. This would allow for a more detailed understanding of a group's function which has the potential to support practitioner and policy-makers decision making. It may also prove useful when developing effective crime prevention initiatives. Before new strategies can be developed, however, it is important to understand what is currently being done by the police to investigate ICST and how this is translated into a prosecution strategy.

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<sup>68</sup> This typology was created specifically for fraud cases but has been applied here more generally

## Chapter Six: Investigating and prosecuting ICST

This aim of this chapter is to provide qualitative descriptions of the key investigation and prosecution strategies used in ICST cases to date. Understanding the current strategies will provide a grounding for the development of additional strategies for use in future cases. ICST is unusual in its high level of group-based offending and little is known of the crime from an academic perspective due to its perceived 'newness'. The use of ICST case files allows for an in-depth analysis of individual investigations and comparisons across similar case types. This chapter answers the following three questions:

1. What tools and techniques are used in ICST investigations?
2. What are the current prosecution strategies in ICST cases?
3. What role does evidence play in the investigation and the prosecution of ICST?

The chapter begins with an overview of the tools and techniques used in ICST investigations to date. This is followed by a review of the prosecution challenges and success seen in the ICST cases reviewed. This chapter is based primarily on ICST case files and SIO interviews. Details of the case files can be found in chapter 4.

### *6.1 Introduction*

Major crime investigations are often highly complex with multiple stages of development. The initial investigative process involves gathering and assessing information, including that gathered from victims and crime scenes, interpreting that information and arranging it in such a way that it can form the basis for prosecution of the offenders (Smith and Flanagan, 2000).

The law plays two important roles in police investigations. First, it specifies what is considered a criminal offence and what needs to be proved in order to convict a suspect. Second, it regulates the conduct of the investigation and subsequent prosecution (Roberts, 2007). Many criminal investigations could be considered 'prosecution-orientated' due to the focus on uncovering facts that lead to the conviction of an offender (McConville et al, 1991; Roberts, 2007, p95).

The investigation can be seen in three, sequential, parts (Innes, 2007, p255):

1. 'Identifying and acquiring' the basis and relevant information for the investigation;
2. 'Interpreting and understanding' the information and converting it into intelligence or knowledge; and
3. 'Ordering and representing' the information for use in court as evidence

Extensive guidance in the form of policies, procedures and guidelines, both formal and informal, are available to support an SIO in the conduct of general major criminal investigation (Innes, 2003; Neyroud and Disley, 2007). These guidelines can be useful for SIOs who are expected to make important decisions, often in uncertain circumstances, and then communicate these decisions effectively within their own team. SIOs may also have to communicate with partner agencies and manage competing demands and priorities all within the necessary legal and organisational framework (Grieve et al, 2007). There is room for investigative discretion at most, if not all, stages of an investigation, and such discretion has been used in ICST cases.

Practitioners other than police can play an important role in the investigation process. In CSOG cases these practitioners often come from social services, health, education and third sector organisations involved in victim care. Practitioners may have also been involved in the victim referral process through coordination with police. Multi-agency teams can provide much needed support for victims and their families as well as providing the police with additional intelligence and skills. Case 1A, for example, was instigated through intelligence provided to the police by a third sector organisation. Prior to the launch of an official operation the police worked closely with the third sector agency to gather intelligence on potential victims and suspects as well as to identify recruitment and abuse locations. These preparatory steps proved invaluable once the formal investigation was under way.

There are numerous standard procedures that can be utilised during the ICST investigations which are not specific to sex offending cases. Cook and Tattersall (2010), in their SIOs Handbook, highlight a number of frequently used techniques, tools and actions as shown in Table 6.1.

Table 6.1: Tools and techniques used during police investigations (adapted from Cook and Tattersall, 2010)

Tool/technique	Description
Intelligence analysis	Intelligence analysis involves making sense of collected information related to the case. Once intelligence reports have been initiated and graded they may be reviewed again for patterns and trends, to identify unknown suspects (and victims), and to link items or people to show relationships.
Problem profile	The profile provides SIOs with descriptive details of the problem, recommendations for prevention and disruption initiatives as well as any quantitative information currently available. During an investigation the profile could be updated and potentially used to provide current information about the problem area and highlight any new issues that arise.
Making enquiries and fact checking	Throughout an investigation any information or intelligence received will need to be verified and new information sought to address knowledge gaps. Suspects need to be identified and a reliable timeline established. The level of intrusiveness in the search for information will be dependent on the needs of the investigation.
Victim interviews	A key part of most investigations is the victim interview where details are given about what happened, when and, if known, by whom. It is also the time when questions relevant to the case will be asked, such as the relationship history between offender and victim (ACPO, 2009). For sexual offences, these interviews are often carried out by an STO and, depending on the complexity of the case, may involve multiple interviews over a period of time. One positive change in recent years has been the introduction of pre-recorded video evidence as evidence-in-chief during a trial for child victims (MoJ, 2011b).
Offender interviews	The offender interview is an opportunity for a suspect to be questioned about their involvement in the alleged event. An offender interview plan should be prepared and contain actions to be taken by the interviewing officer if the suspect confesses, makes a counter statement or gives a 'no comment' interview.
Forensic strategy	During an investigation evidence will need to be collected to formulate and test hypotheses and assess the accuracy of the complainant's account. The forensic strategy should include: procedures for dealing with evidence collected from victims, offenders, crime scenes and witnesses; the collection methods and storage of all samples; procedure for analysing the crime scene and its subsequent release; predicted costing for the forensic analysis; process for prioritising the examination of samples; and any required screening of the DNA database.
Arrest and detention	Once a suspect has been identified, the CPS determine what charges can be levelled against him/her (CPS, n.d-a). A suspect can only be charged if there is reasonable evidence against him/her and if the trial is likely to end in a conviction (CPS, n.d-a). Once an arrest has been made the suspect will be detained until bailed or remanded in custody.

## 6.2 ICST investigations

This section answers the question:

What tools and techniques are used in ICST investigations?

Before being able to develop new strategies for use by law enforcement in tackling ICST cases, it is important to understand what strategies and tactics are currently being utilised. By analysing the case files individually, it was also possible to compare strategies used by different force areas and understand how some of the decisions made by the SIO affected the case when it went to trial. An overview of each case is given in Table 6.2 below.

*Table 6.2: Summary of category one case details*

	Case	1A	1B	1C	1D	1E	Total
Victims	Number	27	7	4	5	2	45
	Age Range	12-19 years	13-17 years	13-16 years	15-19 years	16 years	12-19 years
	Average age	15 years 9 months	15 years 3 months	14 years 2 months	17 years 5 months	16 years 8 months	15 years 10 months
	Standard Deviation	1.4	1.1	0.9	1.2	0.2	1.6
Offenders	Number	14	2	9	11	4	40
	Age range	24-38 years	22-26 years	18-28 years	20-58 years	17-37 years	17-58 years
	Average age	27 years 8 months	24 years 2 months	22 years 6 months	37 years 9 months	31 years 3 months	29 years 8 months
	Standard Deviation	1.8	0.7	1.7	2.2	1.2	1.3
	Total charges	77	26	28	35	8	148
	Number of offenders convicted	9	2	5	9	4	27
	Offenders acquitted	5	0	4	2	0	11
	Total convictions	36	25	9	25	8	78
Conversion	43%	100%	32%	71%	100%	53%	



### **6.2.1 Method**

The method used here to analysis the data involved reading through each of the case files and SIO interviews to identify the key investigation techniques used within the operation.

The data used for this section included:

- Case files for category one cases

The case files contained information that directly referred to strategic decisions, such as whether covert tactics were to be utilised or a purely overt approach was to be taken. The files also contained indirect references, such as decisions regarding approaching new victims after they had been identified by known victims during the interview process.

The SIO interviews were of particular importance in this chapter as they allowed for a more in-depth understanding of what decisions were made and why that course of action had been chosen. This level of detail was often unavailable from other data sources. The interviews of each SIO were conducted once the case files had been received and initially reviewed. This was in order to create a series of questions that would address gaps in the data as well as being able to delve deeper into the decision making process of the SIO. It is acknowledged, however, that some of the reasons for decisions being made which were given by the SIO may have been subject to hindsight bias where they attributed a conscious decision to an event that they were not aware of at the time.

A key phrase was recorded each time there was reference to an investigation or prosecution decision or reference to a tactic being used. As each case was set up and managed differently, themes were not generated and searched for across all cases. Instead, descriptions were gathered and grouped on a case by case basis to provide an overview of that operation.

### **6.2.2 Key Findings**

The ICST operations analysed here used a combination of many investigative techniques. This section provides an analysis of the strategies on a case-by-case basis for all operations covered in category one and two. The findings were developed from reading through the case files and recording any reference to the investigation or prosecution. The same method was used for

the SIO interviews. Each finding has been directly referenced to a particular case for transparency.

This is an overview of the key investigation strategies utilised in category one ICST operations. The data used for these overviews came from both the case files and the SIO interviews.

### **6.2.2.1 Case 1A**

Investigation strategy:

Due to a lack of credible evidence linking victims and offenders and a reluctance from the victims to disclose to the police, a decision was made by the SIO to set up covert surveillance of the two key suspects. Surveillance started approximately three months into the investigation and lasted for five weeks. Child protection was at the forefront of the covert strategy. This covert approach involved input from a multi-agency team working with the gold group in the form of fortnightly status meetings. A dedicated child protection manager from within the police was in contact with the surveillance team throughout its deployment to assist with decision making. A live intelligence team was also operational allowing for real time matching of offender and victim images with names, ages and contact details. At the peak of the investigation, over 100 officers were involved in the operation, engaged in surveillance, victim support, forensic recovery, interviewing and general investigative roles.

Key evidence collected:

- Physical evidence including fingerprints and body fluids connecting offenders and victims to one another and to abuse locations. Seizure of over 100 mobile phone SIM cards containing contact details and text message data.
- Covert evidence including CCTV footage, transcripts from probes and surveillance photographs.
- Positive offender identification and statements by victims and key witnesses.

Prosecution and outcome:

Due to the large number of offenders involved, three separate trials were held, using the same judge but different juries. Each case lasted approximately eight weeks. A total of 77 charges were levelled against the defendants. The majority of offenders (N=8) were charged with committing one or two offences against a single victim. A further four committed a slightly

higher number of offences against two or three victims. The two most prolific offenders were charged with committing 33 offences against 20 victims and 20 offences against 12 victims respectively.

Nine out of the 14 offenders were convicted of at least one charge, relating to 15 of the 27 victims who testified. Five men were acquitted based on a lack of victim credibility and lack of corroborating evidence. Six convicted offenders received sentences of three years or less. One offender was jailed for seven and a half years for rape and the ringleaders received indeterminate public protection sentences of 11 years and 8 years respectively.

#### **6.2.2.2 Case 1B**

Investigation strategy:

From the outset it was decided that this operation would be run as an open enquiry. This was due to anxiety around other, unidentified victims being abused during the investigation and a fear of reprisals by the public. Two years prior to the start of this operation, community members from a nearby town had sued the police for failing to protect their children under similar circumstances. A growing number of offenders were identified and the decision was made to focus on the key players who seemed to be involved in the most harmful activities. This included recruitment and grooming as well as abuse. This decision was made to disrupt the wider network of offenders and to act as a warning that the behaviour was unacceptable. Other offenders would be targeted at a later date. Prevention of further offences was also a key aim and a side-line operation was instigated to target offenders for motoring misdemeanours in order to ban them from driving and removing a recruitment method and abuse location.

A total of 52 police staff were involved in this operation, made up of police officers and a small number of analysts and other staff. The majority of these individuals were working full time on the case, which is still ongoing three years later.

Key evidence collected:

- Witness and victim statements and offender identification by victims .
- Physical evidence such as fingerprints and body fluids that showed links between offenders and locations. Very little physical evidence was found that connected victims

to offenders or victims to locations or that was conclusive enough to be used in court. This forensic testing cost over £100,000.

#### Prosecution and outcome:

As the rape allegations were all historic, a much greater emphasis on victim statements was required. The first prosecution case involved all nine offenders being tried in one hearing. As there was little corroborating evidence and many of the victims came from chaotic backgrounds their testimony was easily discredited. One main prosecution witness was also found to be in contact with a number of offenders throughout the trial. This led to the case collapsing. A retrial was scheduled for the following year and the new prosecution strategy was modelled on Case 1A, with the case split into three trials with one judge and different juries. This approach would make each trial more manageable in size, length and complexity. The first of these trials has now concluded after a seven week trial. Two men were convicted of a total of 25 charges and sentenced to 18 years and 14 years respectively. The second trial is currently underway.

#### **6.2.2.3 Case 1C**

##### Investigation strategy:

A multi-agency approach was taken to this case from the start with the NGO who started the operation playing a valuable role in victim support. In addition, health, education and social services were involved in regular strategy meetings. Victims were extensively interviewed and provided detailed information about the location of abuse incidents, including detailed descriptions of the inside of one offender's property. The decision was made not to use mobile phone data in this operation due to the difficulties in proving who was using the phone at the time. Offenders were then arrested during simultaneous dawn raids and positively identified by the victims.

##### Key evidence collected:

- Victim and offender ROVI's, victim statements and offender identification by victims.
- Limited physical evidence was collected and mobile phone data was not used in the trial. Paternal DNA from a miscarried foetus was inconclusive.

Prosecution and outcome:

All four victims gave evidence in court. Each victim was the subject of multiple offences but in the majority of cases only the first offences resulted in a conviction. The police believe this was due to the jury failing to understand why a person who had been raped by an offender would then choose to continue to socialise with them on subsequent occasions. Three offenders were acquitted, one of whom was considered a key player within the group. The jury took over a week in deliberations but returned only nine convictions from the 28 charges. Despite this relatively low conversion rate the sentences were high, ranging from four to 11 years.

#### **6.2.2.4 Case 1D**

Investigation strategy:

This was a high pressure case as one victim had made an initial complaint, dropped by the CPS for insufficient evidence, two years prior to the start of this operation. The forensic evidence collected during the first investigation had not been fully tested at the time resulting in a number of missed opportunities to link offenders to the victim. Some forensic evidence did remain from the first investigation: the most promising were two pairs of female underwear with DNA from semen matching one of the offenders and DNA from the female victim. DNA was also recovered from a victim's aborted foetus, proving that another offender was the father. The victim was 14 years old at the time of the abortion.

A multi-agency approach was taken during this investigation in order to offer full support to the victims and to try to achieve credible testimony. These goals were hampered, however, by official minutes from a multi-agency meeting, given to the defence during disclosure, stating that the victims were known by locals to be prostitutes. The strategy taken in this case was to focus on the trafficking element as well as the individual sexual offence charges as it linked all the aspects of the grooming, movement and abuse together. The focus on trafficking was particularly relevant as many of the offenders were either taxi drivers or their offending was facilitated by taxi driver accomplices.

Key evidence collected:

- Retained items from previous investigation including copies of victim interview transcripts and statement. DNA from underwear matching one offender was also part of this investigation along with DNA from an aborted foetus.

- Victim and witness statements including statements from care home workers and offender identification by victims.
- Offender statements, including one statement where the offender admitted to facilitating the crime and implicated a number of other offenders, corroborating the victims' accounts.

Prosecution and outcome:

Five victims gave evidence in court accompanied by the limited forensic evidence available. Nine out of the 11 offenders were convicted and given sentences ranging from 4 to 19 years. All offenders were convicted of conspiracy to engage in sexual activity with a child and six were convicted of internal trafficking offences. This was a landmark case due to it being the first successful conviction for internal trafficking of British minors within the UK.

#### **6.2.2.5 Case 1E**

Investigation strategy:

A standard sexual assault investigation was followed in this case. Due to the early disclosure of the incident it was possible to conduct forensic examinations on both victims. This included intimate swabs and the collection of clothing items. DNA from semen stains was identified on one of the victim's dresses. The dress had been borrowed from the female offender and it was not clear whether the stain was a result from the offences that had occurred or a previous sexual encounter. The female offender, known to the victims, was interviewed and identified the male offenders involved. All offenders were interviewed a number of times. Mobile phones were seized and cell site analysis was conducted to corroborate the victims' accounts.

Key evidence collected:

- Physical evidence including fingerprints, hair fibres and body fluids connected offenders and victims to one another and to abuse locations. Fingerprints were found connecting the offenders and victims to the abuse locations.
- Seized mobile phones showing connections between offenders and victims. Cell site analysis placed all actors at the abuse location at the time of the incident.
- Victim and witness statements including statements from the female offender and offender identification by victims.

Prosecution and outcome:

All four offenders were charged with conspiracy to rape and aiding and abetting rape. The male offenders were also charged with rape. The contentious issue in this case was around the treatment of the female offender. She was only a few months older than the two victims and had been a victim of CSE herself for a number of years. It appears that she had transitioned from victim to perpetrator by bringing along two new females for abuse. This was the first investigation that decided to treat a victim-turned-perpetrator as an offender rather than a victim.

#### **6.2.2.6 Overview of cases**

An overview of the descriptive statistics for each category one case and the combined results across all five cases are shown in Table 6.3.

Table 6.3: Overview of category one cases

	Case	1A	1B <sup>69</sup>	1C	1D	1E	Total
Victims	Number	27	7	4	5	2	57
	Age Range	12-19 years	13-17 years	13-16 years	15-19 years	16 years	12-19 years
	Average age	15 years 9 months	15 years 3 months	14 years 2 months	17 years 5 months	16 years 8 months	15 years 10 months
	Standard Deviation	1.4	1.1	0.9	1.2	0.2	1.6
Offenders	Number	14	2	9	11	4	40
	Age range	24-38 years	22-26 years	18-28 years	20-58 years	17-37 years	17-58 years
	Average age	27 years 8 months	24 years 2 months	22 years 6 months	37 years 9 months	31 months 3 months	29 years 8 months
	Standard Deviation	1.8	0.7	1.7	2.2	1.2	1.3
	Total charges	77	26	28	35	8	148
	No. offenders convicted	9	2	5	9	4	27
	Offenders acquitted	5	0	4	2	0	11
	Total convictions	36	25	9	25	8	78
	Conversion	43%	100%	32%	71%	100%	53%
	Typology of offenders	Key players	4	4	6	5	3
Peripheral		6	5	3	2	0	16
Facilitator		4	3	0	2	1	10

For a variety of reasons, not least the lag time between the abuse occurring and disclosure, it was not possible to accurately attribute a date for first offence for each victim. It is also possible that the offenders had abused other victims prior to those included in the current case and so again it was not possible to give a date of first offence for offenders. For these reasons, the average age given for both offenders (29 years 8months) and victims (15 years 10 months) was taken from the start of the investigation. Although these ages are higher than when the

<sup>69</sup> This case involves nine offenders but to date only two have been convicted. The remaining seven are still at trial.



abuse first began, they appear similar to figures from other sexual exploitation related literature. For example, DeJong et al (1983) found a bimodal distribution for sexually exploited females with peaks at 6 years and 15 years and Jordan et al (2013) found the age of first sexual victimisation for females was between 12 and 14 years. In relation to offenders, Smallbone and Wortley (2000) found that the average age of CSA offenders when they committed their first offence was 32 years 5 months.

### **6.2.3 Investigation challenges**

ICST investigations utilise both reactive and proactive forms of investigation styles by reacting to crimes that have already occurred and proactively searching out victims before further abuse occurs. Different tools and techniques have been used across the cases such as the use of a problem profile to initiate an operation. A problem profile created in conjunction with a local NGO for Case 1A formed the basis for the organised crime group matrix which assesses the seriousness of the problem. The matrix output showed that the problem should be a force priority and the investigation was initiated.

Many cases start off unsure how many victims and offenders will be uncovered. Some of the larger cases (Case 1A and 1B in particular) became so large during the intelligence gathering stage<sup>70</sup> that the SIOs had to set investigation parameters. Any victims who were last abused before a defined date would be dealt with as part of a separate investigation. This was necessary due to the limitations of time and resources available for the operations.

Working within a multi-agency framework also posed challenges. The lack of shared terminology between different agencies, differences in working hours and practices<sup>71</sup> and a conflict in the aims of the individual organisations can all negatively impact upon an investigation. Few multi-agency teams have addressed these issues head on, although Case 3A developed a much-lauded model of physically locating key team members within a shared office space. The SIO of this ongoing project believes that by having social services, third sector child support workers and the police together in one office they can quickly develop optimal

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<sup>70</sup> Predominantly due to the high volume of both potential victims and offenders identified

<sup>71</sup> A commonly mentioned problem by SIO's during their interviews was that the police are a 24 hour a day, 7 days a week organisation whereas victim support agencies may only work during normal office hours. This proves contentious when the police pick up a child outside of working hours and are not given support from the agencies who should be involved.

ways of working with minimal duplication of tasks and a clearer understanding of roles and responsibilities. Co-locating key team members assisted in creating universal terminology and enabled instantaneous access to practitioners with a broad range of knowledge and expertise.

Investigator discretion was used within each case. Although this flexibility is largely positive and allows the investigation to be nuanced there are times when decisions made can leave future SIOs confused. For example, in Case 1E a victim-turned-perpetrator was prosecuted and convicted for their role in the offending. Almost identical actions in Case 1C lead to the victim-turned perpetrator not being prosecuted and instead being offered extensive victim support. The role of child victim-turned-perpetrator occurs in other types of child abuse cases. Domestic minor sex trafficking groups in the USA is one example. These crime groups control and manipulate their victims through peer pressure exerted from other victims as children are more likely to cooperate with others of a similar age than adults (Jordan et al, 2013).

Tackling ICST, as with many other forms of serious crime, is not a simple task. It requires a dedicated and nuanced approach, often specific to a geographical area and the community in which the offending is occurring. As more of these cases come to light and as policy makers, statutory agencies and the public become more aware of the scale of the problem it is hoped that more will be done from a prevention perspective. In the shorter term, however, more could be done to support SIOs when faced with ICST investigations.

### *6.3 ICST prosecutions*

This section answers the question:

What are the current prosecution strategies in ICST cases?

The work conducted during a police investigation provides the details for the CPS if the case should go to court and what the case against the defendant(s) should be. When law enforcement officers understand some of the challenges faced during the prosecution of offenders, the result can be a more thoughtful approach to the investigation.

### **6.3.1 Method**

The method for analysing the data in this section involved a combination of quantitative and qualitative methods. For the quantitative analysis, basic counting of offences was conducted. More complex analysis was not possible at this stage due to the limited data available. The qualitative data analysis followed the thematic analysis used throughout this thesis (see section 4.3).

The data used for this section included:

- ICST case files

The analysis for this section was divided into three parts: types of convictions achieved; challenges faced by the prosecution; and key prosecution successes. The method used for each section is discussed below.

#### **6.3.1.1. Charges**

Each set of case files includes a charge sheet which sets out what charges are being levied against each offender. The charge sheets were used during the SIO interviews to compare against the charges that were still in place at the start of the trial and which of those charges resulted in a conviction. This part of the SIO interview was used to gather data on the number of type of each conviction across the different cases. This involved basic quantitative analysis in the form of descriptive statistics to understand which charges were successfully achieved. In addition to the SIO interviews, open source data such as media reports on the outcome of the trial were used.

#### **6.3.1.2 Challenges faced by the prosecution**

Expressions relating to challenges faced by the prosecution were searched for within the case file documents and the SIO interview notes. In total, 284 references were identified across all cases. Using cutting and sorting, these references were divided into four themes. Not all themes were present in every case but appeared in at least one case as a substantial issue that arose. Key phrases that related to prosecution challenges deemed not ICST specific (e.g. the challenge of proving beyond reasonable doubt). This was to avoid over-complicating the results and to avoid shifting the focus from an ICST focus to prosecutions and the criminal justice system more generally.

The SIO interviews were particularly helpful in identifying challenges during the prosecution as many of the issues that arose occurred after the case files had been created and submitted. The SIO interviews enabled data to be gathered after the trials had concluded. Questions were asked around how the trial went and what the SIO would do differently if faced with an ICST case again. Due to a lag time between the end of the trial and the SIO interview (between one and six months for each SIO), the SIOs had time to reflect on the events and consider possible alternative courses of action.

Table 6.4 shows examples of the expressions used to generate the themes and the frequency of the expressions within the data.

*Table 6.4: Expressions related to challenges to prosecutions*

Theme	Examples of key phrases	Frequency of expression
Victims	<i>'On several occasions we would be in court and would find out that a victim had been in touch with one or more of the offenders on trial, this made it really difficult to get across the seriousness of the abuse to the jury' (SIO interview)</i> <i>'I can't remember, he might have done X before or after Y, it was so long ago I can't remember' (Victim transcript)</i>	123 key phrases
Offenders	<i>'She told me she was over 16, you can check my texts if you don't believe me' (Offender transcript)</i> <i>'They all turned up on the first day of court looking like respectable members of the community, nothing like what they looked like at the time of the abuse' (SIO interview)</i>	36 key phrases
Evidence	<i>'We were relying purely on victim evidence, there was very little comms or forensic evidence available' (SIO interview)</i> <i>'The eye witnesses who could testify were no more credible than the victims, I am not sure if they helped or hindered' (SIO interview)</i>	48 key phrases
Process	<i>'Multiple defence barristers meant multiple cross examinations – it was not a pleasant experience up there' (SIO interview)</i> <i>'From the start of the investigation until the start of the trial was over 18 months, the abuse had started months, sometimes years before the investigation began' (SIO interview)</i>	77 key phrases

### **6.3.1.3 Prosecution successes**

To explore the other side of the prosecution, those factors that were deemed successful, another phase of analysis was conducted. This time instead of looking for expressions related

to prosecution difficulties, expressions were identified that referred to successful tactics employed by the prosecution. Again the main source of data was SIO interviews but additional information was available in the file where prosecution strategies were discussed ahead of the trial and in media reports relating to the trial.

From the 184 key phrases identified the same four themes seen previously in the analysis of prosecution challenges emerged. These themes were victims, offenders, evidence and process. Table 6.5 shows examples of the expressions which led to the identification of the themes and the frequency of the expressions.

*Table 6.5: Expressions related to prosecution successes*

Themes	Examples of key phrases	Frequency of expression
Victims	<i>'We showed the jury school photos of the victims taken at the time that they said the abuse began, this helped the jury to see them as the children they were rather than the late teens they now were' (SIO interview)</i>	14 key phrases
Offenders	<i>'CCTV will be presented showing two of the complainants entering the car of one of the suspects. The footage shows the appearance of the men at the time of the alleged offence' (Pre-trial prosecution strategy)</i>	3 key phrases
Evidence	<i>'All victims were interviewed using the ABE [achieving best evidence] interview guidelines' (Case files)</i>	115 key phrases
Process	<i>'A trusted adult was involved in supporting each victim from the start and through the prosecution. This helped ensure that the girls turned up for court on the right day at the right time' (SIO interview)</i>	62 key phrases

### **6.3.2 Key findings**

Three areas are discussed below, namely: charges; challenges to prosecutions; and successful prosecution strategies.

#### **6.3.2.1 Charges**

There are eight charges that are commonly applied to ICST cases involving children over 13 years<sup>72</sup>. These charges, together with their aggravating factors and sentence guidelines, are shown in Table 6.4 below. Other charges such as false imprisonment and perverting the course

<sup>72</sup> Children under 13 years are treated as more vulnerable than those over 13 years and as such a different set of charges can be applied. Each of these charges has been levelled against at least one offender across two or more cases.

of justice (for witness intimidation) have also been used. It may also be possible to charge other sexual offences such as assault by penetration (S.2) and paying for the sexual services of a child (S. 47).

*Table 6.4: Frequently seen sexual offence charges against perpetrators of ICST*

Section	Offence	Aggravating factors	Maximum sentence	Number of ICST convictions
1	Rape	Multiple offenders	Life	1A: 6 1B: 1 1C: 2 1D: 3 1E: 3
3	Sexual assault	Naked genitalia of victim and/or offender	14 years	1A: 3 1D: 2
9	Sexual activity with a child	Penetration	14 years	1A: 8 1B: 11 1C: 6 1D: 1
10	Causing or inciting a child to engage in sexual activity		14 years	1A: 2 1B: 1 1D: 9 1E: 3
14	Arranging a child sex offence		14 years	1D: 1 1E: 2
15	Meeting a child following sexual grooming		10 years	1B: 1
48	Causing or inciting child prostitution and pornography	Penetration	14 years	1A: 1 1B: 9
58	Trafficking within the UK		14 years	1B: 2 1D: 6

Sentencing upon conviction is dependent on a number of factors such as culpability, seriousness and mitigating or aggravating factors. In the case of sexual offences, any level of coercion or exploitation results in the offender's culpability being seen as high (SGC, 2007). Offenders are seen as more culpable if they consciously target vulnerable people, fail to adhere

to warnings given<sup>73</sup>, offend in groups, or dispose of and/or conceal evidence. Many ICST offenders meet all of these criteria and face potentially high sentences if convicted.

In total, 148 charges were levelled against 40 offenders who abused 45 victims across these five operations. These figures, however, are conservative and only include offenders where enough evidence existed to support the charges and victims who were willing to disclose the abuse to the police. All of the interviewed SIOs believed that there were many more offenders and victims connected with the case that did not go to court.

Within ICST cases, female perpetrators appear to play a complicated role of co-conspirator, facilitator and recruiter. The women involved as perpetrators<sup>74</sup> in ICST cases appear to fulfil the function of finding and grooming victims for sex abuse rather than committing sexual abuse themselves. Within the ICST cases analysed here, only one female offender was convicted (Case 1E). A number of victims in case 1A had displayed very similar actions to the female convicted as an offender in Case 1E, but the decision was made to treat them purely as victims. This is confusing for practitioners hoping to learn from past cases and difficult to understand and justify when other victim-perpetrators in the same situation are being given support for the victimisation which they suffered. Centralised guidelines may help support a more consistent response in the future.

### **6.3.2.2 Challenges to prosecuting ICST**

All five category one trials started over a year after the initial report of abuse had been received by the police<sup>75</sup>. This time delay means that victims are unable to move on with their lives or receive the necessary counselling without negatively impacting on the case. It can be very difficult to persuade ICST victims to testify in court, particularly when the trial is held in another city and requires extensive travel.

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<sup>73</sup> It is becoming increasingly common for police to issue warnings to adults who are acting inappropriately with children. These include Harbours warnings in which the police inform the adult that the person they are communicating with is a child.

<sup>74</sup> Only one woman has been prosecuted and convicted to date although others have been included in the early stages of a number of investigations.

<sup>75</sup> It is not possible to give exact dates due to inconsistencies in recording dates for the initial report and investigation start.

One victim (Case 1B) was in court for 15 consecutive days, the majority of which involved lengthy and invasive cross-examination. All of Case 1A victims who testified stated they would never do so again (from SIO interview) despite many of them accepting the special measures offered to them by the court.

ICST cases have proved difficult to prosecute. Within the category one cases, the main challenges identified in this thesis can be divided into four areas: victims; offenders; evidence and; process. Each area is outlined briefly in Table 6.5.

*Table 6.5: Challenges faced when prosecuting ICST cases*

Category	Challenges
Victims	<ul style="list-style-type: none"> <li>• Bad character and lack of credibility, including previous involvement with the police and social services</li> <li>• Inconsistent timeline of events given during multiple interviews</li> <li>• Returning to offenders after abuse has occurred</li> <li>• Remaining in contact with some offenders after the investigation and trial has started</li> </ul>
Offenders	<ul style="list-style-type: none"> <li>• Corroborated stories between offenders</li> <li>• Claim that sexual activity did occur but they believed the victim was over 16 years</li> <li>• Appear in court as respectable members of the community</li> <li>• Witness intimidation (two offenders in Case 1A were convicted of this offence)</li> </ul>
Evidence	<ul style="list-style-type: none"> <li>• Little physical evidence available due to the lag time between the offence occurring and disclosure to the police (less of an issue in Case 1A due to covert evidence collection)</li> <li>• No eye witnesses willing to testify</li> <li>• Forensic evidence often just shows victims were at the abuse location rather than an offence took place</li> <li>• Little evidence of physical force, e.g. torn clothing or injuries, to demonstrate violence towards to the victims</li> </ul>
Process	<ul style="list-style-type: none"> <li>• Long lag time between offences being committed, investigation starting and prosecution case being developed and delivered</li> <li>• Difficulties in presenting a complex case involving multiple victims, offenders and/or charges</li> <li>• Multiple defence barristers resulting in long, protracted cross examination of victims which can be traumatic</li> <li>• Difficult to prove some of the charges involving intent</li> </ul>



The lack of forensic evidence presented in most ICST trials results in a heavy reliance on the victims to present coherent testimony. This can be a daunting task, particularly when victims are faced with offenders who still live within their same community. Against explicit police instructions some victims remain in contact with their abusers throughout the investigation and, on occasion, into the trial. This can make the prosecution case difficult to explain to the jury who may then see the victims as culpable. For example, in Case 1C the jury convicted the offenders for the first count against each victim but acquitted them for subsequent offences. The reason speculated by the SIO was due to a lack of understanding of how a victim could be raped multiple times on separate occasions but choose to stay in contact with the offenders.

Some of the charges used in ICST cases create particular problems for the prosecution. For example, arranging, facilitating and grooming offences involve intent which can be very difficult to prove (Ost, 2004). It is also hard to portray the lack of formal planning and the speed in which some abuse takes place. For example, in Case 1A 40% of the victims were initially abused on their first encounter with an offender. Sex trafficking offences require movement to have been planned or have taken place for the purpose of sexual exploitation, which without physical proof of the victim being in the offenders' car, for example, can be difficult to demonstrate conclusively to the jury. Finally, evidence in sexual offence cases can be sparse, especially when the defendant claims the sex was consensual. The defence in ICST cases often state that the victims told the defendant that they were over 16 years when the sexual activity began.

ICST as a crime type is a new concept to many prosecutors so there is little precedent to guide which charges to apply. Some prosecutors chose to charge under Section 1 (SOA 2003), rape. Others opted for the Section 9, sexual activity with a child, as this does not require the prosecutor to demonstrate coercion leading up to the sexual abuse. The notion of coercion has proved difficult in some ICST cases as there is still little acknowledgment of the power of psychological manipulation (Brayley and Cockbain, 2013a). The lack of consistency in charging can be confusing and potentially problematic for future cases when trying to understand what charges to use and what evidence is needed for proof. It is hoped that some of these issues around consistency will improve as prosecutors become more aware of the nuances of ICST cases.

One particular concern was highlighted by Renvoize (1993) in regards to attitude in CSA cases more generally. She states that many people, both lawyers and the wider public, find it uncomfortable to accept that CSA can happen in their area so they try to excuse the behaviour or make the victim seem culpable. This is in line with the cognitive bias known as 'just world hypothesis' whereby it is believed that an individual's actions results in a just outcome (Lerner, 1980). In the case of rape victims, Janoff-Bulman et al (1985) showed that rape victims were seen as culpable when it appeared that their actions had allowed the offence to take place. In agreement, Piper (2000) discussed how children are seen by society as unsexualised, innocent and vulnerable beings. This view of children contrasts with many ICST victims who present as sexually promiscuous, strong willed and confrontational teenagers. The influence of the victim's character and risk taking behaviour is also more likely to affect the jury's decision if the evidence against the defendants is weak (Estrich, 1987), as is the situation in the many ICST cases.

A US study found that a prosecutor was over twice as likely to charge a suspect if the victim had not engaged in risky behaviour and five times more likely if there were no issues around the victim's moral character (Spears and Spohn, 1997). When these factors do influence the likelihood of an offence being charged, it has been argued that this is "tantamount to withdrawing the protection of the criminal law from certain groups...[who] are already socially disadvantaged or marginalised' (Roberts and Zuckerman, 2004, p220)<sup>76</sup>.

### **6.3.2.3 Successes in ICST prosecution strategies**

In contrast to the prosecution challenges highlighted in section 5.6.1, there have been innovative tactics used to support the victims when giving their evidence. These tactics, identified through interviews with the SIOs were taken from the category one cases. Each tactic, shown in Table 6.6, was seen by the relevant SIO as successful in supporting the trial.

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<sup>76</sup> Citing White Stewart et al, 1996

Table 6.6: Examples of successful prosecution tactics in ICST cases

Strategy	Action	Impact
Victim photographs (Cases 1A, 1B and 1C)	Show individual school photos of the victims taken at the same age of when the abuse began	This shows the jurors how young the victims looked when the sexual offences first began rather than how old they now look
Offender photographs (Case 1A)	Show photographs of offenders from CCTV footage during the time period when abuse was taking place	This shows the jurors how the offenders looked at the time of the abuse and lowers the impact of offenders presenting themselves in a different way
Achieving best evidence (ABE) interviews (all cases)	Conduct interviews according to ABE guidelines (CJS, 2007) to support the victim when giving an account	The approved procedure of these interviews mean the video recordings can be used as evidence-in-chief if the victim does not wish to testify in court <sup>77</sup>
Use of special measures (all cases)	Put into place special measures such as allowing testimony to be given behind a screen or cross examination of the victim via video link <sup>78</sup>	Giving the victim confidence to give the best evidence possible
Involving a trusted adult in court process (all cases)	Having a parent, carer or project worker provide support for the victim throughout the court process	The victim has someone to ask questions and get the support they need to attend court
Statement of victim lifestyle (Case 1D)	Included in the prosecutors opening statement is a brief passage describing some of the less desirable victim lifestyle traits	This reduces the impact of the defence attack on victim's lifestyle choices and is a chance to counter prejudicial attitudes that jurors might have to the victim's risky behaviours: just because you don't agree with how the victims acted does not excuse sexual abuse.
Impact of abuse (all cases)	Describe the impact that the abuse has had on the victims life including school attendance, relationships with peers and other adults and in some cases the removal from the family home and put into care	This can help to show the bigger picture of what the abuse has resulted in, countering claims by the defence that the victim has fabricated the abuse.
Large scale trials with multiple victims (all cases)	Having multiple victims in each trial	Shows a pattern of abuse. This is especially supportive when the victims all describe the same actions, offenders and locations when there was no previous connection.

<sup>77</sup> As stated in the Criminal Justice Act 1991

<sup>78</sup> This can be applied to any witness who is under 17 years at the time of the trial

SIOs on newer operations are applying some of these tactics after hearing about them at practitioner conferences<sup>79</sup>.

## *6.4 Use of evidence in ICST cases*

This section answers the question:

What role does evidence play in the investigation and the prosecution of ICST?

Evidence is collected as part of an investigation in order to understand the sequence of events and either corroborate or contradict the victim's testimony. Evidence which is available but is not collected or not prioritised for analysis can critically impact upon the outcome of the case. Missing evidential opportunities may be due to practitioners not being aware of advances in forensic science capabilities, often only disseminated in academic journals and conferences. This section looks at the role evidence plays in ICST investigation strategies and how evidence can affect the prosecution and outcome of a trial.

### **6.4.1 Method**

Case 1A was a particularly large and complex case. The investigation lasted approximately 18 months and involved both overt and covert policing strategies. To provide context in regards to the amount of information, data and evidence collected as part of an ICST investigation, an examination of this case's exhibits was conducted.

The main difference between this operation and the other similar cases is that Case 1A involved the use of covert tactics. This case was expensive and resource intensive and was only authorised due to the large-scale crime threat and harm levels in the force area. Evidence gathered through covert means, however, was deemed vital to the prosecution case and was believed to have led to the large number of convictions. The SIO from Case 1A has since been asked to advise a number of new ICST investigations around the use of covert tactics.

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<sup>79</sup> From conversations with the director of the NWG.

The method used in this section was to read through the case file and to highlight any mention on evidence used in the investigation and subsequent trial. These references could then be grouped by document type to provide a count of the number of police actions or exhibits logged, for example.

In addition to counting the evidential documents, the key items could be grouped into categories of documents. The procedure for doing so was a cutting and sorting process where like with like documents were grouped together and labelled appropriately. The four types of documents identified during the investigation are ID documents (e.g. passport and driving license), named items (e.g. hotel invoice), digital data (e.g. mobile phone data and computer data) and other physical evidence (e.g. hair from a victim found within an offenders car). The classification of these types of documents was a standard format contained within the case file rather than being developed here.

#### **6.4.2 Key findings**

The investigation for Case 1A generated a large quantity of documents and initiated a large number of actions, leading to:

- 2250 police actions created
- 3500 documents produced
- 4830 exhibits logged
- 1780 statements taken
- 15 crime scenes identified including three vehicles and two hotels
- 769 covert images taken
- 45 different offender and/or victim phones identified
- 52 text messages (content) recovered showing the relationship between offenders and between offenders and victims<sup>80</sup>

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<sup>80</sup> This gave graphic details of the planning of the abuse, the normalisation of sexual behaviour by the offenders to the victims, elements of grooming ranging from flattery to intimidation, the sharing of victim

- 545 individual communications made between victims and offenders over a two month surveillance period (Feb-Apr 2009)
- Surveillance footage showing the offenders in westernised clothing and with shaved faces which went against the way they portrayed themselves (as devout Muslims) during the trial

Examples of the specific items which were collected have been collated here and are shown in Table 6.7.

*Table 6.7: Examples of items collected during the investigation for Case 1A.*

Type of information	Document or item
Identification	Passport, ID (work, benefits book etc), birth certificates (victims), named prescription medicines, bank details (statement, bank card etc), train/bus pass, floor plan of an abuse location drawn by a victim matching the house of an offender
Additional named items	Hotel invoices and receipts, diary (victims), Harbours warnings issued to offenders
Digital data	Still images, phone memory, CCTV, movie files, mobile phones, interview tapes (and transcripts), text messages (and translations into English), computers, cameras, camcorder, spare SIM cards, memory stick, pager
Other physical evidence	Handwritten phone numbers belonging to victims, hair, blood stained condom, used and unused condoms, sex toys, illegal drugs, fibres, victims underwear, clothes and shoes, offenders clothes and shoes, bedding, sequins and false eyelashes from inside offenders car, glasses/cups, toothbrush, razor, cigarettes, alcohol, car keys, tissues

Forensic analysis was conducted including: DNA profiling; fingerprint analysis; telephone data analysis; full medical examination reports and lifts; and swabs within the crime scene locations including semen stained samples from carpets, walls, bedding and sofas. Due to the large amount of evidence available, the offenders were held on remand in custody rather than being given bail. The main benefit to having the large quantities of evidence, however, was that it removed some of the strain put on the victims during their testimony<sup>81</sup>. Victim testimony still

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details between offenders, the awareness of victim age among the offenders, sexualised language being commonly used.

<sup>81</sup> From the SIO interview

played a pivotal part of the trial but as much of the evidence corroborated the victims' accounts it was harder for the defence barristers to claim the victims were dishonest.

## *6.5 Conclusion*

Major crime investigations can be expensive, in time, resources and money. Complex investigations, such as ICST cases, require SIOs to combine defined policy and procedure with varying levels of discretion. Without specific and nuanced policy and guidance, however, each SIO may interpret the recommended actions in different ways, potentially leading to differing treatment of victims, offenders and those who cross between the two.

The overarching research question addressed in this chapter, 'What is currently being done to tackle ICST through investigation and prosecution?' was addressed through the three sub-questions:

1. What tools and techniques are used in ICST investigations?
2. What are the current prosecution strategies in ICST cases?
3. What role does evidence play in the investigation and the prosecution of ICST?

Each ICST case investigated in this research was approached in a different way and all suffered complications and complexity due to the unfamiliar crime-type. It has been established that best practice guidance would be of use in future cases along with details of common pitfalls to avoid. Most cases were based on standard investigation techniques although the offenders were treated as a collection of individuals rather than an interconnected group. Only Case 1E used conspiracy charges which were used to show co-offending. Conspiracy charges should be considered for future ICST cases.

Physical evidence played an important role in all of the cases and the lack of it in most cases meant an over reliance on victim testimony. Prosecution could be better supported by engaging with the CPS early on the investigation and through the gathering of physical evidence to support victims' accounts. The findings here may only hold true for these specific

cases and further research would need to be conducted as more cases are completed. Each ICST case analysed above has used a different investigation and prosecution strategy.

There has been some cross over, often seen with some of the later cases that attempted to adjust the strategy to incorporate the lessons learnt from successes and mistakes of earlier cases. This review of all the category one and two cases, however, has demonstrated that there has been an inconsistent approach to ICST cases, not only between different force areas, but also within single force areas.

None of the ICST investigations were initially set up to tackle an offending group, despite early intelligence showing that this was highly likely. It is unclear why this was the case, possibly due to a lack of experience dealing with a newly conceived crime types such as ICST and/or a lack of experience in dealing with forms of organised crime<sup>82</sup>. In order to develop more systematic strategies for ICST investigations in the future, law enforcement officers may benefit from a framework from which they can better understand the structure and function of a group. One suggestion for a framework to undermine group involved is outlined in Chapter 7. First, however, a more detailed exploration into how one aspect of forensic evidence, DNA profiling, can be better utilised to support ICST investigations and prosecutions is outlined in Chapter 6.

Table 6.8 provides an overview of the investigation and prosecution strategies for the category one cases.

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<sup>82</sup> The only requirement for an OCG is two or more people planning or committing a crime together. In reality, however, co-offenders are only seen as an OCG when the crime is sufficiently serious in regards to the harm caused. (Conversation with SOCA employee)



*Table 6.8: Overview of category one case files including investigation strategy and offender typology*

Case	1A	1B	1C	1D	1E
Investigation	Use of covert surveillance	Focus on lesser crimes in order to target certain offenders	Multi-agency approach with extensive victim interviews	Use of evidence collected during earlier investigation	Followed usual sexual assault investigation procedures
Prosecution	Combined physical evidence with victim testimony	Initial trial collapsed, now splitting into three separate trials	Only the first offence for each victim resulted in conviction.	Internal trafficking charge included	Offenders charged with conspiracy as well as rape offences

As seen across the different ICST cases no single strategy is employed routinely across all of the operations. Instead a range of tactics are used, seemingly dependent on a combination of the unique characteristics of the case and the prior experiences of the SIO and investigation team. While it is important for SIOs to have some flexibility in their approach to new cases, guidance and recommendations from SIOs who have completed an ICST case may provide invaluable information.

As all of the SIOs involved in these cases had no prior experience of dealing with an ICST group, or any other CSOG investigation, the investigation strategy utilised in each case would have been based on the SIO's experience in other areas. As a growing number of ICST cases have now completed, it is possible to draw lessons from each case and offer guidance to SIOs working on new ICST. This real world guidance would provide the new SIO with a basis when making strategic decisions. The way in which a case is investigated, including the point at which the CPS are engaged, will have a direct impact upon the prosecution strategy and, therefore, on the outcome of the trial. It is vital for SIOs to use their own investigative experience but also learn from the experiences of other similar cases, both the successes and the failures. This need for sharing experiences is particularly important when dealing with relatively rare and complex investigations, such as ICST cases.

## Chapter Seven: DNA Evidence in ICST Cases

The lack of physical evidence collected in ICST cases can be attributed to a combination of a long lag time between the incident and the disclosure and a lack of awareness and training of practitioners to cutting edge forensic techniques and capabilities. In ICST cases, many of the victims report at least one occasion when one or more perpetrators did not use a condom during the sexual assault, potentially leaving DNA from deposited semen on the victim. The clothing of the victim worn during the assault, however, is rarely collected and tested for DNA.

Semen and other body fluids deposited during sexual offences can offer investigators a wealth of information about the offender. Despite the forensic potential and the sexual health risks, many offenders chose not to use contraceptive protection during a sexual assault. In one study of multiple-perpetrator rapes, only 20% of offenders wore a condom during an attack (Chambers et al, 2010). Not wearing a condom in these cases leads to one of three possible scenarios: the offender does not ejaculate and/or does not leave semen at the scene<sup>83</sup>; the offender ejaculated inside the vagina, anus, mouth or other orifice of the victim; or the offender ejaculated outside of the victim. Ejaculate left inside the victim, if still present<sup>84</sup>, may be gathered during a routine forensic medical examination and is a well-known source of evidence for police. It is the final DNA potential from ejaculate deposited outside of the victim that is explored in this chapter.

The humiliation of the victim being ejaculated upon during a sexual offence, and the potential for a sexually arousing situation created for the perpetrators, is not uncommon in rape studies of both adults and children (Farley, 2006). In one form of extreme pornography, known as Bukkake, a group of males will ejaculate together onto a young woman. Western-style Bukkake<sup>85</sup> has been noted for its 'lively, almost party-like atmosphere' (George Kranz as quoted in Vannini, 2004, p79). This type of behaviour may be viewed as a bonding ritual amongst offenders (Franklin, 2004) and has a resemblance to some group offending seen at 'parties' in these ICST cases (Brayley et al, 2011).

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<sup>83</sup> This also accounts for offenders who suffer from the inability to produce semen.

<sup>84</sup> For further details see Allard, 1997.

<sup>85</sup> As opposed to the original Japanese style.

In some ICST instances ejaculate has been transferred onto the clothing of the victims via direct contact or transfer through victim or offender movement (Cases 1A, 1B, 1C, 1E, 2A and 3A). A victim who has semen stained clothing may wish to hide these clothes from parents or carers to avoid having to discuss what has happened to them. One behaviour identified in the case materials was for victims to wash the clothing to remove the visible stains rather than discarding the clothes completely. The washing of stained clothing has been seen in ICST cases (explicitly stated in Cases 1A, 1C and 1E but also implied in other cases) yet does not appear to lead to forensic examination of the washed items. The potential for DNA evidence to be recovered from these items and used to support the account of the victim is explored here.

This chapter addressed the following three questions:

1. Can spermatozoa be recovered from laundered clothing?
2. If so, can a DNA profile of sufficient SGM+ quality be generated?
3. How can these findings be applied in future ICST cases?

This chapter investigates the possibility of retrieving DNA from semen-stained laundered clothing through a number of laboratory-based experiments. The results of experimental studies, aimed to replicate forensic reality can provide guidance on evidence collection and analysis and interpretation. The results can also help to 'establish a coherent body of theory concerning the generation, transfer and persistence of different forms of trace physical evidence' (Morgan et al, 2009, p. 277). The experimental design used in this chapter was devised to closely replicate circumstances seen in ICST case files analysed within this thesis so as to offer ecological validity to the study by incorporating specific fabrics, washing temperatures and the presence of multiple donor stains into the experimental design.

The hypothesis tested here is that DNA profiles will be retrievable from the stained items after laundering. By assessing the conditions in which DNA from semen can persist on laundered clothing after washing, it may be possible to identify the circumstances where valuable physical evidence can be collected and presented in court. If a DNA profile can be obtained from semen stained laundered clothes then this could be a source of evidence and intelligence that could offer contextual confirmation and potentially demonstrate associations between offenders and

victims. Equally, as law enforcement resources (people, time and money) cannot be wasted on testing items that have no evidential or intelligence value, a null result within these experimental studies is a valid finding and valuable for informing investigative procedures.

## 7.1 DNA and Semen Biology

The interrelated fields of molecular biology and genetics are both expansive and complex. An initial understanding of the key concepts, however, is important when discussing the role DNA plays in investigations and prosecutions. This section provides a brief overview of the biological aspects of semen and DNA and its use in investigations, focusing on DNA profiling within the British legal system.

### 7.1.1 Semen identification

Semen is a semi-fluid mix of cells and organic and inorganic material produced by the prostate gland and seminal vesicles (Greenfield and Sloan, 2009). The spermatozoa are the only semen specific content and carry an abundance of DNA for reproduction (Alberts et al, 2002). A single spermatozoon is shown in Figure 7.1.

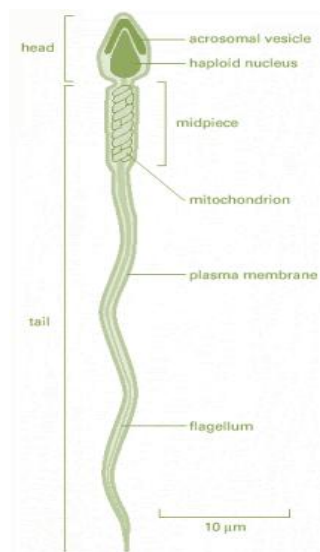


Figure 7.1: The anatomy of a spermatozoon (Alberts et al, 2002)

The WHO conducted research into the global characteristics of spermatozoa and found that the average volume of semen in a single ejaculation is 2-6 ml and has a varying sperm concentration of 30-150 million per ml (Cooper et al, 2010). The number of sperm cells can therefore range (approximately) from 60 million to 900 million per ejaculation. Dried semen is strongly fluorescent (Walls, 1974); it can be clearly seen when examined using a 450nm crime light and viewed through an orange filter. Other substances, however, can also fluoresce under this wavelength and so this is not considered a conclusive test for the presence of semen.

In early development of semen identification, through microscopic analysis, it was noted that not all semen contains spermatozoa. The absence of spermatozoa, known as azoospermia, led to new tests being created as presumptive assessments for semen which measured levels of seminal acid phosphatase. Many of these tests are still in use today (Greenfield and Sloan, 2010). Acid phosphatase is water soluble so the test for this antigen will fail if the stained item has been washed or immersed in water. Laundering of an item will remove the enzyme to the point that it is no longer detectable. Greenfield and Sloan (2010) noted that although laundering will remove all detectable quantities of acid phosphatase it may not remove all traces of spermatozoa.

### **7.1.2 DNA**

Deoxyribonucleic acid, DNA, is found within the nucleus of cells and carries the genetic code that determines individual characteristics. DNA is comprised of three nucleotides which form the building blocks of the structure: a phosphate group (P), a sugar (S), and one of four nitrogen bases (A,T,G and C), as shown in Figure 7.2. Double-stranded DNA is formed when the nitrogen bases connect together to form a base pair. The bases are adenine (A), thymine (T), guanine (G) and cytosine (C). Due to their chemical structures, T can only form a connection with A and G can only form a connection with C. In the nucleus of each human cell the DNA is packaged into strands known as chromosomes. There are 23 chromosome pairs in each cell, half of which are inherited from the mother and half from the father.

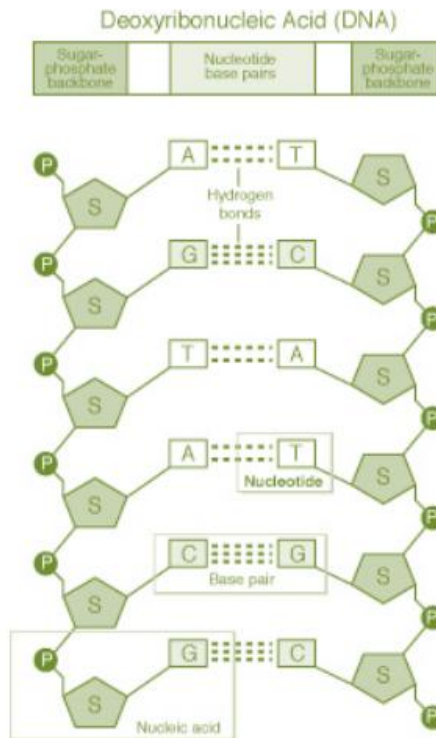


Figure 7.2: The structure of DNA (National Human Genome Research Institute, n.d)

All humans share approximately 99% of their DNA with one another and monozygotic twins have identical DNA. This understanding is starting to be challenged as scientists learn more about DNA (for example see Bruder et al, 2008). Due to the amount of DNA contained within human cells, around three billion base pairs in total, there is enough variation to distinguish between non-identical individuals. Each person inherits half of their DNA from their mother and half from their father, resulting in DNA profiles of close family members being more similar than those of unrelated individuals.

When looking at DNA as a string of base pairs, Martinville et al (1982) discovered a repetitive sequence within a specific section of DNA that varied from person to person. As more of these areas, known as variable number tandem repeats (VNTRs), were discovered Sir Alec Jefferys and his research team at the University of Leicester recognised their potential for unique identification (Jeffreys et al, 1984). This led to the development of what is now referred to as DNA profiling or DNA fingerprinting.

The segments of DNA used for profiling often come from ‘junk DNA’ areas, sections that do not code for a specific gene and whose function is currently unknown. Modern DNA profiling uses specific types of VNTRs called short tandem repeats (STR). These are short sections of repeating DNA, often between two and six base pairs long that are used as markers. The STRs are found at certain locations on the chromosome and are referred to as loci points. The number of times that the base-pair pattern repeats can vary between individuals across genes. These different versions of the same gene are called alleles, and are inherited, one from the mother and one from the father. For example at one locus point person A may have 7 repeats on one allele and 5 repeats on the other, as shown in Figure 7.3. This 7,5 would be shown as two peaks on the profile. If a child inherits the same sequence from both parents then it would be recorded as, for example, 7, 7. This would show on the profile as a single, large peak. Within DNA profiling these alleles are identified and produce a peak when present for each tested loci, as shown in Figure 7.4.

Allele One:     GATA GATA GATA GATA GATA GATA GATA     (7 repeats)  
 Allele Two:     GATA GATA GATA GATA GATA                 (5 repeats)

*Figure 7.3: An example of allele markers at 7, 5 for STR D7S820 on chromosome 7.*

The majority of cells in the human body are somatic and contain the full genetic complement of 23 chromosome pairs. One exception to this is gamete cells (i.e. spermatozoa and egg cells) which only contain half of the DNA complement with 23 individual chromosomes (Campbell et al, 2009). When testing a somatic cell, a full DNA profile with two alleles at each loci point can be identified. The DNA in each spermatozoon, however, is made up of a sample of the male donor DNA amounting to half of the full profile. Conducting the same testing process on a single gamete cell such as a spermatozoon would produce a single allele at each loci point. By testing multiple spermatozoa from a single sample a full DNA profile containing two allele points at each loci can, therefore, be produced (for example see Li et al, 2011; Schneider et al, 2012). As there are approximately 60-900 million spermatozoa per ejaculate (Cooper et al, 2010) there are likely to be multiple spermatozoa in a crime scene sample.

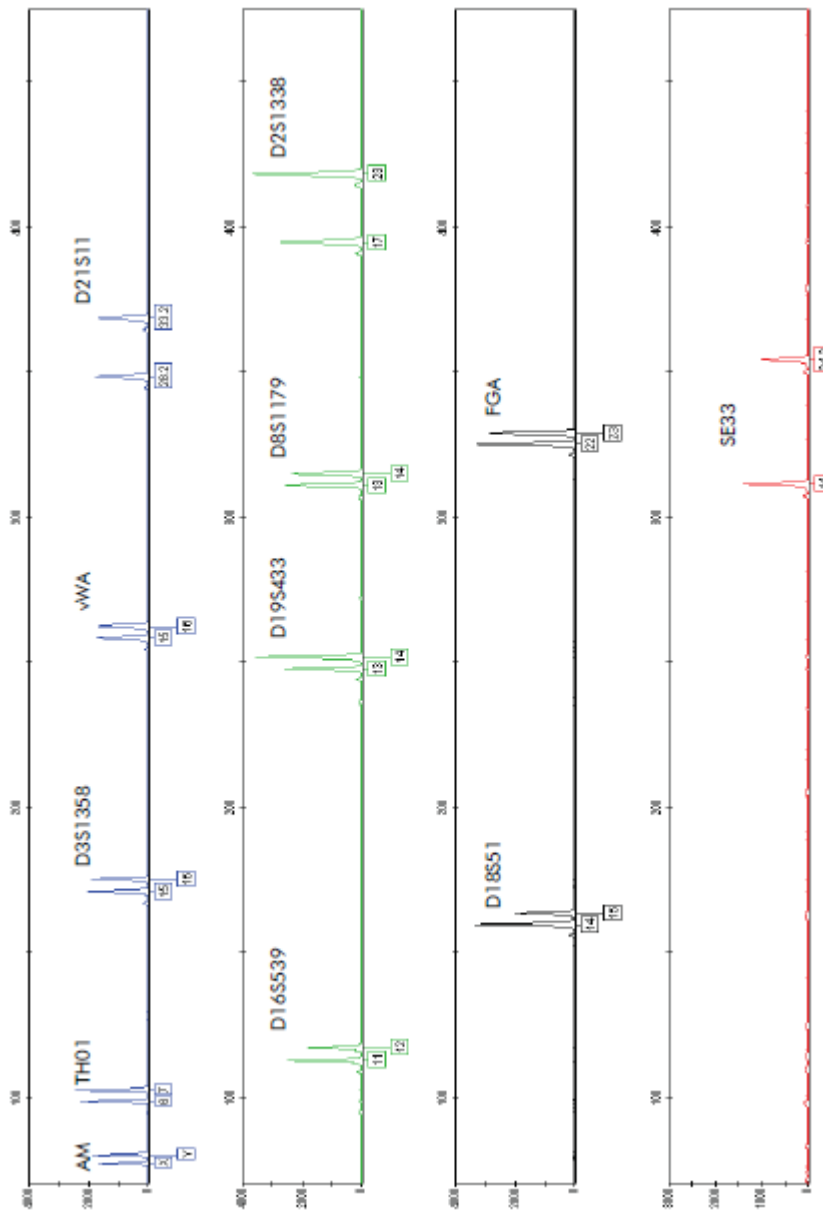


Figure 7.4: Example of a DNA profile (Qiagen Decaplex Handbook, 2010)

For the STR example in Figure 7.3 the number of possible repeats varies from five to 16 (Norrsgard, 2008). This gives a possibility of 78 possible genotypes, or pairs of alleles: 66 heterozygotes (a different allele from each parent) and 12 homozygotes (the same allele from each parent). Although it is possible for more than one person to share a sequence at any particular locus, it is the combination of these points that gives DNA profiling its identifying capabilities. The more points that are compared the more discerning the profile.



## 7.2 DNA and the criminal justice system

This section outlines the role DNA has played in the criminal justice system in two parts: the use of DNA in investigations; and DNA evidence use in ICST cases.

### 7.2.1 Use of DNA in police investigations

DNA profiling was first used for human identification as part of a UK immigration case (*Sarbah v The Home Office*, 1985). A year later it was first applied to a criminal investigation, again in the UK, where Colin Pitchfork was identified as the perpetrator of a double murder (see Jobling and Gill, 2004). Since then DNA profiling has become a routine part of global law enforcement investigations (Williams and Johnson, 2008). In the UK, DNA profiling uses a system known as second generation multiplex plus (SGM+). This system is based on comparing 10 different loci points plus the gender marker. The overall process used to collect and analyse DNA is shown in Figure 7.5.

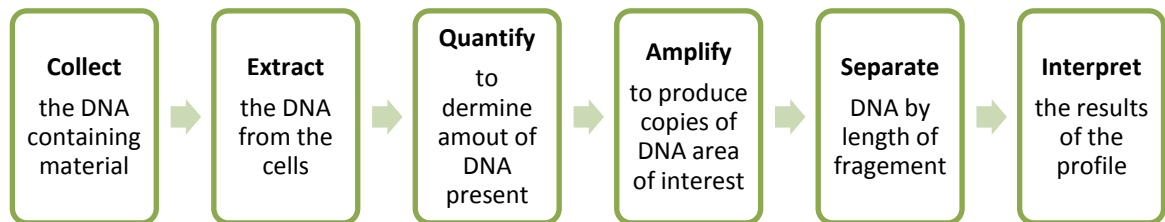


Figure 7.5: Process followed during SGM+ (adapted from Porter, 2010)

The predecessor of SGM+, SGM, used only six loci points plus the gender marker but followed the same basic principles (NDNAD, 2009). Both profiling systems operate by outputting a string of numbers which represent the allele pairs for each loci point and the gender markers of either XX or XY. Both SGM and SGM+ utilise a process of DNA amplification called polymerase chain reaction (PCR). This allows for the area of interest within the DNA strand to be copied so that it can be used to create a profile. Developments in PCR technology mean it is possible to produce approximately a million times the amount of collected DNA within a matter of hours and has revolutionised the use of DNA in criminal investigations.

The probability of two unrelated individuals producing the same DNA profile is over one in a billion (Porter, 2010). There are, however, many accounts of misinterpretation of DNA profiles

and misunderstandings around statistical likelihoods. These contentions are outside the scope of this thesis but for further details see Evett and Weir (1998) and Balding and Buckleton (2009).

DNA can be left at a crime scene through a number of different methods and body fluids are a common source. Semen is frequently sought during sex crime investigations due to the high level of DNA that can be recovered. One large city police force<sup>86</sup> found that spermatozoa deposited inside the victim could survive (up to) the following time frames:

- Two days in the mouth
- Three days in the anus
- Seven days in the vagina
- Seven to ten days in the cervix

It is not clear what the environmental conditions were surrounding these findings and whether they included aggravators such as sudden or prolonged movement. Improvements in technology and the ability to test smaller amounts of trace evidence may have already rendered these findings out of date. A wider review of the literature on sperm survival rates found inconsistencies across studies, including how long spermatozoa can last in the body (Greenfield and Sloan, 2010). The explanations put forward for these inconsistencies were inaccuracies around timelines of events given by traumatised victims during disclosure and the variations in timeliness of forensic medical examinations taking place. Environmental conditions, such as temperature and humidity, may also play a part in early decomposition of spermatozoa (Watterson et al, 2006).

If a crime has been committed by more than one offender it is possible that any evidence collected may contain multiple DNA sources, resulting in a mixed profile<sup>87</sup>. A fundamental problem faced when dealing with a mixed profile is that it can be extremely difficult to determine which allele was contributed by which suspect. In some cases it may not be possible

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<sup>86</sup> Unpublished, internal document (2010)

<sup>87</sup> Offenders may have some matching alleles or completely different profiles meaning that it not always a double set of values given at each loci point

to determine how many contributors there were as some profiles may only be partially developed, leaving an incomplete set of data. Statistical methods for addressing these issues have been developed and refined (for example see Clayton et al, 1998; Perlin and Szabady, 2001; Budowle et al, 2009; and Beecham and Weir, 2011) although the issue is still not fully resolved. In addition to offender DNA, a mixed profile may also contain DNA from the victim and/or a third party not connected with the offence. Although still seen as technically problematic, theoretically if one contributor is known then their DNA can be subtracted, leaving behind the remaining profile (see for example ENFSI, 2012).

Two recent advances in DNA capabilities, namely low trace detection (Gill, 2001) and laser micro-dissection (Elliot et al, 2003) have helped to overcome some of the issues around previously insufficient levels of trace evidence. DNA at a crime scene can become degraded or only be present in microscopic amounts. Low trace detection DNA, allows for much smaller amounts or degraded DNA to be used to produce a profile and has already proved useful in forensic cases (Gill, 2001). The number of cells required is reduced from 50-100 to 5-10 for a low copy profile. This is largely achieved through increased PCR cycles to further amplify the DNA and the use of ultra-clean laboratories. In sexual assault cases there can also be the issue of female DNA from the victim outweighing the offender DNA found on internal swabs. Laser micro-dissection allows for the isolation of sperm cells contained within a mixed offender/victim sample (FSS, 2005). The technique involves a laser 'cutting out' the sperm from the sample so that the majority of the female cells can be discarded. Combined with the low trace detection technique, this gives a much better chance of producing a more interpretable male DNA profile (Elliot et al, 2003).

There are clear benefits to being able to generate profiles from increasingly smaller amounts of DNA. Paul Kirk (1953; 1974) insightfully predicted the continuing issue with human error in interpreting forensic evidence results as forensic techniques advanced. He commented that while improving analysis techniques and greater refinement in resolution were leading to greater detail being available in forensic outputs, the ability to interpret the meaning was still prone to error.

In addition to any issues around interpretation, another potential source of error is contamination. In this context contamination can occur at any stage, from collection at the crime scene through to the final genotyping. As such small amounts of DNA are being tested it is critical that no foreign DNA be allowed to enter the testing area. This is particularly important pre-PCR as it is imperative that only the collected DNA is copied. Contamination can also occur through the collected sample not being stored correctly (e.g. stored in the wrong type of evidence bag which can lead to deterioration) or being mishandled (e.g. collected without the use of gloves). The O.J. Simpson case, in which the defendant was accused of murdering his ex-wife and her friend, was won by the defence who successfully argued that the strong DNA evidence tying the defendant to the crime scene had been contaminated by the forensic laboratory (see Thompson, 1996).

DNA profiling is often viewed as an inclusionary tool, one which allows a perpetrator to be uniquely identified. DNA also has an important role to play as an exclusionary technique in criminal investigations (Budowle et al, 2001; Roach and Pease, 2006). By comparing DNA profiles found at a crime scene with that of a suspect it can be established if the suspect is not a match. This enables innocent individuals to quickly be excluded from the investigation<sup>88</sup> and can still be effective when using incomplete profiles (NPIA, n.d - a). DNA profiles can also be used for familial searching<sup>89</sup> of a DNA database or requesting DNA samples from related individuals if the profile is a close match, although this can be a complicated and time-intensive administrative process. Familial searching could prove useful in ICST cases where family members are believed to have offended together but only one offender is known to the police.

### **7.2.2 DNA evidence in ICST investigations**

The majority of the ICST cases that have gone to court have relied heavily on victim accounts and testimony, supported by corroborating forensic evidence when available. This is largely due to the historical nature of the disclosure that results in minimal opportunities for forensic evidence collection. Four of the cases (Cases 1A, 1C, 1D and 1E) have successfully used DNA

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<sup>88</sup> This is cited as a fundamental use of DNA profiling in the MPS reply to the Civil Liberties Panel review 'Protecting the Innocent' (MPA, 2011)

<sup>89</sup> This refers to the process of identifying partial matches to a DNA profile and then narrowing the search to family members of the individual with the partial match (see for example Haimes, 2006 and Kayser and de Knijff, 2011)

evidence to support the account of a small number of victims, helping to identify offenders and bolster the case of the prosecution. This has been achieved through:

- In two cases (Case 1A and 1E) medical examinations and early evidence kits were used to gather semen from a small number of victims after an offence, only possible due to early disclosure.
- The guardian of one victim in each of two cases (Case 1C and 1D) gave the police underwear worn by the victim containing traces of semen from an offender.
- DNA was taken from an aborted foetus (Case 1D) to prove one of the offenders was the father and therefore sexual activity had taken place.
- A dress worn by a victim (Case 1E) was found to have semen on from a previous offence<sup>90</sup>.

The DNA evidence highlighted here was limited but did prove that some form of sexual activity had occurred between at least one offender and one victim. All of the five category one cases involve multiple instances of ejaculation by offenders outside of the victim where the semen has been transferred to the clothing of the victims or clothing has been used by the victim to wipe the semen from their skin or hair. DNA profiles obtained from semen-stained laundered clothing may offer further evidence to support more victims and implicate more offenders in future trials.

### *7.3 Context for the Experimental Design*

The experimental design for this research was based on the only academic papers addressing the issue of spermatozoa persistence when laundered (Spector and Von Gemmingham, 1970; Joshi et al, 1981; Kafarowski et al, 1996; Jobin and De Gouffe, 2003; Farman et al, 2008). All these papers, with the exception of Joshi et al (1981), specifically address the persistence and prevalence of spermatozoa on laundered clothing, although each has applied a different approach. The remaining paper (Joshi et al, 1980) explores the reaction of spermatozoa when immersed in water for a prolonged period of time, a relevant topic for this thesis. It is highly plausible that forensic practitioners working on specific cases have conducted similar

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<sup>90</sup> This was reported to have been washed between offence incidents, supporting the hypothesis of DNA being obtained after laundering.

experiments but without published findings it is not possible to know the extent of any work completed and to assess and compare any such findings and conclusions.

Although there is a lack of literature relating specifically to spermatozoa retention on laundered clothing, literature does exist that addresses other forms of trace evidence and their prevalence on clothing and persistence after laundering. The literature broadly falls into two areas, the prevalence of trace particulates on clothing during laundering and the laundering process in relation to micro-level organisms.

### **7.3.1 Trace forensic particulates**

During a police investigation forensic practitioners are routinely asked to examine items of clothing gathered from the crime scene, victim or suspect. Minute particles or fibres as well as hair and body fluids can often be found during this forensic search (Morgan et al, 2010). When examining trace evidence it is useful to know typical behaviour of a particulate in regards to persistence and prevalence in the area where the crime occurred. Robertson and Roux (2000), following on from Pounds and Smalldon (1975a, b, c) found that there is a rapid loss of weakly bonded particulates compared to a much slower loss of strongly bonded particulates. It could, therefore, be assumed that fluids allowed to dry on a fabric would offer a higher level of persistence through strongly-bonded particles. In addition, Bull et al (2006) in a study on pollen, powder and metal particulates found that material type played a large part in particulate persistence. Some materials were found to shed particles at a much slower rate irrespective of the specific particulate type. Other studies have shown similar results when looking at particulates of glass (Hicks et al, 1996; Koons et al, 2002), paint (Pearson et al, 1971), polyurethane foam (Wiggins et al, 2002) and hair (Dachs et al, 2003).

### **7.3.2 Laundering fabrics**

There is a large literature base on the effects of laundering fabrics addressing academic (Mackay, 1999; Anand et al, 2002; Orzada et al, 2009) and public/consumer issues<sup>91</sup>. Much of the public centred information is focused upon advising on methods for removing visible food, wine or blood stains. There is rarely mention of removing microscopic particles or cells which could be collected as trace evidence.

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<sup>91</sup> For example see [www.ariel.co.uk](http://www.ariel.co.uk); [www.persil.com](http://www.persil.com); [www.directgov.uk](http://www.directgov.uk) – greener ways to clean

Within the academic sphere, cleanliness of hospital work wear and the spread of bacteria and viruses on clothes that have not been properly laundered has been a focus in the literature. Research has been conducted for a number of decades that has looked at different variables including fabric type (e.g. Wiksell et al, 1973), fabric recontamination (e.g. Church and Loosli, 1953), laundry protocol (e.g. Arnold, 1938; Walter and Schillinger, 1975) and temperature of the wash (e.g. United States Department of Agriculture. 1966). With the impetus of eco-friendly living becoming ever more popular, many commercial businesses associated with the laundry industry have started to advise users to 'cold' wash their clothes at 30°C where possible. This has led to a number of public health concerns being raised about the home laundering of hospital work wear (Jaska and Fredall, 1980). The Royal College of Nursing (n.d) published guidance that explicitly stated that uniforms must be able to withstand decontamination during the laundering process. The British Medical Association (BMA) in partnership with the Department of Health conducted research into medical attire worn by doctors and developed recommendations and highlighted best practice (Department of Health, 2007). The conclusions were:

- Washing clothes for ten minutes at 60°C removed the majority of micro-organisms
- There was no evidence to show a difference in standards between home and commercial laundering
- The use of detergents meant that lower wash temperature were more affective; MRSA, for example, is completely removed at 30°C.

Best practice included:

- Clean and adequately maintain washing machines in good working order
- Wash uniforms at the hottest temperature suitable for the fabric type
- Wash uniforms alone, not in the same load as other clothes.

This indicates that washing garments at 30°C or above may remove a lot of biomaterial including body fluids such as semen. Jaska and Fredell (1980) found that water temperature played a key role in the removal of biological material with a temperature of 60°C reducing 'the microbial counts to below the analytical limit of detectability' (p746).

With DNA research continuing to push scientific and legal boundaries (Lazer, 2004), the lack of published research assessing the dynamics of DNA evidence is surprising. The low-level of interest in this topic may be due to the finding's limited use in adult sexual assault cases, particularly if the suspects claim that sexual actions resulting in ejaculation were consensual. Under these circumstances, spermatozoa found on clothing would add little to either the prosecution or defence arguments unless the placement of the spermatozoa was at odds with either account. Due to ICST victims being under the age of consent at the time of the abuse (see Table 3.9), spermatozoa gathered in these cases could have legal relevance even if the defence claimed the sex was consensual.

A chronological literature review of the five key articles on laundered semen stained clothing (Spector and Von Gemmingham, 1970; Joshi et al, 1981; Kafarowski et al, 1996; Jobin and De Gouffe, 2003; Farman et al, 2008). This literature review is divided into two sections; pre- and post- 1986. 1986 was the year that DNA testing was first used in a forensic setting in the UK (Butler, 2010), and therefore, papers published prior to this date would not be able to include a DNA profile analysis. Table 7.1 gives a summary of the five research studies discussed below.

*Table 7.1: Summary of key literature*

Lead Author	Spector	Joshi	Kafarowski	Jobin	Farman
Date	1970	1981	1996	1999 (2003)	2008
Country	Canada	India	Canada	Canada	Canada
Test Criteria	Different detergents	Water immersion timings	Secondary transfer of spermatozoa	Different fabrics and secondary transfer	Different washing temperatures
Number of Items Tested	Unknown	Unknown	162 samples, 81 tested	18 (9 of each fabric)	30
Key Findings	Spermatozoa persisted after laundering in all but the most extreme case	Even when items were immersed for 144 hours (six days) the spermatozoa persisted	Spermatozoa can be transferred onto 'clean' clothes during the washing process	Cotton retains more spermatozoa than nylon. No secondary transfer observed	40C wash cycle retains more spermatozoa than a 60C cycle. Fabric softener has no effect



### 7.3.3 Pre-1986

The research of Spector and Von Gemmingham (1970) examined the persistence of seminal (and blood) stains when a deliberate attempt was made to remove them through laundering. Their experimental design consisted of laundering an unspecified number of women's coloured cellulose acetate knickers and men's white cotton underwear. All the underwear was tested for acid phosphatase after being washed and dried at room temperature (assumed to be approximately 20°C) for 24 hours. The washing process was done using three readily available laundry detergents<sup>92</sup>, with various combinations of pre-wash soaking and different washing temperatures. Table 7.2 shows the twelve combinations tested.

*Table 7.2 Experimental combinations used by Spector and Von Gemmingham (1970)*

#	Detergent	Soaking Time	Soaking Temp	Washing Temp
1	-	2 hours in water	Cold	No wash
2	-	2 hours in water	Warm	No wash
3	X	2 hours in water	Cold	Hot
4	Y	2 hours in water	Warm	Cold
5	X	Overnight in water	-	Hot
6	X	Overnight in X detergent	-	Hot
7	Y	Overnight in water	-	Cold
8	Y	Overnight in Y detergent	-	Cold
9	Z	Overnight in water	-	Cold
10	Z	Overnight in Z detergent	-	Cold
11	Z	Overnight in water	-	Hot
12	Z	Overnight in Z detergent	-	Hot

Where the detergents were coded as:

X = recommended for hot water

Y = recommended for cold water

Z = contains enzymatic activity

A positive presumptive test result for the presence of spermatozoa was found on all but the final two procedures for the women's underwear (11 and 12) and final procedure for the men's (12). The authors concluded that the washing procedure played a more important role in

<sup>92</sup> Due to developments in washing powder capabilities these results may no longer apply if repeated using modern washing powders.

removing spermatozoa than the type of detergent used.

There are now a number of limitations to this study that are due to advances in forensic science since their work was presented. DNA was not in use in the UK legal system for another 15 years after the publication of this research, explaining why a DNA profile from the stained items was never produced. A number of details were also omitted from the experimental method, such as the specific washing powders that were used, which mean that the study cannot be replicated fully or results predicted based on the use of more modern detergents. It is not clear what is meant by 'Hot' and 'Cold' washes and these conditions are most likely quite different from modern washing machine programmes. Another ambiguity is the timing of the overnight soak; there are no exact details or even a time range that indicates what 'overnight' constituted. There is potential here for experiments to not have been subjected to the same 'overnight' soaking period, potentially impacting the results.

A decade later, in 1981, an Indian laboratory conducted research into the effect of water immersion times on the preservation of spermatozoa on stained cotton fabric (Joshi et al, 1981). This work was case-specific where a victim was believed to have been raped and then murdered before being thrown into a well. The victim was not found for several days and had been submersed in water for that time. The experimental work presented in their study involved testing three different types of cotton<sup>93</sup> (plain long cotton, printed fine cotton and striped printed cotton) every 24 hours. This was done for a total of 144 hours (six days) at which point more than 12 sperm heads per field could still be identified. These results show that immersion in water alone, even for days at a time, will not completely remove spermatozoa from clothing.

#### **7.3.4 Post 1986**

The research conducted by Kafarowski et al (1996) and addressed trace evidence retention and transfer during the washing process. Cotton underwear was tested for evidence of spermatozoa retention after laundering as well as the ability for 'clean' items to become contaminated by the stained clothing.

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<sup>93</sup> The number of individual test materials was not stated.

In 50% of the samples (total N= 162) tested, at least one sperm head was found on the post-washed stained and unstained clothing. At the time of this study this would not have produced a DNA profile as approximately 50-100 cells would have been required. More recent advances in DNA profiling, in particular the development of low trace detection DNA testing, mean that a DNA profile could now be generated (Butler, 2010). This study only tested cotton underwear, possibly thought to be the most likely item to be stained during an adult vaginal or anal rape. There is a need, therefore, to test a wider range of fabric types to assess the degree of spermatozoa preservation. An additional finding of note from this study was that spermatozoa not only survived the laundering process but could be transferred to other 'clean' items of clothing included in the wash cycle. The notion of trace evidence transfer is one that has been addressed in other fields of forensic science (see section 6.3.3) and this study by Kafarowski et al (1996) implies that spermatozoa may behave in a similar way to particulates in terms of preservation.

Eight years later, Jobin and De Gouffe (2003) focused on underwear due to its potential for semen staining from both external ejaculation or from vaginal drainage. Nine pairs of cotton knickers and nine pairs of nylon knickers were used as these fabric types were typical of what was encountered in casework. The items were then split into three groups: two experimental groups and a control group that was washed but not stained. All items were washed with the same non-biological washing powder on a warm wash with a cool rinse cycle.

The number of spermatozoa identified under the microscope was given a score to allow for categorisation. The slide was divided into fields of equal size. A score of 1 was given when a single sperm head was found across many fields. The top score of 4 was given when many sperm heads were found in a single field. Cotton retained more spermatozoa than nylon with values of 2.9 and 1.3 respectively. It is not known if this scale was developed purely for this study or whether it was a standardised scoring system. It is also not possible to gauge how subjective this process was as no details were provided as to how this value was calculated. The difference in persistence between the cotton and nylon fabrics was explained due to variations in fibre characteristics. This was the only study to examine whether a DNA profile could be developed from semen-stained laundered clothing. The results of the study showed that it was possible to obtain a profile from cotton fabrics but not so from nylon after

laundering on a warm wash with non-biological washing powder. No other conditions were tested.

Farman et al (2008) looked at the impact temperature has on the persistence of spermatozoa when laundered. This study tested the two most common temperature settings on modern washing machines, 60°C and 40°C. Thirty pairs of cotton knickers were stained with a semen mixture made up of five individual donor samples. All items were washed using a non-biological washing powder; ten were washed at 60°C, ten at 40°C and ten at 60°C with added fabric softener. Sixteen of these (53%) were then randomly selected for examination. Those laundered at 40°C were inspected after one week whereas those laundered in both 60°C groups were inspected three weeks after laundering. No explanation for this time differential was offered. As there were no details of the storage conditions it is possible that there was degradation of the spermatozoa over the two weeks between group 1 and groups 2 and 3 being tested. Twice as many spermatozoa were recovered from the 40°C wash compared with washing at 60°C. The addition of fabric softener appeared to have no impact. No DNA profile was developed from the samples in this study.

Between the five studies addressed here it has been demonstrated that DNA from semen can survive the laundering process. The knowledge gaps, however, are around the conditions that lead to a full DNA profile being developed. Each study tested only key area such as temperature (Farman et al, 2008) or detergent (Spector and Von Gemmingham, 1970). There are still, however, a number of knowledge gaps around how DNA reacts when these variables are tested together. For example, these studies do not address the effect of different temperatures and different washing powders on the ability to produce DNA profiles. None of these studies tested the use of biological washing powder or tested more than two fabric types.

### **7.3.5 Applicability of the literature to this thesis**

From looking at the spermatozoa and laundered clothing literature chronologically it has been possible to see the progression in scientific capability in this area. The introduction of forensic DNA identification in the mid-1980's led to rapid research progression and the acceptance of DNA evidence in the legal system (Butler, 2010). Using the latest scientific techniques, and by

understanding what has gone before, this thesis addresses untested areas that are specifically relevant to the ICST crime type. Very little detail, however, was provided on the specifics on the laboratory method for each of the reviewed papers making it difficult to replicate or critique the method employed.

A critical gap in the knowledge base is the lack of variety in the fabrics tested and washing procedures. To date only fabrics used in underwear, predominantly cotton, have been tested. One reason for this was that the experimental designs were set up to test clothing items most commonly sent for forensic analysis. The problem with taking this approach is that the items routinely sent for examination are what the police believe to be the most likely sources of forensic evidence rather than necessarily being the clothing that retains the most DNA. In previous studies this has tended to be female cotton underwear as it may contain both direct semen staining and drainage after intercourse.

The only research published on the generation of a DNA profile from semen-stained laundered clothing was conducted a decade ago. Jobin and De Gouffe (2003) showed that a DNA profile could be produced for cotton fabric when washed on a warm setting using non-biological detergent. Advances in DNA profiling techniques mean that profiles can now be generated from smaller trace amounts. There may be, however, some combinations of washing cycles, storage times, fabric types and washing powder that results in no spermatozoa found after the laundering process is complete. This forms the basis of the experimental design used in this thesis.

#### *7.4 Method*

The persistence and prevalence of post laundered spermatozoa will depend on a number of variables including fabric type, temperature of wash, and length of storage time. Each experiment was conducted three times to provide an indication of the variability of the results. Before the samples were laundered the washing machine was cleaned. The washing was conducted using a machine which neither semen donor had previously accessed to minimise contamination from prior exposure to the donor's DNA.

The three main variables tested were fabric type, washing temperature and washing detergent. In addition, a second donor was added to a small number of samples to test whether a mixed profile could be obtained after laundering.

The time and day that ICST victims are sexually abused impacts upon the clothes they are likely to be wearing. Some victims reported being picked up going to or coming from school, while wearing school uniform. Other instances involved a victim being picked up in the evening, for example, when they were wearing more casual clothing. It is, therefore, important to test a variety of materials that replicate each of these different scenarios. The fabrics to be tested in this experiment are:

- Cotton (t-shirt)
- Nylon (tights)
- Polyester (school trousers)

Each fabric underwent three replications of each experiment in order to assess the degree of variability and to minimise the chance of reporting a false positive or negative. The experiments carried out are summarised in figure 7.6. The first set of experiments involved items being washed at 30°C with a non-biological washing powder to give the spermatozoa the greatest chance of survival<sup>94</sup>. In addition to the 30°C cool wash a warm wash of 60°C was tested. These two washes (cool and warm) were repeated using biological washing powder with three replications. The effect of multiple washes at the same temperature and using the same washing powder was also tested.

The final set of experiments tested whether a second donor profile can be obtained after washing. The fabric was stained by donor two and left to dry before applying the donor one sample on top. Once the second stain had dried the item was washed. The aim was to replicate the effect of a victim being abused by one offender and later by a second offender. This is a replication of a real victim experience (Case 1E). In addition to the stained samples, unstained

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<sup>94</sup> Biological washing powders are designed to breakdown proteins at low temperatures and so are more likely to destroy the spermatozoa. If it can survive the initial experiments then the fabric type can move on to the next stage of experimentation.

cotton socks were added to a wash with other stained items to investigate the possibility of DNA transferring between clothing items during the laundering process as shown in Kafarowski et al's (1996) research.

The range of variable options for fabric type, temperature and washing powder are shown in Figure 7.6. In addition to exploring these three variables, experiments were also run using multiple washes of a single stain and experiments using multiple semen donor stains. Due to resource limitations it was not possible to run all experimental options. The experiments to be conducted were chosen based on the desire to generate a wide range of results that could be used as a starting point for further research.

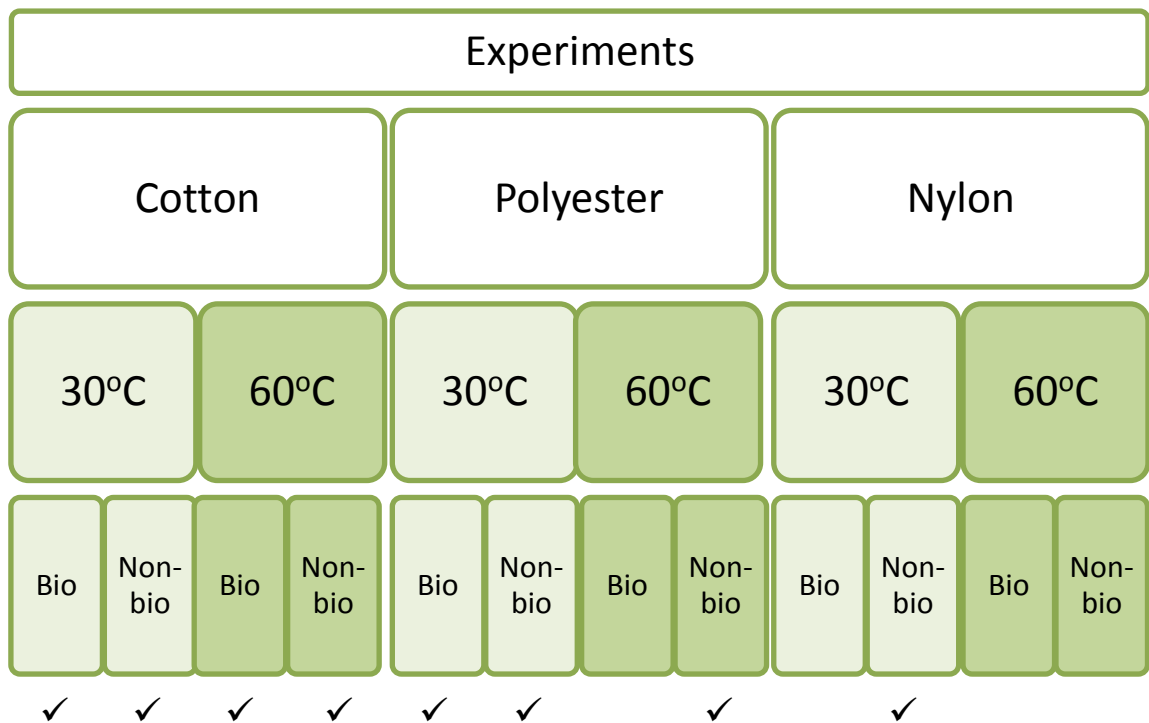


Figure 7.6: Full range of fabric, temperature and washing powder combinations

All three fabrics were to be tested, with all four tests for cotton (in order to provide comparison results to the literature), three tests for polyester and one test for nylon conducted (as shown in Figure 7.6 above). A gentler wash was likely to leave more DNA remaining so when experimental conditions could not be included it was decided to omit the most abrasive washes first (60°C, Bio). By only running a limited number of experiments from

the total set available, time and resources were available to run initial tests on the effects of both multiple washes and multiple semen donors. These additional tests were seen as highly important as these conditions were often seen in ICST cases. As cotton was the most likely fabric to retain the DNA (see section 7.3), this fabric was used for these additional experiments. Nylon was the least likely to retain DNA so only one experiment, at the least abrasive setting, was run to test whether any DNA could be detected post laundering.

The full list of samples that were run is outlined with the number of experiments conducted for each variable type in Table 7.3 below.

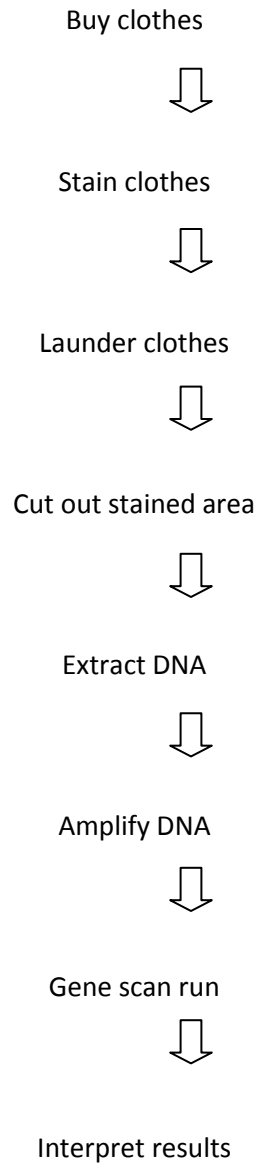
*Table 7.3: Overview of washing and fabrics for each sample to be tested*

Sample Numbers			Type of wash	Type of fabric
1	2	3	30°C bio	Cotton T-shirt
4	5	6	30°C bio	Polyester Trousers
7	8	9	30°C bio	Cotton Socks (unstained)
10	11	12	30°C non-bio	Cotton T-shirt
13	14	15	30°C non-bio	Polyester Trousers
16	17	18	30°C non-bio	Nylon Tights
19	20	21	60°C bio	Cotton T-shirt
22	23	24	60°C bio	Cotton Socks (unstained)
25	26	27	60°C non-bio	Cotton T-shirt
28	29	30	60°C non-bio	Polyester Trousers
31	32	33	30°C non-bio	Cotton T-shirt - 2 washes
34	35	36	30°C non-bio	Cotton T-shirt - 3 washes
37	38	39	30°C non-bio	Cotton T-shirt - 2 Donor
40	41	42	30°C non-bio	Polyester Trousers - 2 Donor

Each experiment was designed to replicate forensic evidence opportunities that may arise in ICST cases. In order to maintain a level of 'usability' and to maintain the ecological validity of the study, all chemicals, equipment and protocols closely match those used in police investigations. Discussion with police forces around the process for gathering, storing and submitting sexual assault specimens to forensic testing facilities, in addition to legal



requirements for UK courts, guided the experimental design. The chemical tests employed here are the same as those used by many forensic services providers in the UK. Figure 7.7 shows the overview of the experimental process.



*Figure 7.7: Workflow of experimental design*

Due to the experiments involving human tissue extensive ethical approval was required. For confirmation of ethical approval and copies of supporting documentation see Appendix A.

### 7.4.1 Experimental Method

The following method was used based on recommendations from analysts at the Forensic Science Service. This method replicates that used by forensic services when examining items of clothing for semen staining and DNA. Consistency across the different experiments is ensured through the use of pre-prepared chemical kits, each of which is tested for contamination prior to use. The chemical kits used here are fully compatible with the automatic testing equipment, reducing the opportunity for human error during the testing phase.

The method employed is outlined here:

1. Each item was stained with 1ml of semen, washed according to Table 6.4 above and then dried overnight. For the samples washed multiple times the items were only stained once. For samples stained by multiple donors, donor two was applied first and donor one on top.
2. A small stained area (approx.  $0.5\text{cm}^2$ ) was cut out for testing and placed into a micro centrifuge tube. The stained area was cut out rather than swabbed as the outer layer of semen may have acted as a protective layer to the semen underneath. Using the cut out sample allowed for the DNA under the protective layer to be accessed.
3.  $10\mu\text{l}$  of Proteinase K,  $150\mu\text{l}$  of the Buffer G2 and  $20\mu\text{l}$  DTT were then added to each sample before the tube was vortexed and placed in a thermomixer set to  $56^\circ\text{c}$  for one hour to activate the Proteinase K.
4. The DNA samples were extracted from each tube using the Bio Robert EZ1 kit and transferred into clean tubes.
5. The DNA samples were quantified before the polymerase chain reaction (PCR) was set up. A ready-made Qiagen kit (15 STR plus gender) was used to replicate what can be achieved in real world cases and what represented best practice when presenting evidence at court.
6. The PCR machine was set to 30 cycles in line with LCN DNA guidance as it was suspected that there would only be small amounts of DNA remaining.

7. After PCR was complete the DNA was analysed using CC5 size standard and run on a 3130XL Genetic Analyzer. 10 µl of formamide and 0.5 µl of CC5 were placed into new elucidation tubes and 1 µl of DNA sample was added along with 1 µl of allelic ladder in the corresponding wells.
8. In order to denature the samples and split the DNA strands apart the sample plate was spun and then heated for 2 minutes at 95 °c. to denature the samples.
9. The plate was snap-cooled for 2 minutes in the freezer at -20 °c.
10. The plate was loaded on the Analyzer for the analysis to run to produce the final output.

### *7.5 Key findings*

Before the semen samples were run, DNA profiles were developed from buccal swabs for the two donors and for the two individuals handling the items and running the experiments<sup>95</sup>. The profiles generated from these buccal swabs for both donor one and two are shown below in Figures 7.8 and 7.9 respectively. The buccal swab profiles were taken to act as a complete profile reference point to the DNA from spermatozoa tested in the experimental runs.

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<sup>95</sup> The thesis author and a lab assistant

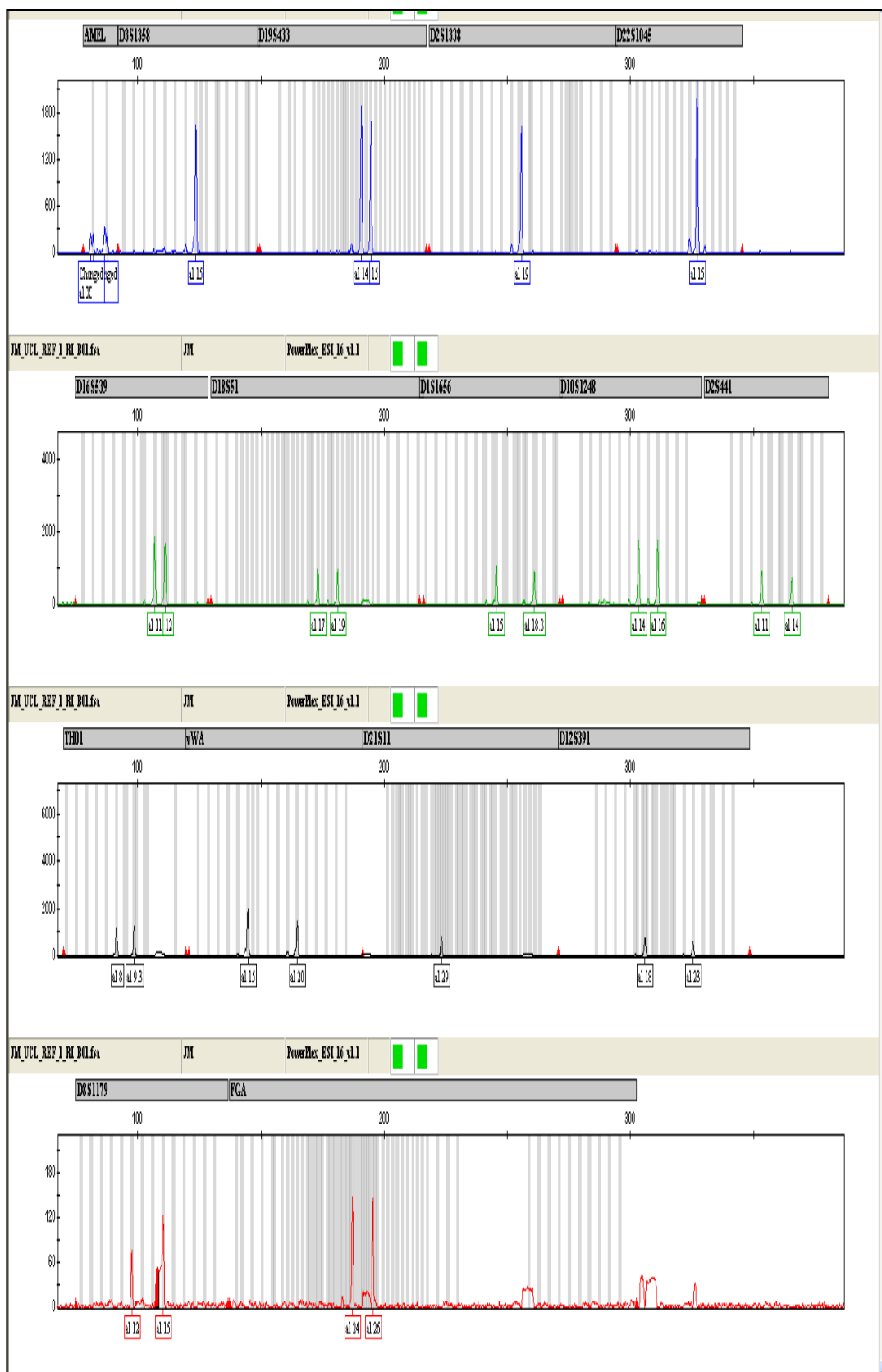


Figure 7.8: Donor one's 16-loci DNA profile from a buccal swab

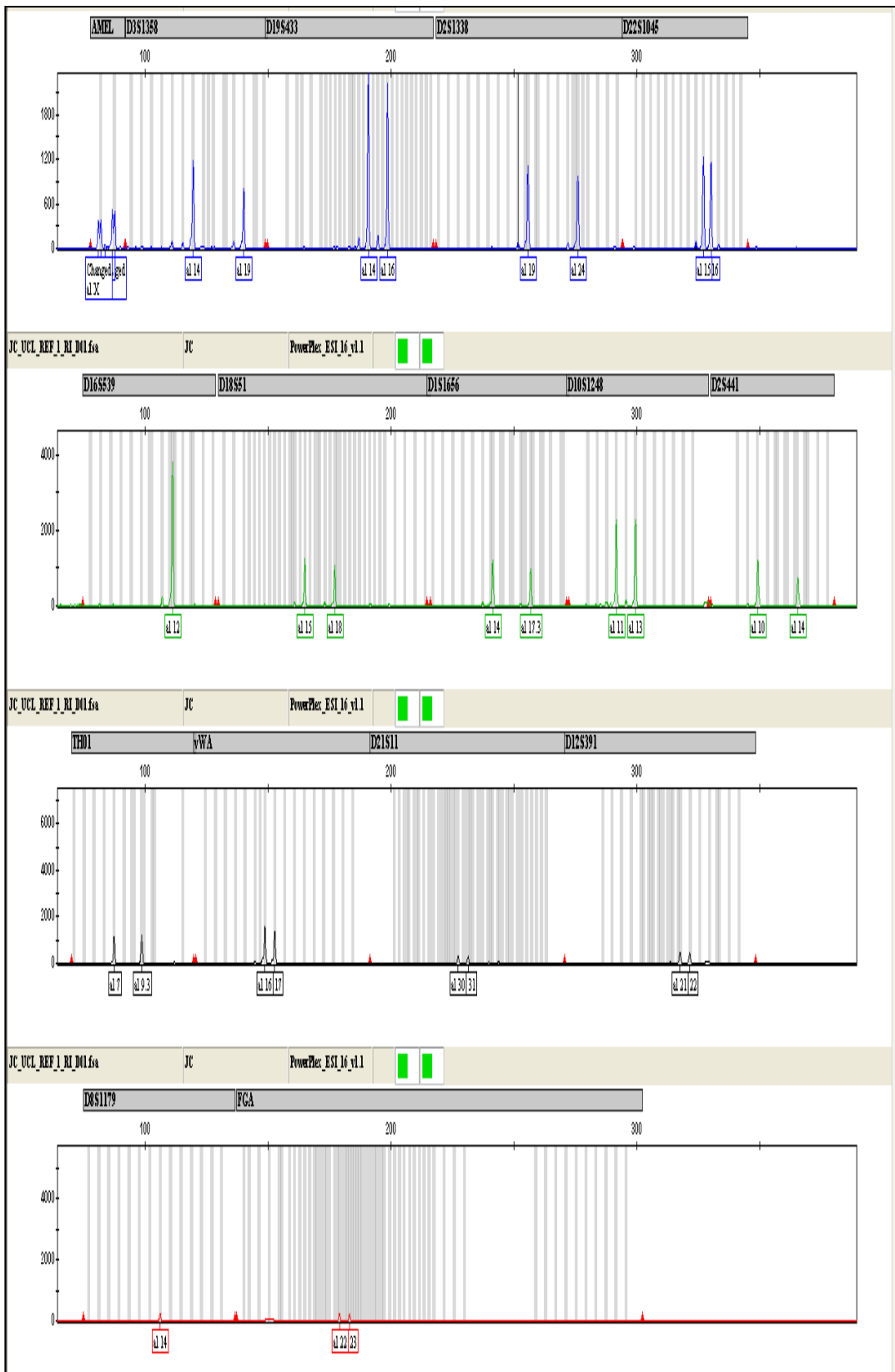


Figure 7.9: Donor two's 16-loci DNA profile from a buccal swab

Each peak represents an allele and can be shown in numerical format as seen in Table 7.4. This table also includes the corresponding values for each of the two investigators who conducted the experiment. The DNA profiles shown in this table were generated from buccal swabs to ensure a clean profile was produced for comparison purposes.

*Table 7.4: Numerical values for the DNA profiles of both donors and both investigators from buccal swabs*

Representing Colour	Allele	Donor 1	Donor 2	Investigator 1	Investigator 2
Blue	AMELO	X,Y	X,Y	X,X	X,X
	D3S1358	15,15	14,19	15,18	14,16
	D19S433	14,15	14,16	12,13	13,14
	D2S1338	19,19	19,24	17,24	19,25
	D22S1045	15,15	15,16	15,16	16,16
Green	D16S539	11,12	12,12	11,12	9,11
	D18S51	17,19	15,18	12,16	12,16
	D1S1656	15,18.3	14,17.3	12,15	15,18.3
	D10S1248	14,16	11,13	13,13	14,16
	D2S441	11,14	10,14	13,14	13,14
Yellow	THO1	8,9.3	7,9.3	9.3,9.3	9.3,9.3
	VWA	15,20	16,17	17,17	17,18
	D21S11	29,29	30,31	29,30.2	28,30.2
	D12S391	18,23	21,22	19,25	18,22
Red	D8S1179	12,15	14,14	12,13	11,11
	FGA	24,26	22,23	24,25	20,23

The results of the DNA profiling for each sample using DNA from spermatozoa are shown in Table 7.5. This table shows whether the samples (DNA from spermatozoa) matched the known reference samples (DNA from buccal swabs) and whether the generated profiles were complete or partial. For further details see Appendix B.

Table 7.5: Results of the DNA profiles run for each sample from DNA recovered from post-laundered spermatozoa (continued on following page)

Sample set	Test sample number	Experimental conditions	Full profile generated <sup>96</sup>	Complete match <sup>97</sup>	Partial match	No. of peaks matching <sup>98</sup>
A	1	30°C bio, cotton t-shirt	✓	Donor 1		
	2		✓	Donor 1		
	3		✓	Donor 1		
B	4	30°C bio, polyester trousers	✓	Donor 1		
	5		✓	Donor 1		
	6		✓	Donor 1		
C	7	30°C bio, cotton socks <sup>99</sup>	X - mixed		Donor 1 Investigator 2	27 9
	8		X - mixed		Donor 1 Investigator 2	26 3
	9		X - mixed		Donor 1 Investigator 2	26 2
D	10	30°C non-bio, cotton t-shirt	✓	Donor 1		
	11		✓	Donor 1		
	12		✓	Donor 1		
E	13	30°C non-bio, polyester trousers	✓	Donor 1		
	14		✓	Donor 1		
	15		✓	Donor 1		
F	16	30°C non-bio, nylon tights	✓	Donor 1		
	17		✓	Donor 1		
	18		✓	Donor 1		
G	19	60°C bio, cotton t-shirt	✓	Donor 1		
	20		✓	Donor 1		
	21		✓	Donor 1		
H	22	60°C bio, cotton socks <sup>46</sup>	✓	Donor 1		
	23		✓	Donor 1		
	24		✓	Donor 1		
I	25	60°C non-bio, cotton t-shirt	✓	Donor 1		
	26		✓	Donor 1		
	27		✓	Donor 1		
J	28	60°C non-bio, polyester trousers	✓	Donor 1		
	29		✓	Donor 1		
	30		✓	Donor 1		
K	31	30°C non-bio, cotton t-shirt x 2 washes	✓	Donor 1		
	32		✓	Donor 1		
	33		✓	Donor 1		

<sup>96</sup> A full profile consists of two peaks at each loci point, a total of 32 numerical values

<sup>97</sup> The sample will only be considered a match if all 32 loci points match the donor sample

<sup>98</sup> Two alleles were expected for each loci point (32 in total) due to multiple spermatozoa being tested

<sup>99</sup> The cotton socks were not stained themselves but added to a wash with other stained items to investigate the possibility of transfer of DNA.

Sample set	Test sample number	Experimental conditions	Full profile generated <sup>100</sup>	Complete match <sup>101</sup>	Partial match	No. of peaks matching <sup>102</sup>
L	34	30°C non-bio, cotton t-shirt x 3 washes	✓	Donor 1		
	35		✓	Donor 1		
	36		✓	Donor 1		
M	37	30°C non-bio, cotton t-shirt x 2 donors	X - mixed		Donor 1 Donor 2	26 28
	38		X - mixed		Donor 1 Donor 2	26 28
	39		X - mixed		Donor 1 Donor 2	26 28
N	40	30°C non-bio, polyester trousers x 2 donors	X - mixed		Donor 1 Donor 2	5 28
	41		X - mixed		Donor 1 Donor 2	5 28
	42		X - mixed		Donor 1 Donor 2	6 28

All samples, with the exception of samples 7-9, 37-39 and 40-42, produced a complete DNA profile matching the reference sample of donor one. Samples 7-9 had a partial match with donor one but also contained a small number of peaks which matched the reference sample of investigator two. The presence of small levels of investigator two DNA in samples 7-9 may be due to the items of clothing belonging to investigator two. Samples 22-24 also belonged to investigator two and showed no additional DNA present. Another plausible explanation for why samples 7-9 but not samples 22-24 showed partial mixed profile is contamination of the samples during the experimental process.

Samples 37-39 and 40-42 were stained with two donor samples; donor two was applied first followed by donor one. The presence of a mixed sample, therefore, indicates that both stains had remained on the fabric during the washing process. The cotton t-shirt retained more of donor one's sample than the trousers, indicating that the fabric type plays an important role in the persistence of spermatozoa where mixed samples are present. The cotton t-shirt sample contained almost equal number of peaks for donor one as donor two (26 peaks and 28 peaks

<sup>100</sup> A full profile consists of two peaks at each loci point, a total of 32 numerical values

<sup>101</sup> The sample will only be considered a complete profile match if all 32 loci points match the donor sample and no additional peaks are present.

<sup>102</sup> Two alleles were expected for each loci point (32 in total) due to multiple spermatozoa being tested



respectively) whereas with the trousers donor one only remained as a small number of peaks compared to donor two which was nearly complete (5 peaks and 28 peaks respectively).

## *7.6 Implications*

The majority of the experimental samples showed complete profiles of donor one using the new European standard of 16 loci points. These profiles are more detailed than the minimum standard required for evidence used in UK courts. The processes used during the staining, washing and testing were designed to replicate real world scenarios in regard to items being washed using readily available washing powders and commonly used washing temperatures. Both biological and non-biological washing powders were tested with no difference found in the profiles which were generated from the samples. There was also no difference seen between the cooler and warmer washing temperatures. Those items washed twice and three times were also able to produce a full DNA profile, indicating that additional washing fails to adequately remove all traces of DNA deposited through semen staining. These findings begin to address the research gaps identified in the literature (see section 6.3), namely the combination of temperature, fabric and washing powder variables on the ability to generate a full DNA profile. It is of note that the DNA profiles generated in this thesis potentially provide greater individualising capacity with the 16 loci points considered, compared with earlier profiles that have traditionally tested just 10 loci points.

The results from this experimental study have important implications, particularly given the sparse literature addressing this area. It has been shown here that modern analysis techniques are capable of generating DNA profiles from a variety of semen stained fabric types that have been stored and laundered under a range of washing conditions. The findings have provided an initial evidence base for the interpretation of DNA profiles derived from laundered clothing that did not exist before, paving the way for empirically grounded interpretations of such evidence. The findings that multiple washes did not affect the quality of the DNA profile produced may be significant if the evidence was brought into question. The samples which were washed multiple times were still able to produce full DNA profiles, demonstrating the high levels of DNA remaining after a single wash.

The results of the experiments conducted here are especially timely given that the House of Commons Science and Technology Committee (2005) and more recently the Law Commission of England and Wales (2011) have suggested a move towards using a Daubert-style admissibility criteria in future UK legal proceedings. This criterion, an outcome from a US Supreme Court landmark case into admissibility of certain types of evidence (*Daubert v Merrel Dow Pharmaceuticals*, 1993, 509 US 579), is based on four subjective areas, namely whether: the theory or technique in question has been tested; it has been subject to publication and peer review; the rate of error (known or potential) has been quantified; and the evidence is generally accepted by the scientific community. Experimental findings of the type generated in this chapter and published in academic journals could be used to support the use of DNA evidence from laundered clothing in future criminal trials.

The finding that a full DNA profile can be obtained from laundered clothing also has important implications for law enforcement. Stained but laundered clothing may prove to be a useful and effective source of forensic evidence in the investigation process in three different ways. First, the DNA profile could be used as an exclusionary tool to narrow down a suspect pool early in the investigation. Second, it could be used to strengthen prosecutions and take some of the pressure away from the testimony of the victims. Finally, the profile could be compared with the national DNA database against unsolved cases to find links with other crimes.

The two-donor stained clothing had more mixed results. The cotton t-shirt retained DNA from both donors with near complete profiles. The trousers, however, only produced a small number of peaks representing donor one but a more detailed partial profile of donor two. This finding may imply that the donor one sample, which was applied second and covered the donor two sample, was largely washed away but protected donor two sample from the washing process. This has implications for victims who are abused by multiple offenders as it may only be possible to get one of the donors DNA profile dependent on the fabric type.

Only two donors were tested in these experiments and two fabric types using one set of washing conditions (30°C, non-biological). It is not clear why a full profile was obtained for the trousers with only one profile but only a small amount of DNA remained for the second donor when multiple donors were tested under the same conditions. More research would need to

be conducted on multiple stains to understand these results further. In addition, it may be the case that during a multiple-perpetrator sexual assault, the two donors deposit semen on to separate areas of the clothing. This would result in full profiles being obtained from both donor without any mixing of the samples having occurred.

Finally, the transfer of DNA between clothing during the washing process was observed in these experiments. The presence of DNA on non-stained items was highlighted in the experiments conducted by Kafarowski et al (1996). The experiments conducted here support the notion of transfer as shown in the unstained cotton socks showing the presence of donor one DNA despite not being stained with semen but being laundered with other stained items. Donor one was never in the presence of the clothing items to minimise the chance of donor DNA being present on the items that had not come from the semen sample. The staining, washing and drying of the clothing items was also done at a location where the donor had not been present. These items had been handled by investigator two which could explain the presence of their DNA. The DNA present from donor one must therefore have either transferred directly from the stained clothing or from the washing machine itself.

The transference of DNA between stained and non-stained items has important ramifications. Although it has been shown that a full donor profile can be obtained from stained and laundered items, non-stained items also showed presence of the same DNA. The positive identification of transference means that it would not be possible to state with certainty that DNA profiles obtained from stained and laundered clothing had come from the donor rather than a third party whose DNA was present in the washing machine or on other clothes in the same wash. In the case of ICST, however, the offender would still need to explain how their DNA came to be present on the clothing belonging to the victim. If this type of evidence became routinely used in court, however, it is possible that defence barristers would advise their client to admit having met the victim to account for the DNA presence. The offender could claim that the DNA had come from another source (skin cells, saliva etc) but would not need to admit to any sexual contact as it would not always be possible to ascertain what cell type the DNA had come from. The findings from this thesis are important in addressing the knowledge gaps in the literature around the combination of variables, multiple washes and, to a lesser extent, mixed samples.

## *7.7 Conclusion*

The findings from these experiments have shown that it is possible to produce full DNA profiles that match the sample donor. The 16 loci profiles produced exceed both the 10-15 loci standard set by European courts (Schneider, 2009) and the 11 loci requirement of UK courts (CPS, 2004). The majority of the results showed a single profile that fully matched the original donor showing that temperature, washing powder and fabric type did not affect the quality of the results produced. Multiple washes were also tested and did not reduce the quality of the profile.

The implications of these findings are twofold. First, from a scientific perspective the empirical basis for understanding the preservation of spermatozoa has been demonstrated. This greater understanding provides context and thereby can lead to more accurate interpretations of DNA evidence recovered in future case results. The second implication is that this research offers the police an additional source of evidence for collection. The police can offer a justification for collecting and testing laundered clothing believed to have been stained with semen. Any findings from testing clothing in this way could be presented in court and supported by these findings and the empirical grounding of this research. This would not only offer a further source of evidence against the offender but would reduce the pressure faced by victims when giving testimony.

There are limitations to these experiments, including limited variation in the fabric type, washing temperature and washing powders used. Those selected were believed to be the most appropriate and representative of what would likely be encountered during ICST investigations but it is possible other combinations would produce different results. Further research in this area could assist the police, particularly if it was found that one fabric type, for example, failed to retain any DNA after laundering. By knowing which fabrics and washing conditions are likely to produce the best chance of a DNA profile the police would be able to focus their efforts and resources more efficiently. These findings, however, suggest that a DNA profile is likely to be recovered from laundered items and therefore such items should be included in the forensic collection protocols.

Another area where extending the experimental design would prove beneficial concerns mixed samples. Only two donors were used in the mixed sample whereas some victims reported being abused by a large number of offenders. The stains were applied on top of each other and only after the first stain had dried. This may not accurately reflect the experiences of someone who is raped by a number of offenders over a short period of time.

Overall, the experiments have demonstrated that it is possible to recover a full DNA profile from a range of different fabric types, using both biological and non-biological detergents and different washing cycles that matched the profile of the donor and this has been demonstrated for the first time empirically in this study. This has important implications for police and future ICST cases as an additional source of evidence.

In addition to gathering physical forensic evidence, such as DNA, to support a case the police may also benefit from understanding more about how the group functions in order to better disrupt them before the sexual offences have been committed. This is discussed in the next chapter.

## Chapter Eight: Developing New Investigation Strategies

This chapter explores ways for law enforcement strategies to be developed through knowledge of a group's structure and function. This chapter answers three questions:

1. How can knowledge of ICST groups (gained in previous chapters) contribute to a new way to develop investigation strategies for OCGs?
2. What are the key structural and functional properties of an offending group?
3. What are the key trends and patterns found across ICST groups?

Building upon previous chapters (Chapters four and five) and work conducted in collaboration with SOCA, eight key parameters for understanding a group were identified<sup>103</sup>, namely: hierarchy, recruitment methods, personal growth and promotional opportunities, role assignment, crime specialisation, identity, fragmentation of the group and crime capacity. Each of these areas is viewed on a spectrum rather than in binary terms (yes or no), and this has implications for how the group will function and adapt. A framework for highlighting potential new law enforcement strategies created using a variation of traditional SWOT analysis was developed as part of this thesis. This framework was subsequently applied to ICST groups to explore the potential for investigative strategy development. This chapter concludes with a discussion of the practical applications and limitations of these findings.

### *8.1 Understanding a group's structural properties*

This section describes the development of a general framework within which OCGs, including CSOGs, can be assessed in regards to their structure and function. This initial stage of analysis was conducted using SOCA and CEOP case files along with CEOP offender interviews to create a more wide-ranging OCG framework. The wider use of data was done to avoid creating a self-perpetuating set of parameters which only apply to the specific ICST cases analysed within this thesis. By including varied OCG data it was possible to include areas not easily seen within ICST groups but that may be more pronounced in future ICST cases. The framework developed in this section will be applied to specifically to ICST cases in section 8.3.

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<sup>103</sup> This list is not meant to be comprehensive or exhaustive, purely areas that were identified within available data.

The structure of legitimate groups has been defined in the literature predominantly as hierarchy or group cohesion. Hierarchy is often described as a binary categorisation where groups have either a vertical structure with stringent lines of command or a horizontal, even power distribution (Cressey, 1972; Zaitch, 2002). Cohesion, the bonds between group members, is used to describe whether a group is tightly-knit or more loosely connected (Klein, 1971; Hogg, 1992; Fleisher, 1998).

Researchers have started to move beyond these two areas to suggest new ways of understanding OCGs (e.g. crime mobility or levels of violence) (Morselli et al, 2010). By considering functional and structural characteristics of co-offending behaviour, researchers are starting to see groups as flexible and adaptable (Morselli, 2008). Differences in crime groups are also starting to be viewed along a spectrum rather than as binary options (Cressey, 1972). For example, the degree to which a group specialises in one crime type can be seen as a spectrum from highly specialised to highly generalised.

Morselli et al (2011) suggest that three sets of factors contribute to a group's functionality: macro opportunity factors, including economic conditions, government regulations and new opportunities for crime; criminal environment conditions, accounting for the ability of criminal groups to exploit these opportunities; and necessary skills to complete the criminal activity. This typology appears to work well when used to understand OCGs conceptually. It does not, however, give details of how aspects of the group can be addressed. Understanding ways to tackle a group is essential when developing law enforcement strategies, a key aim of this thesis. Based on the notion of different ways to view a group, this chapter outlines group factors that may provide useful information when deciding upon an investigative strategy.

### **8.1.1 Method**

The method used to analyse the data for this section was thematic analysis, as outlined in section 4.3. This involved reading through the data and identifying key phrases, before grouping the expressions together to form themes.

The data used in this chapter are:

- ICST case files (used in section 7.3 only)
- SOCA case files
- CEOP case files
- CEOP offender interviews
- NGO and other open source reports and information

Documents relating to OCGs, including CSOGs, were reviewed. References were recorded when they mentioned how the group operated, including referrals to group structure, function and dynamics. The documents included in the analysis were selected based on the level of detail around how an OCG operated, the reliability of the source of the information and the usefulness of the information to inform the research.

A total of 198 key phrases were highlighted as being relevant. Cutting and sorting led to the identification of topics such as the level of specialisation within a group and whether group members identified as belonging to a group. In total, all references could be assigned to one of eight categories. Once these eight categories had been identified, a similarities and differences stage was run to group the categories into broader themes. From this process the eight categories made up the sub-theme which sat within four overarching themes. Table 8.1 shows the themes, sub-themes, the expressions which led to the sub-themes being identified and the frequency of each expression type.

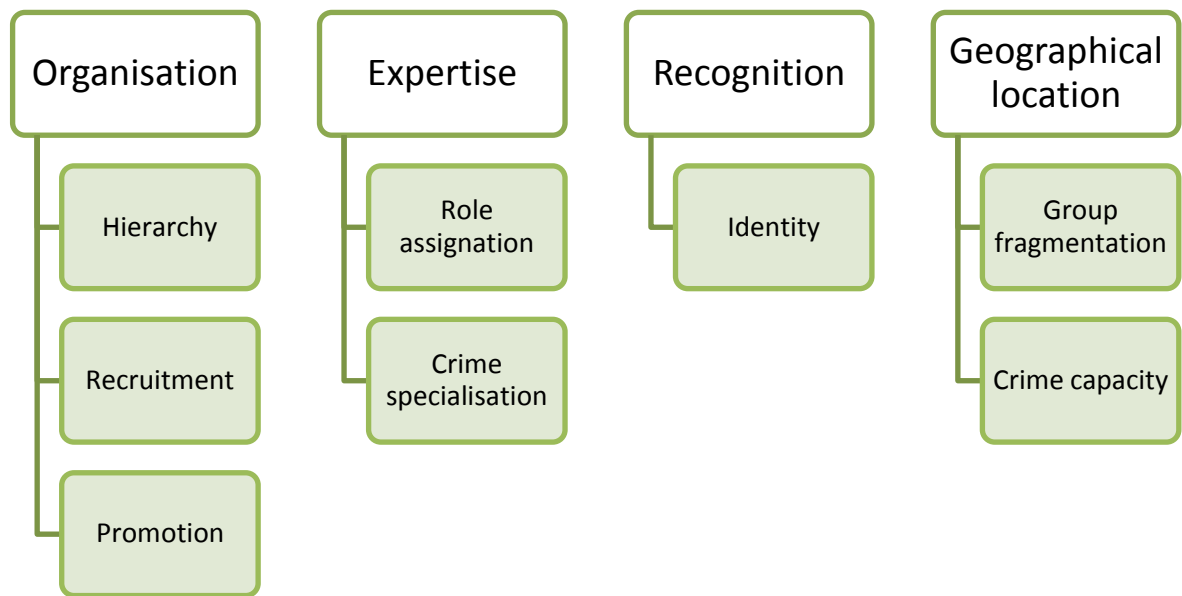


Table 8.1: Examples of expressions related to group structure

Theme	Sub-theme	Examples of key phrases	Frequency of expression
Organisation	Hierarchy	<i>"He was my boss and I was this other guys boss....you did as you were told" (SOCA case file)</i> <i>"Each person was given equal standing within the group so we couldn't just go in and take out the 'kingpin'" (SOCA case file)</i>	16 key phrases
	Recruitment	<i>"When his brother went to prison they recruited the younger brother so that they could keep up with demand on his street" (NGO report)</i>	27 key phrases
	Promotion	<i>"It was dead man's shoes and there were a lot of dead men! You could go from the bottom of the pile to a senior position in a couple of months" (SOCA case file)</i>	8 key phrases
Expertise	Role assignation	<i>"The guy laundering all the money was a popular guy among the different OCGs, he didn't go without a job for long" (SOCA case file)</i>	11 key phrases
	Crime specialisation	<i>"The traffickers realised that if you were organising for a shipping container to be moved you might as well fill it with the most profitable items...drugs or arms, they would change all the time" (SOCA case file)</i>	64 key phrases
Recognition	Identity	<i>"[We were] known as SKIF... like the initial of each of our nicknames" (CEOP interview)</i>	22 key phrases
Geographical location	Group fragmentation	<i>"We arranged to all meet up at my place so they could meet the star of the show. One guy flew in from the USA, another from Switzerland. It was like an international conference" (CEOP case file)</i>	19 key phrases
	Crime capacity	<i>"They never left Africa but had victims all over the English speaking world" (SOCA case file)</i>	31 key phrases

### 8.1.2 Key Findings

Four themes were identified within the data: organisation, expertise, recognition and geographical location. Within each theme were a number of sub-themes as shown in Figure 8.1. These sub-themes were identified through direct reference such as a criminal participant being quoted as referring to multiple crime specialisms (under the theme expertise) or in more indirect ways such as the way in which the media or law enforcement had connected individuals together as an externally identified group (under the theme recognition).



*Figure 8.1: Group structural themes and sub-themes*

Other areas that relate to how a group may function and/or operate were also identified within the analysed documents. As the research was designed to better understand how groups function in order to develop better law enforcement responses, only those areas that could be measured and/or categorised from outside the OCG were included. The result is a deliberate configuration of key OCG dimensions, rather than a comprehensive list. When combining each of the identified themes and sub-themes it may be possible to gain a greater understanding of the group as a whole and ways in which it may be more successfully dismantled.

Cohesion has been deliberately omitted as a theme because it can be viewed as a product of other functional characteristics. Cohesion may be strongly affected by areas such as group identity or role assignment and as such may be prone to fluctuations that can be explained through these sub-themes. It cannot be excluded from this study entirely, however, as it has been shown that high levels of group cohesion are positively related to group efficacy (Mullen and Cooper, 1994; Beal et al, 2003). In relation to criminal activity it is thought that cohesive groups have higher expectations from their membership in terms of willingness to take risks to benefit the group (Bouchard and Spindler, 2010) and that cohesion and levels of delinquency

are positively correlated throughout the duration of group involvement (Decker, 1996). Cohesion, therefore, will be addressed within other sub-themes.

The sub-themes identified here are not mutually exclusive and tend to interact with one another. Role assignment, for example, can be closely linked with hierarchy and crime specialisation may impact upon geographical reach or criminal capacity. Each of these sub-themes, however, was considered potentially useful for law enforcement strategy development, resulting in their inclusion. In addition, each sub-theme can be viewed on a spectrum, broken down into levels 1 to 5, where the extremes match traditionally held binary options. For example, the crime capacity of an OCG could be limited to the immediate area (level 1) or have international range (level 5). Illustrations are provided at end and mid points with a letter and number allocation, e.g. a strict vertical hierarchy would be given the notation H<sub>5</sub>. Each of these themes and sub-themes were identified within the thematic analysis of the selected documents. In addition to some of the basic findings from these documents, additional literature has been included in the individual theme discussions below.

Each theme and sub-theme is discussed in turn below.

### **8.1.2.1 Organisation**

The way in which a group develops organisational structure can affect operations and communication between members. The three areas of organisation that affected group behaviours in this data set were hierarchy, methods of member recruitment and opportunities for personal growth and promotion.

#### **8.1.2.1.1 Hierarchy**

Hierarchy, referring to the structure of group command, commonly appears as a key trait when describing groups.

Groups with a strict vertical approach (H<sub>5</sub>) often display a rigid chain of command and are often described by their pyramid shape, whereby large numbers of group members fill the lower ranks and relatively small numbers fill the upper management roles (Benson and Decker, 2010). Some of the larger and more formal online CSOGs may fall into this category. Among online groups, producers and those with the technical skills to advance or protect the group

were awarded high status and influence within the group<sup>104</sup>. In other situations founders of a group would be considered to have higher status than recent recruits or those members who offer little benefit to the group (Glenny, 2012). H<sub>5</sub> groups tend to be highly efficient and, although they can be at risk of fast, cumulative failures, they benefit from internal resources that can aid and quicken recovery time (Watts, 2003).

The mid-point of the spectrum (H<sub>3</sub>) contains OCG groups with a more horizontal hierarchy. Each person or section of the group is considered on an equal (or near-equal) footing, although within each area or division there may be an internal vertical structure. Decision making happens across the various functions, replicating a more democratic approach. These organisations are able to adapt to changes in the environment such as increased police pressure or an opening in a new criminal market. It is likely that ICST groups formed from pre-existing social ties would fall within this category.

At the other extreme (H<sub>1</sub>) are those considered more a collective of individuals rather than a structured group. There are no clear lines of command and members act largely independent of one another (Williams, 1998). Some prominent offline CSOGs from the 1970s and 1980s fall into this category as, although they would offend together, they were disorganised and met on an ad hoc basis (CEOP Interviewee 1). These groups can be highly adaptive and flexible without the need to go through bureaucratic channels when decisions need to be made (Benson and Decker, 2010). Loosely-connected groups can also quickly adapt to changing conditions; improvements in law enforcement capabilities may mean an OCG must adapt to remain active (Bouchard, 2007 and Degenhardt et al, 2005).

#### **8.1.2.1.2 Recruitment**

There are numerous ways in which a person can be recruited into an organisation, including through advertisements or by word of mouth (see section 4.4). Although some of these recruitment methods apply to criminal networks, additional crime specific criteria may also exist. For example, ethnicity and nationality may be a deciding factor of whether a person is eligible to join an OCG; ethnic homogeneity may be an important prerequisite in groups like the Chinese Triads. There are certain skill sets that are needed in both criminal and legitimate businesses which may affect who is 'employed' and for how long. This is particularly true for

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<sup>104</sup> From Interviewee 3

CSOGs where recruiters and groomers of victims, those providing key facilities and producers of IIOC are all in demand<sup>105</sup>. Recruitment is likely to be linked to role assignation and hierarchy: active recruitment is more likely when specific roles need to be filled and when the status differential reduces the opportunity for new members to simply join the group.

The criteria for recruitment can be seen along an axis from personal traits ( $R_5$ ) to business needs ( $R_1$ ). At one end, personal characteristics and heritage are paramount and at the other business needs are the only concern.  $R_5$  groups may benefit if the community from which their members come from support the OCG or are willing to conceal their activities<sup>106</sup>.  $R_1$  groups, on the other hand, may be quicker to adapt to changing environments through their ability to recruit based on 'business' needs. The mid-point could include both groups that require a mix of personal and business criteria and groups with no criteria at all.  $R_3$  groups may have the best of both worlds or the support of neither depending on the specific circumstances and crime area in which they operate.

#### **8.1.2.1.3 Personal Growth and Promotion**

Organisations, OCGs included, vary in the extent to which they nurture their employees and how much value they place on personal growth relative to business growth. An OCG with a low level of personal growth prospects ( $P_1$ ) typically demands a lot from its members, in terms of their time, energy and commitment and may suffer a higher rate of turnover as a result. Members' may feel undervalued if their contributions go unrecognised and unrewarded. Promotions may be based on arbitrary or unfair factors and nepotism may be common, fostering feelings of resentment and removing incentives to excel. In contrast, organisations with high personal growth prospects ( $P_5$ ) offer their 'staff' opportunities for professional and personal enhancement and seek to accommodate members' other commitments. Good work is rewarded and promotion is based on merit. High personal growth prospects are likely to translate into committed OCG members and a cohesive organisation. The mid-point ( $P_3$ ) may have some internal promotion but those promotions are not necessarily be based on merit.

Within OCGs promotion may be triggered by: the loss of a senior member due to arrest; another member's inability to perform the role satisfactorily; or a fatality. Some OCGs may

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<sup>105</sup> From SIO interviews

<sup>106</sup> This may be through support of a common cause or through fear of retribution.

have little room for progression or may wish to insulate the upper 'management' positions. Furthermore, promotion may only occur when there is a clear requirement. Promotion opportunity can act as a motivating factor to prove tenacity and encouraging members to take greater risks in order to prove themselves to 'management'.

### **8.1.2.2 Expertise**

OCGs can specialise in two ways: the specialisation of members' roles within the group (individual) or the specialisation of the crime (group). It is possible for a group to be crime specialists while having no role assignment and vice versa. Groups can also have no specialisation or be highly specialised in both individual and group areas.

#### **8.1.2.2.1 Role assignment**

Role assignment relates to the degree to which OCG members are routinely accorded particular tasks or responsibilities. Depending on the actions required, tasks could be carried out by a single person or a team of specialists ( $A_1$ ), semi- skilled individuals ( $A_3$ ), or generalists ( $A_1$ ).

Specialism of roles can help minimise unnecessary repetition of tasks and produce experts. Generalists, however, can quickly adapt to most roles or functions. Groups with higher levels of role assignment may be more susceptible to targeted law enforcement attacks on members performing crucial roles, so long as these individuals are not easily replaced by others with the same capabilities. Some roles are generalist and require no particular skill: these may be carried out by virtually anyone, although hierarchy may affect who is assigned the task. Certain roles require prior knowledge and specialisation, such as money laundering. These roles would be assigned to the most appropriate OCG member, or new members recruited specifically to this end.

ICST groups are more likely to be  $A_3$  type groups where a certain level of skill is required to complete certain tasks but anyone capable is encouraged to do so.  $A_5$  groups show an inflexible allocation of tasks among group members which may be a function of ego as much as group need.

#### **8.1.2.2.2 Crime specialisation**

Group specialisation refers to the crime being committed as opposed to the roles being performed. An OCG can be set up that focuses on one area of crime e.g. drug trafficking, but can be dealing with heroin, cocaine, prescription drugs etc. This is an example of a mid-level specialism ( $S_3$ ). At one extreme is an OCG that only dealt with the production and distribution of methamphetamine ( $S_5$ ) and the at the other extreme an OCG that deals in many different types of drug as well as being involved in credit card fraud and protection rackets ( $S_1$ ). Groups with high levels of specialisation ( $S_5$ ) might be more vulnerable to focused law enforcement attacks, but may also be the leaders in their field, have good contacts and employ nuanced protective techniques.

Both offline and online CSOGs may be at the more specialised end of the spectrum. This does not refer, however, to the specialisation of individual members. The degree to which an OCG specialises can affect the law enforcement approach: highly specialised groups may have areas of vulnerability but may also have better links with a wider network of likeminded offenders and increased awareness of law enforcement activity. Specialisation does not necessarily equate to lack of variation in modus operandi, although OCGs, like people in general, may stick to a familiar 'tried and tested' crime process until it is threatened or made redundant by changes in internal or external operating conditions.

#### **8.1.2.3 Recognition**

The way in which members of a group are recognised internally as well externally can affect their criminal operations. This notion is referred to here as group identity.

##### **8.1.2.3.1 Identity**

Many legitimate groups, such as a sports team, are proud to display their group membership. In a criminal setting this is most obviously seen within gang cultures that use, for example, coloured bandanas to denote membership (OCC, 2012). Some groups require a whole appearance change such as some right-wing 'skin-head' extremists or biker gangs such as Hells Angels. These actions are likely to be linked to reputation and the desire to be seen as a group member.

Group identity can be achieved internally, through shared beliefs and behaviours, and externally, through the way others react to the perceived group e.g. the media or the public.

Both of these constructs may affect the sense of identity an individual feels towards the group. Understanding the different aspects of group identity can help law enforcement through supporting infiltration or helping to promote the loss of group reputation. High levels of group identity often equate to cohesive groups with committed members (Turner et al, 1992; Cota et al, 1995). Yet, a strong identity does not always benefit an OCG. It can stigmatise members in their community and attract unwanted attention from law enforcement or rival gangs, determined to establish themselves by attacking a prominent force.

A group with high levels of group identity may involve members who share a clear ideology, religion, goal and purpose ( $I_5$ ). Groups with low levels of shared identity ( $I_1$ ) do not identify their co-offending behaviour in this way.  $I_3$  groups may share a number of commonalities with one another but wish for their membership to remain anonymous. CSOGs are likely to be at  $I_3$ , members share a deviant behaviour and may identify as an offending group, even using a shared name. They would, however, go to great lengths to avoid non-members becoming aware of their involvement in the group. The few exceptions to this are 'advocacy' groups, such as North American Man/Boy Love Association (NAMBLA), whose membership can openly discuss sexual desires but who formally condemn illegal activity.

#### **8.1.2.4 Geographical location**

Geographical location can be considered on two axes: the physical distance between group members and the crime reach of the group's activities. These areas have been addressed as fragmentation and crime capacity respectively.

##### **8.1.2.4.1 Fragmentation**

Even in an age of digital communication, it is important not to underestimate the influence of geographical proximity on members' interactions. Geographical group fragmentation is the degree to which members are dispersed in space. Low levels ( $F_1$ ) indicate that the whole OCG is positioned in a relatively small area: for example a single town or city, or even a particular postcode. Tight spatial concentration may be correlated with strong social bonds between members, who may know each other from school, the local area or sports clubs. OCGs whose members are situated near to one another are able to discuss criminal business at face-to-face meetings arranged with relative ease (see Krebs, 2001). OCGs of this type may also have plenty



of opportunity for socialising away from criminal activity, strengthening an individual member's commitment to the group and sense of belonging.

Conversely, OCGs with high levels of geographical group fragmentation ( $F_5$ ) are spread out across countries and continents. Under these circumstances members may have little social contact and communicate only when planning criminal activity.  $F_5$  groups will require additional methods of communication such as email, private calls or chat rooms, each of which bring added security risks and may weaken the cohesion of the group. Conversely, these latter groups may reduce the amount of communication between members, rebalancing the security risk incurred. Online CSOGs fit into this category where members can be widely located with relatively little impact on the group. In fact, it may be highly beneficial to have members based in countries where CSA is not a police priority<sup>107</sup> and members can produce IIOC with relative impunity.

In a large international OCG, there might be a mixture of fragmentation and closeness. For example, six sets of ten members may operate in teams, accessing different countries. When dealing with such an organisation it is crucial to consider the most effective targeting strategy which combines elements designed for dispersed and co-located groups.

#### **8.1.2.4.2 Crime capacity**

The physical location of a group is not always directly related to their criminal capacity or global reach. With any group the harm caused by their crimes can spread far beyond their immediate presence. This criminal capacity can be categorised as transnational, national, or local. Those operating transnationally may have the greater opportunity for profit through a larger pool of potential victims but may also be bringing their criminal actions to the attention of numerous law enforcement agencies.

Those with a transnational reach ( $C_5$ ) include groups that start their criminal activity in one country and finish it in another, potentially involving additional countries along the way. An example of this would be online CSOGs where a child is abused in one location and the images or videos are shared internationally. A national reach ( $C_3$ ) may include offline CSOGs such as

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<sup>107</sup> Or with high levels of corruption where wealthy offenders can pay the police to turn a blind eye. This has been reported as the case by all three interviewees, each citing different countries.

some ICST groups when victims are moved between areas, towns and cities for the abuse to occur. The local reach ( $C_1$ ) is where the criminal activity and dominant harm occurs in a spatial concentrated area such as an institutional CSOG where the abuse is limited to a school, care home or youth group, for example. This might be the result of a deliberate, well-planned decision or a consequence of low ambition, poor planning or resourcing issues. Operating in a small area has clear benefits, in terms of local knowledge, focus and control but it can also make an OCG visible and vulnerable to attack.

When assessing an OCG's geographical crime reach, it is important to establish whether a group is responsible for a complete complex criminal chain. Within international human trafficking, for example, it is rare that a single OCG would be responsible for the entire trafficking process: instead the victims are passed from group to group along the chain. This would be better understood as close co-operation between different groups who together form part of a wider criminal network.

## *8.2 Using the structure of a group to develop investigation strategies*

The eight themes identified in this chapter were developed from OCG data more generally. This wider scope was chosen to generate more generic OCG themes so when ICST groups are scored the ICST group can be compared to other types of OCG. A clearer understanding of the flexible, varied and complex nature of CSOGs, in particular, together with a framework for assessing individual targets, could prove valuable in designing and implementing effective police investigation strategies. The ability to compare different groups helped to identify investigation strategies used for other OCG operations that could be applied to ICST cases. This is discussed in more detail in Chapter eight.

### **8.2.1 Method**

The method applied here was an adapted SWOT analysis. SWOT (strength, weakness, opportunity and threat) analysis is popular with researchers and practitioners as it allows for a systematic appraisal of both environmental (external) and organisational (internal) factors (Kitler, 1988; Wheelen and Hunger, 1995; Ghazinoory et al, 2011).

The data used for this section included:

- SOCA case files
- CEOP case files
- CEOP offender interviews
- NGO and other open source reports and information
- OCG structure generated in section 7.1

Having identified positive and negative factors within and outside the organisation, decision makers can develop strategies aimed at building upon strengths and exploiting opportunities while minimising the weaknesses and mitigating against the threats (Dyson, 2004). The intended outcome is a logical and evidence-based strategy that considers internal and external factors alongside the objectives of the decision makers (Kajanusa et al, 2012). SWOT analysis (as outlined in Table 8.2) was first developed in the 1960s (Learned et al, 1965) but it was not until almost two decades later that it became a common business appraisal tool (Wehrich, 1982).

*Table 8.2: SWOT analysis categories*

Letter	Meaning	Groups	Effect of Factor
S	Strength	Internal: areas within an organisations control including finance, personnel, location, operations and marketing.	Positive
W	Weakness		Negative
O	Opportunity	External: forces outside of an organisations control including economic, political, social and technological factors.	Positive
T	Threat		Negative

The SWOT method was selected for use here for three reasons: it is flexible and does not require complex data (Ghazinoory et al, 2011); it is a familiar method with minimal resource requirements (Beeho and Prentice, 1997); and it can be used to make rapid decisions (Srdjevic et al, 2012). These three factors makes SWOT analysis a useful tool for law enforcement personnel who are frequently required to make quick, resource-constrained decisions during an investigation.

Critics of the SWOT method (for example see Hill and Westbrook, 1997; Panagiotou and Wijen, 2003; Novicevic et al, 2004) point out a lack of guidance for applying SWOT in practice, the

singular level of analysis that is required and the simplicity of the method leading to careless use. Many of these issues, however, have been addressed by researchers who have adapted and integrated other methods to complement the findings (Helms and Nixon, 2010). The method used here is also an adaptation designed to support development of investigation strategies when dealing with group-based offenders.

Each sub-theme identified in section 7.1 was subjected to the adapted SWOT analysis. Here, instead of all four factors (strength, weakness, opportunity and threat) being applied to one entity, for example the crime group, they are split between the OCG and law enforcement. The strengths and weaknesses are considered for the OCG and focus on core vulnerabilities and protective factors within a given structural or functional factor. In contrast, the opportunities and threats are considered from a law enforcement perspective, building upon the previously highlighted offending groups' strengths and weaknesses. Using this method, ideas can be generated for targeted law enforcement interventions and for core associated risks to be highlighted.

The adapted SWOT has been developed for two reasons.

First, data may be available or information inferred on a group's strengths and weaknesses but not so readily available on the opportunities and threats faced by crime groups, particularly the smaller and less organised groups. For example, law enforcement intelligence may show that members of an OCG are all from the same neighbourhood and are all connected through relationships that predate their OCG membership. The police may, therefore, be able to infer group strengths such as kinship and shared cultural norms and weakness such as a lack of specialist skills due to constraints in recruitment. Law enforcement may not, however, be aware of the specific opportunities and threats facing the group such as threats from rival groups or a change in market conditions as these may not be so prevalent in the intelligence held on law enforcement databases.

Second, law enforcement practitioners also need to be able to use the knowledge of a group to better develop strategic interventions. This adapted SWOT analysis offers practitioners a way to develop strategies to undermine criminal activity in a structured and systematic way. This

method also sits within a situational framework utilised in this thesis by affecting the social environment in which OCGs operate.

### **8.2.2 Key Findings**

This section offers OCG examples of SWOT analysis for each sub-theme. The inclusion of other OCGs may help ICST investigators consider different investigative tactics that could be employed when dealing with group-based child sex offenders. The investigative strategies proposed here are thought to fall within the boundaries of what is viable financially, logistically, legally and ethically. They have not, however, been subject to detailed scrutiny, risk assessment or operational testing. At this stage, they are simply suggestions, intended primarily to spark thought and debate around novel ways to undermine OCGs from a group-based perspective.

Tables 8.3 to 8.10 show ideas generated for police intervention using SWOT analysis for each of the eight parameters (hierarchy, recruitment, personal growth and promotion, role assignation, crime specialisation, identity, group fragmentation and crime capacity) discussed in section 8.1. Suggestions have been offered for how police can better understand and tackle groups that demonstrate characteristics at either end of the spectrum for each parameter.

Table 8.3: The use of a group's hierarchy when designing investigation strategies

	SWOT	H <sub>1</sub> – low levels of hierarchy	H <sub>5</sub> – high levels of hierarchy
OCG focused	Strength	No single point of vulnerability May be hard to detect as a group due to lack of formal structure Resilient to external factors	Clear chain of command Clear rules and procedures Understanding of range of activities, good strategic overview an long-term planning
	Weakness	No clear command structure Decision-making may be slow May lack clear strategic overview which could impede forward-planning	Sluggish response to external changes from 'management' Clear points of vulnerability as power and finance are concentrated at the upper levels Lines of communication slow if only flow between adjacent ranks
Law Enforcement focused	Opportunity	Create or promote competing agenda within separate factions Undermine trust within the group by targeting one section of it Erect barriers to group activity which may result in an overall loss of momentum	Compel leadership to micro-manage to lose benefits of clear structure 'Decapitate' the group by targeting leader or senior members to impair functionality Foster dissatisfaction among low ranks to spread dissent
	Threat	Detection difficulties as parts of the group may be completely unknown Tackling the whole group may prove to be resource-intensive Group is adaptive and could recover quickly from attacks	Attacking an inefficient leader risks them being replaced by a more capable one Group structure insulates leadership against law enforcement: leader can be hard to detect Loyal high-ranking members are difficult to turn into informants

Table 8.4: The use of a group's recruitment method when designing investigation strategies

	SWOT	R <sub>1</sub> – high levels of business recruitment	R <sub>5</sub> – high levels of personal recruitment
OCG focused	Strength	Members come from a diverse background bring new ideas to the group Each member contributes knowledge, skills or expertise to support the group function The introduction of new technology may lead to active hiring	Trust would be quickly gained and cultural expectations ingrained in all members Using different languages and slang to communicate can strengthen secrecy May be able to recruit within an extended family, providing greater reassurance of loyalty
	Weakness	There may be little group cohesion if the members have nothing in common Productivity and capability of the group is directly linked to skills of the members Highly skilled members may have a high turnover if benefits of belonging to the current group are not seen as adequate	Specialist skills may not be available resulting in group operating sub-optimally Group members may be easily recognized if criteria is a minority ethnicity in the local area Those denied membership based on heritage may become a threat
Law Enforcement focused	Opportunity	Highlight inequalities within the group and develop fractures through messaging By targeting members with vital skills it may be possible to temporarily halt activity. This could lead to potential opportunities for the use of a CHIS	Identify potential new members with relevant or advanced skill sets and ensure they do not become members of the group, limiting functionality further Raise awareness within specific communities and offer a way out for those involved through coercion or force
	Threat	May lead to mergers or new associations with other crime groups if remove key players Members may have other connections to one another that strengthen cohesion. The messaging may, therefore, highlight law enforcement actions	Community backlash on unconnected and innocent individuals if they fit the perceived criteria of group members Trying to break cultural ties may backfire and increase group cohesion Gives group members a common enemy and may encourage new members to join

Table 8.5: The use of a group's personal growth and promotion structure when designing investigation strategies

	SWOT	P <sub>1</sub> – low levels of personal growth	P <sub>5</sub> – high levels of personal growth
OCG focused	Strength	The group is prioritised above all else May offer benefits to offset risk, such as payment to family if group member is killed or imprisoned Members may overestimate the importance of their role to justify the sacrifices they make for it	Staff turnover is low due to loyalty and commitment to the group High productivity resulting from motivated, happy staff Promotion and development structures benefit the business as well as the individual
	Weakness	High member turnover due to lack of loyalty and dissatisfaction Those who remain may suffer from inertia, reflected in lacklustre performances, fatigue and burn-out Little incentive to individuals to excel can lead to low overall productivity	Members may feel pressure to succeed for the sake of the group and suffer from artificially high expectations External influences which upset high standards to which members are accustomed may cause frustration and resentment
Law Enforcement focused	Opportunity	Offer a way out for members already keen to leave in exchange for information Exacerbate existing frustrations through messaging Consider targeting family of members who may be equally as disillusioned and may be willing to collaborate, or to persuade member to take direct action.	Identify and communicate inequities within the group and highlight instances of preferential treatment to foster resentment Encourage internal competition among members Undermine job satisfaction by reminding targets of the nastier side to their work and highlight other crimes their work may finance
	Threat	CHIS activity is high risk due to lack of concern for members Approaches to friends and family members may also compromise safety Inertia and fear may hamper efforts to incite members to act on their feelings of dissatisfaction	Happy, well-rewarded members have little incentive to betray the group Resistance to outside influence is likely to be strong External attacks may fuel group cohesion, creating an 'us' and 'them' mentality



Table 8.6: The use of a group's role assignment when designing investigation strategies

	SWOT	A <sub>1</sub> – low levels of role assignment	A <sub>5</sub> – high levels of role assignment
OCG focused	Strength	<p>Roles and responsibilities spread across OCG: no single point of vulnerability in crime script</p> <p>Resilient to haphazard attacks on members as most are generalists</p> <p>Tactical responses are quick as they do not rely on a single specialist</p>	<p>Optimised 'HR' process: each member in role suited to their skill-set</p> <p>Specialists alert to new innovations in their field</p> <p>Specific technical and/or temporary roles can be sub-contracted out</p>
	Weakness	<p>Lack of specialists may limit the range of crimes open to the group</p> <p>Inability and/or low levels of motivation to innovate</p> <p>Few opportunities to optimise existing crime-commission processes</p>	<p>Members may be reluctant to share their skills and knowledge: abilities located in individuals, not in group</p> <p>Sub-contractors may have conflicts of interest if also working with other OCGs</p> <p>Vulnerable to difficulties filling certain roles if member is sick, imprisoned etc</p>
Law Enforcement focused	Opportunity	<p>Create barriers which cannot be overcome within the group's skill set</p> <p>Create or foster feelings of competition, superiority and inferiority among members</p> <p>Leverage resentment around discrepancies in pay and risk despite fulfilling same roles</p>	<p>Focus attacks on key sub-contractors who are pivotal to crime commission</p> <p>Identity potentially redundant roles and play on feelings of vulnerability</p> <p>Focus on removing those whose role is both crucial and difficult to fill</p>
	Threat	<p>Attacking the group may fragment it into multiple harder-to-detect but still functional groups</p> <p>Members may share expertise and 'train' each other</p> <p>Not susceptible to role-based attacks as most activities can be completed by multiple group members</p>	<p>The group may be fragmented, making it hard to focus comprehensive attacks</p> <p>Critical roles which represent vulnerability in crime script could be easily filled in reality</p> <p>Prison acts as a good environment for learning new specialties, sharing knowledge, and creating new contacts</p>

Table 8.7: The use of a group's crime specialisation when designing investigation strategies

	SWOT	S <sub>1</sub> – low levels of group specialisation	S <sub>5</sub> – high levels of group specialisation
OCG focused	Strength	Involved in broad range of criminal enterprise Less vulnerable to volatility in a chosen market Quick to recognise and exploit new business opportunities	Highly focused in terms of energy and resources Experts in the field Up-to-date on law enforcement counter-measures and crime-specific developments
	Weakness	Need a wide variety of skills to work effectively in each area May spread selves too thinly, sacrificing chance of leading the field If business areas not segregated they will be poorly insulated against failings elsewhere: negative event in one area might have far-reaching effects	Highly vulnerable to fluctuations in the given market, including changes to pricing and demand Under threat from rival OCGs working in same area Leadership position may make them a desirable target for law enforcement
Law Enforcement focused	Opportunity	Opportunities for better communication and intelligence-sharing among specialist law enforcement Tackle the most vulnerable area to disrupt weak business structure and impede other criminal activity Identify less-serious crimes used to fund more serious ones and attack both forms.	Find and attack critical participants or activities Up-stream interventions may be particularly effective and save resources in the long-run Consider ways to undermine operations, e.g. legalising the goods to flood the market or influence activity to discourage customers
	Threat	Inability or unwillingness to share information between agencies, particularly if co-operating with foreign agencies High risk of displacement: group under attack may simply shift focus to another crime area	Most serious groups may be less visible and well-insulated against law enforcement: may waste time focusing on less important groups Law enforcement may be at disadvantage in terms of technical capabilities Group may be linked to corrupt officials: operations may undermine trust in UK institutions or negatively affecting foreign policy

Table 8.8: The use of a group's identity when designing investigation strategies

	SWOT	I <sub>1</sub> – low levels of identity	I <sub>5</sub> – high levels of identity
OCG focused	Strength	Adaptive and able to take advantage of new opportunities as members are not tied to the group Not seen as a group so no reputation with law enforcement Hard to work out who belongs to group due to lack of clear markers	Close knit group can bring big psychological rewards Shared sense of purpose, clear support structure and sense of belonging Reputation that can be leveraged against victims and other groups
	Weakness	May lack group cohesion and shared ideology or goals No reputation to lever against victims and rival groups No social benefits of group membership	Highly visible due to clear markers of identification Group loyalty may supersede rational decision making May be unable to move forward
Law Enforcement focused	Opportunity	Easier for undercover infiltration due to lack of cohesion Create a climate of danger and high risk among members Use of CHIS to spread feeling of mistrust	Offering members of the group a way to leave in exchange for information As members are easy to identify it may be quick to build up a good intelligence picture Attack their ideology/goals rather than the group itself
	Threat	Easier to replace members as no sense of loyalty to individuals Fast pace of change over among members so difficult to keep up May be easier for members to move from one group to another, sharing best practice with new group	Real threat to members safety if thought to be betraying the group Trying to recruit a CHIS within can alert members to law enforcement attention Targeting the group can increase their sense of purpose and alienation from society

Table 8.9: The use of a group's fragmentation when designing investigation strategies

	SWOT	F <sub>1</sub> – low levels of group fragmentation	F <sub>5</sub> – high levels of group fragmentation
OCG focused	Strength	<p>Ability to streamline activities quickly</p> <p>Members may have many things in common e.g. heritage, culture, frames of reference</p> <p>Strong group cohesion due to ease at which members can meet face to face</p>	<p>Localised knowledge from multiple locations are brought into the group</p> <p>Members may not know one another's real identity, e.g. online, providing a level of anonymity</p>
	Weakness	<p>Lack of diversity may lead to counterproductive practices such as 'Groupthink' (see Janis, 1971)</p> <p>Members may be at risk due to narrowly focused awareness</p> <p>May lack contacts outside of immediate area to expand the group and the business</p>	<p>Hard to develop trust between distal group members</p> <p>There may be difficulties with overcoming language and cultural barriers</p> <p>Lack of cohesion as cannot meet up in person without expending resources and time</p>
Law Enforcement focused	Opportunity	<p>Opportunity for surveillance in areas visited by group members</p> <p>Use of community if they are against the group's activities</p> <p>Use of local law enforcement with better knowledge of group</p>	<p>Infiltration by undercover officer/CHIS may be easier</p> <p>Opportunity to work with other law enforcement agencies and share intelligence</p> <p>Can work with other agencies, potentially outside of the UK, who may have different regulations of evidence admissibility</p> <p>Can attack lines of communication i.e. telephony, post and internet</p>
	Threat	<p>Cross jurisdictional law enforcement cooperation may be unforthcoming</p> <p>Without consideration could exacerbate community tensions</p> <p>The group may be linked to corrupt officials resulting in a loss of faith in national institutions or repercussions for foreign policy</p>	<p>Foreign law enforcement may be unwilling to cooperate</p> <p>Group may have highly technical precautions in place</p> <p>Group may mis-feed information if they are aware of surveillance</p>

Table 8.10: The use of a group's crime capacity when designing investigation strategies

	SWOT	C <sub>1</sub> – low levels of crime capacity	C <sub>5</sub> – high levels of crime capacity
OCG focused	Strength	Members know the area where the crime is committed very well Reputation that can be leveraged against victims and other groups Less effort involved as minimal travel required to commit crime	Less reliant on any single market areas Easy to have widespread reach and access to victims e.g. online groups May not be noticed by law enforcement in any one area so could go under the radar
	Weakness	If the market is saturated then it can be difficult to find new targets Vulnerable to changes in local law enforcement policies and priorities Law enforcement are aware of group due to local reputation	May receive attention from multiple law enforcement agencies If the different locations are not segmented then negative impact in one could spread across all activities Crime commission could be complicated, time consuming with many points of vulnerability
Law Enforcement focused	Opportunity	Use of community if they are against the group's activities Local knowledge and intelligence can be collected by community support officers (PCSOs) or equivalents Opportunity for multi-agency working and sharing of intelligence	Collaborations with joint investigation teams (JITs) Can work with other agencies, potentially outside of the UK, who may have different regulations of evidence admissibility that can be utilised
	Threat	Community may be too scared to report crime or group members If only viewing group in a certain locality then may miss any geospatial displacement Community may benefit from the group or support them so may be unwilling to work with law enforcement	May be difficult to identify members, particularly those using codenames/username Criminal servers may be hosted outside of the UK so difficult to shut down Foreign law enforcement may be unwilling to cooperate

### *8.3 Applying the framework to ICST groups*

This section applies the framework and SWOT analysis developed above for OCGs to the specific ICST groups addressed in this thesis. The framework allows ICST groups to be viewed in a novel way and may provide useful insights for developing future investigation strategies. It is important, however, to be aware of hindsight bias. Much of the information used in this thesis about ICST groups has come from offender interviews, conducted during the investigation. This framework may still, however, prove useful at the start of an investigation by raising new questions and encouraging SIOs and other practitioners to approach the problem from a different perspective.

#### **8.3.1 Method**

The full set of ICST case files and SIO interviews were assessed for each category one cases.

Documents of particular interest were:

- Victim and offender interviews where offender-offender relationships were discussed
- Phone records and text message content indicating roles and hierarchy demographic information such as addresses and places of work indicating relationships pre-dating the offending and possible group fragmentation
- List of previous convictions which may indicate crime specialisation and capacity (if convicted in other area or with other offenders)

An overview of category one cases is shown below in Table 8.11.

Table 8.11: Overview of category one case files

	Case	1A	1B <sup>108</sup>	1C	1D	1E	Total
Victims	Number	27	7	4	5	2	57
	Age Range	12-19 years	13-17 years	13-16 years	15-19 years	16 years	12-19 years
	Average age	15 years 9 months	15 years 3 months	14 years 2 months	17 years 5 months	16 years 8 months	15 years 10 months
	SD <sup>109</sup>	1.4	1.1	0.9	1.2	0.2	1.6
Offenders	Number	14	2	9	11	4	40
	Age range	24-38 years	22-26 years	18-28 years	20-58 years	17-37 years	17-58 years
	Average age	27 years 8 months	24 years 2 months	22 years 6 months	37 years 9 months	31 months 3 months	29 years 8 months
	SD <sup>108</sup>	1.8	0.7	1.7	2.2	1.2	1.3
	Total charges	77	26	28	35	8	148
	No. offenders convicted	9	2	5	9	4	27
	Offenders acquitted	5	0	4	2	0	11
	Total convictions	36	25	9	25	8	78
	Conversion	43%	100%	32%	71%	100%	53%
Offender typology	Key players	4	4	6	5	3	22
	Peripheral	6	5	3	2	0	16
	Facilitators	4	3	0	2	1	10
	Investigation	Use of covert surveillance	Focus on lesser crimes in order to target certain offenders	Multi-agency approach with extensive victim interviews	Use of evidence collected during earlier investigation	Followed usual sexual assault investigation procedure	
	Prosecution	Combined physical evidence with victim testimony	Initial trial collapsed, now splitting into three separate trials	Only the first offence for each victim resulted in conviction	Internal trafficking charge included	Offenders charged with conspiracy as well as rape offences	

<sup>108</sup> This case involves nine offenders but to date only two have been convicted. The remaining seven are still at trial.

<sup>109</sup> Standard deviation

Each ICST case was assessed against each sub-theme and scored accordingly. The scores were awarded by reading through the case material and looking for evidence that provided a position against each of the eight parameters. This involved taking both a semantic and latent approach to the data to ensure that no key expressions were excluded. For example, when considering hierarchy key phrases were searched for that related to leadership, indications of offenders being awarded a higher status or having control over others. To illustrate the process, Table 8.12 gives an overview and explanation of the Case 1A scores.

*Table 8.12: Case 1A scores across eight structural and functional group parameters*

Parameter	Score	Explanation of Grading
Hierarchy	4	Many of the members within the group were seen as roughly equal to one another, similar to a horizontal hierarchy, two members of the group were seen as leader-type figures. They were responsible for making key decisions and were frequently the first to abuse the victims.
Recruitment	3	There was no active recruitment but a small number of existing members brought in new individuals who were then accepted as part of the offending group.
Personal Growth and Promotion	3	There was no direct form of promotion but a large part of being a member of the group revolved around going to parties, spending time with friends and an ease of access to teenage girls with whom group members could sexually exploit.
Role Assignment	3	Some roles were frequently completed by certain members of the group, in part due to their personal circumstances. For example, those members who worked for taxi companies would often drive the victims to and from the abuse locations.
Crime Specialisation	5	For this group there was no indication that the criminal behaviour was part of a larger criminal enterprise. This meant the group was highly specialised in CSE/ICST offending.
Identity	2	Although many of the members committed offences with other members of the offending group there was no official recognition of a group per se. many of the victims, however, did describe the abusers as being part of a group of friends.
Group Fragmentation	1	All members of this offending group lived within a single city, with many living within the same neighbourhood or on the same street.
Crime Capacity	1	Although high levels of harm were caused to a large number of victims, this harm was contained within a local area.

Like all of the analysis within this thesis, inter-coder reliability was checked once a set of scores had been allocated for each case and each parameter. In this instance the second coder was a



practitioner<sup>110</sup> with knowledge of all five ICST cases. Inter-coder reliability was measured using Cohen’s Kappa: at 0.83 it was above the minimal requirement of 0.7 (see section 4.3.4 for further details). The few inconsistencies were addressed and the coding adjusted accordingly. Details of the final scores given to the other four category one cases are provided in Appendix C.

### 8.3.2 Key Findings- ICST key trends and patterns

After each case was scored individually, each sub-theme was compared with the other category 1 groups. The emerging trends and patterns, along with key differences are discussed below. Table 8.13 gives an overview of the amended scores awarded to each category one case for the eight sub-themes.

*Table 8.13: ICST category one cases parameter scores*

Parameter	1A	1B	1C	1D	1E	Average	S.D	Range
Hierarchy	4	3	3	2	3	3	0.71	2-4
Recruitment	3	3	3	3	3	3	0	3
Personal Growth and Promotion	3	3	3	3	3	3	0	3
Role Assignment	3	3	3	2	4	3	0.71	2-4
Crime Specialisation	5	4	5	5	5	4.8	0.45	4-5
Identity	2	2	1	2	1	1.6	0.55	1-3
Group Fragmentation	1	2	1	2	1	1.4	0.55	1-2
Crime Capacity	1	2	1	2	1	1.4	0.55	1-2

The values across the different category 1 cases are all very similar, as shown in Figure 8.2. The two categories with the greatest variance were role assignment and hierarchy (S.D = 0.71). This

<sup>110</sup> This person works at the UKHTC as a tactical advisor and had detailed working knowledge of each of the cases listed above.

was due to some group members having more pronounced status (Case 1A) compared to the other groups and some groups having clearer roles and responsibilities within the group (Case 1E). Although it may be possible to conduct more extensive quantitative analysis once more data are available, for now the analysis is limited due to the small sample size.

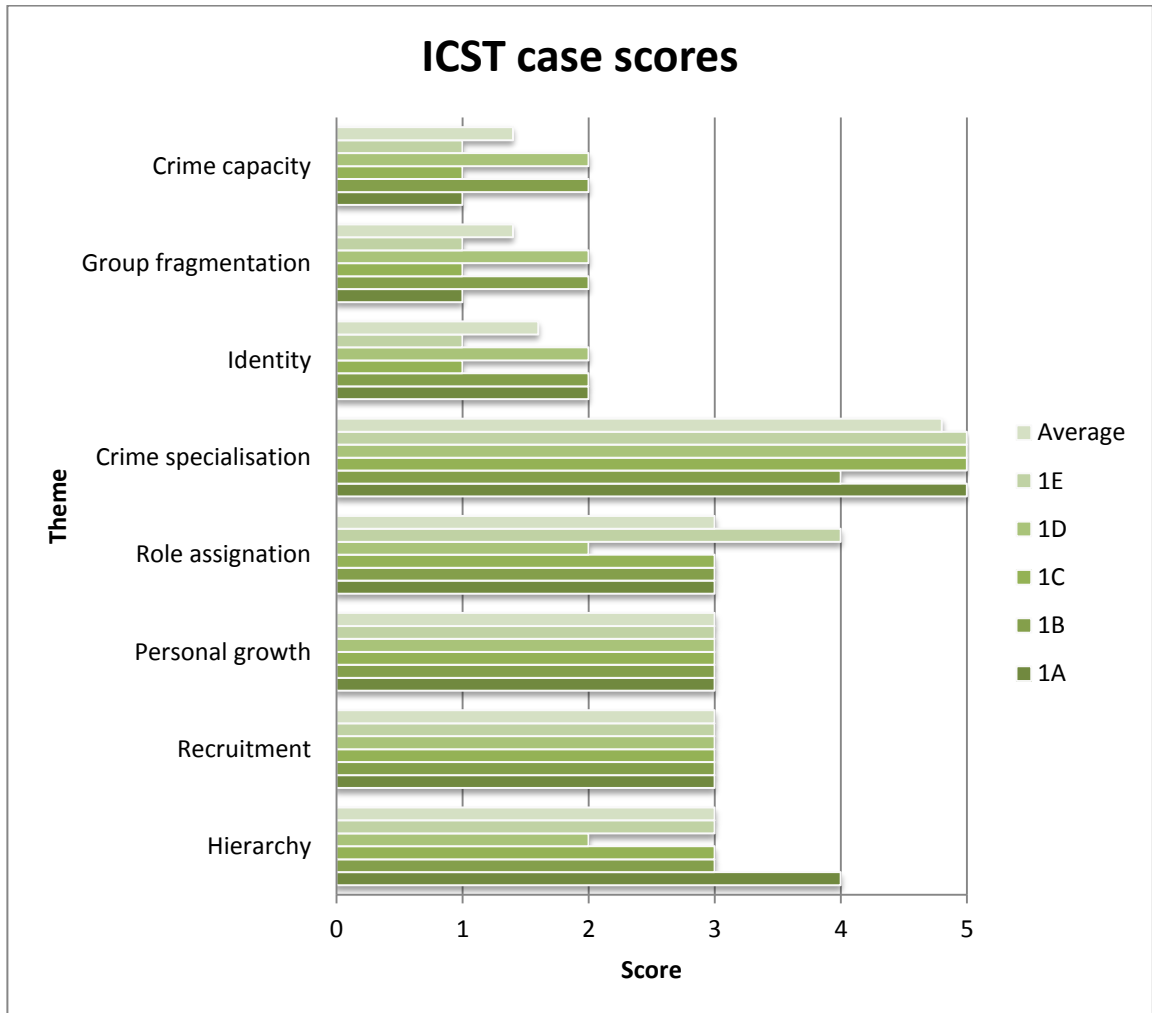


Figure 8.2: ICST category one case scores

### 8.3.2.1 ICST Hierarchy

A group's hierarchical structure can be difficult to decipher externally. Research into animal groups typically focus on dominance as a function of hierarchy along with the order in which group members access food and drink, the number of mating partners they have and the level of aggression shown to other members and non-members (Bernstein, 1969). It may be possible that some of these factors are relevant here, for example the order of which the offenders

abuse the victims or the level of aggression shown towards the victims and/or other offenders. Unfortunately, data on these factors are not readily available to police officers dealing with an offending group, although partial information may be shared during victim interviews.

Many of the category one cases exhibited a group structure akin to horizontally organised groups with occasional levels of dominance. This relatively disorganised structure was seen within many of the groups. The scores for this category are shown in Figure 8.3 below.

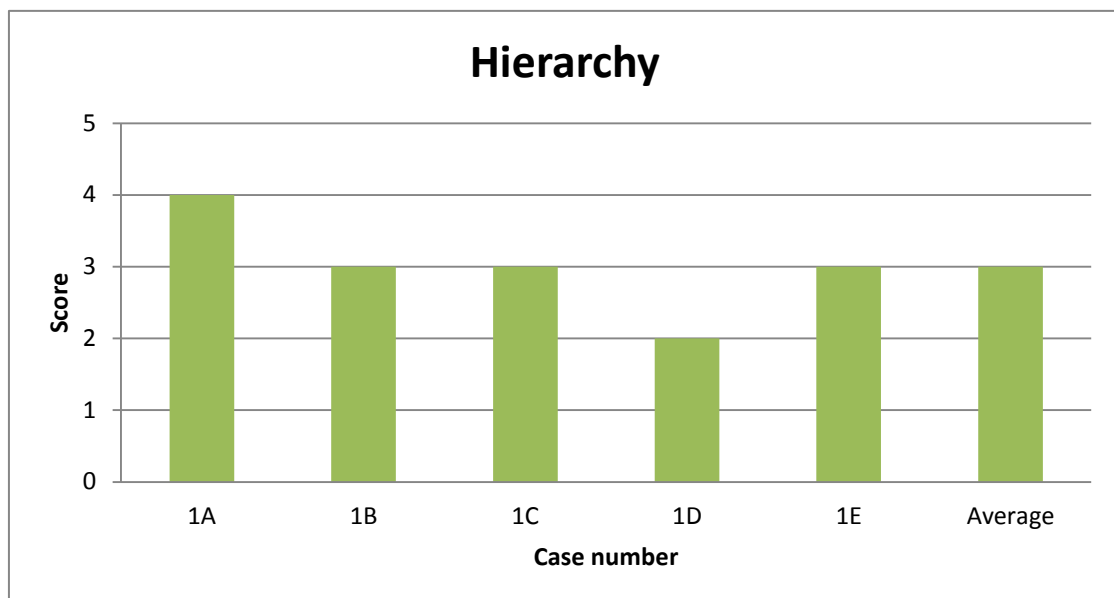


Figure 8.3: ICST case hierarchy scores

There was little evidence of natural hierarchies: older siblings, for example, did not seem to attract higher status purely based on age. Most offenders appeared to interact with each other with relative ease irrespective of age or job title. There were exceptions to these findings, however, as seen in case 1A where the majority of offenders (11 out of 14) appeared to be on a roughly even status<sup>111</sup> but two offenders were seen as 'leaders' with first pick of the victims to abuse. Another offender in Case 1A facilitated the group activities without sexually abusing the victim himself. This lower status member was of a different national heritage to the other offenders, believed to negatively impact upon his social standing within the group.

<sup>111</sup> Based on the number of charges and references to offender actions and characteristics within the victim statements.

Key trend: horizontal-like structure where most offenders operate on an even status.

### 8.3.2.2 ICST Recruitment

There are many reasons why a group would actively seek to recruit new members, such as to fill a skills gap or to increase numbers to intimidate a rival group. ICST groups, however, appeared to show very little evidence of active recruitment; when new members did join it was through an introduction by an existing member. The scores for this category are shown in Figure 8.4.



Figure 8.4: ICST case scores for recruitment

None of the ICST cases reviewed here exhibited signs of active recruitment based on business needs. This could be largely explained by the relatively simple ICST process of find, groom and abuse (see section 2.5.3). The only resource needed was a location for the abuse to occur which ranged from an offender's own home or cheap hotel to the back seat of a car or a park or woodland. Additional resources were useful in the commission of the crime such as car to drive victims to and from abuse locations and cheap alcohol and drugs, roles that many offenders within the groups could fulfil.

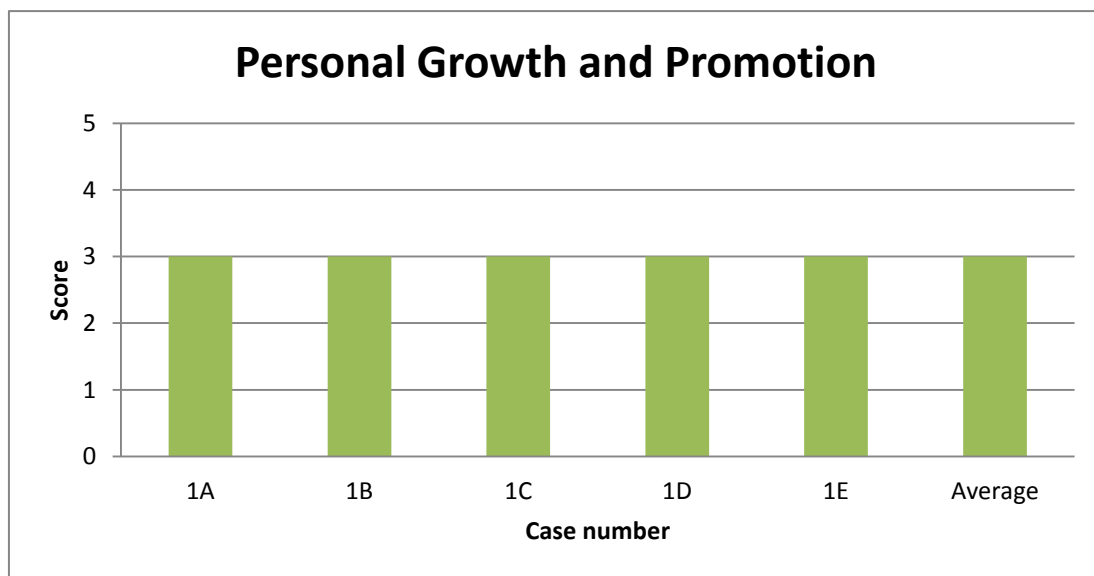
Any new members who did join were largely of the same ethnicity as existing members. The main exception was paying clients. These client figures have not been considered part of the offending group as they were paying for a supplied service. This does not mean, however, that paying clients were also not part of other offending groups but due to a lack of data on these

individuals further analysis was not possible. All category one cases received the same score for this parameter.

Key trend: Low levels of active recruitment but group members occasionally introduced new friends or work colleagues who became active within the group.

### **8.3.2.3 ICST Personal Growth and Promotion**

Personal growth and promotional opportunities are closely linked with hierarchy and it may be expected that those groups with a strong vertical hierarchy would display clear lines of member progression within an organisation. As ICST groups displayed a structure more akin to horizontal hierarchy there is naturally less room for internal promotion. The scores for this category are shown in Figure 8.5.



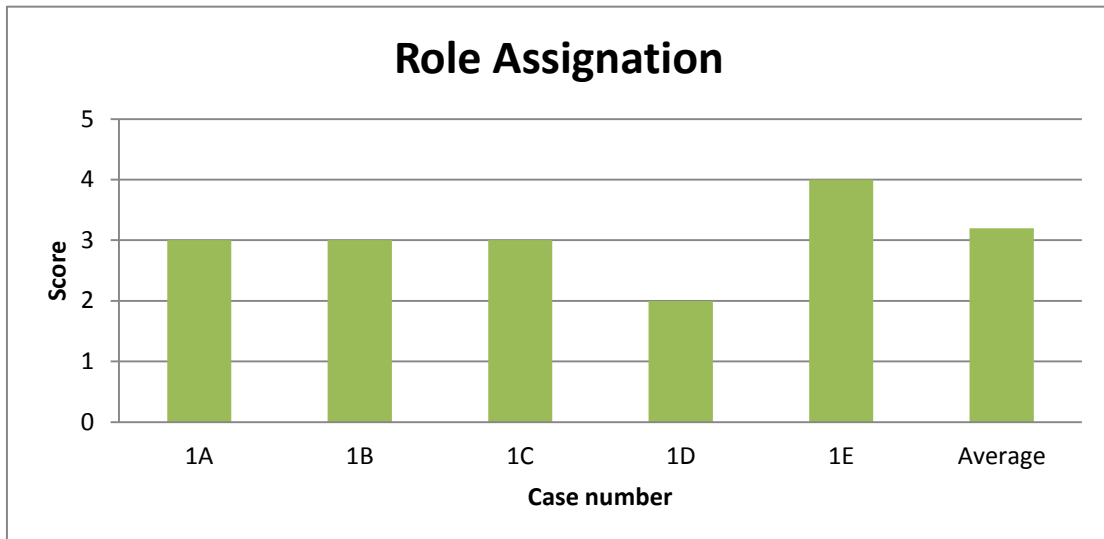
*Figure 8.5: ICST case scores for personal growth and promotion*

Due to the informal nature of the ICST groups analysed here there appeared to be neither reticence nor encouragement for personal growth or promotion within the group. It appears that this parameter is not entirely relevant to this form of group and would be better suited to more formalised OCGs. All category one cases received the same score for this parameter.

Key trend: no sense of personal growth or promotional opportunities although achieving personal desires through access to children for sexual exploitation was freely available to group members.

#### **8.3.2.4 ICST Role Assignment**

When a criminal process requires specific steps to be completed there is a strong argument for assigning these roles to group members based on their capabilities and skill sets. ICST as a process is relatively straightforward and requires few specialised skills. The scores for this category are shown in Figure 8.6.



*Figure 8.6: ICST case scores for role assignment*

There appeared to be a higher level of role assignment than one might expect based on the actions involved. This role assignment may be unintentional as members of the group may fulfil the roles that they find the easiest or the role that raised their status within the group. Within Case 1A, for example, the lowest status member was only part of the offending group because his property could be used for abuse parties. The role of recruiting new victims may be left to the younger, more attractive or persuasive individuals, for example. Some group members appeared to fulfil any role that was required.

While Cases 1A, 1B and 1C were given the same score for this parameter, Cases 1D and 1E differed by two points. Many offenders in Case 1D worked together and so could bring the

same benefits to the group (e.g. a car), resulting in many of the offenders being able to fulfil the same roles. In contrast, Case 1E had higher levels of role assignment based on the single female offender having the specific role of recruiting victims.

Key trend: Offenders were largely able to fulfil any of the required roles if needed but tended to complete tasks that fit most easily within their current circumstances such as driving the victims if they used a car for work.

### 8.3.2.5 ICST Crime Specialisation

This parameter refers to the criminal activity of the group as a whole, rather than looking at individual offending members. The scores for this category are shown in Figure 8.7.

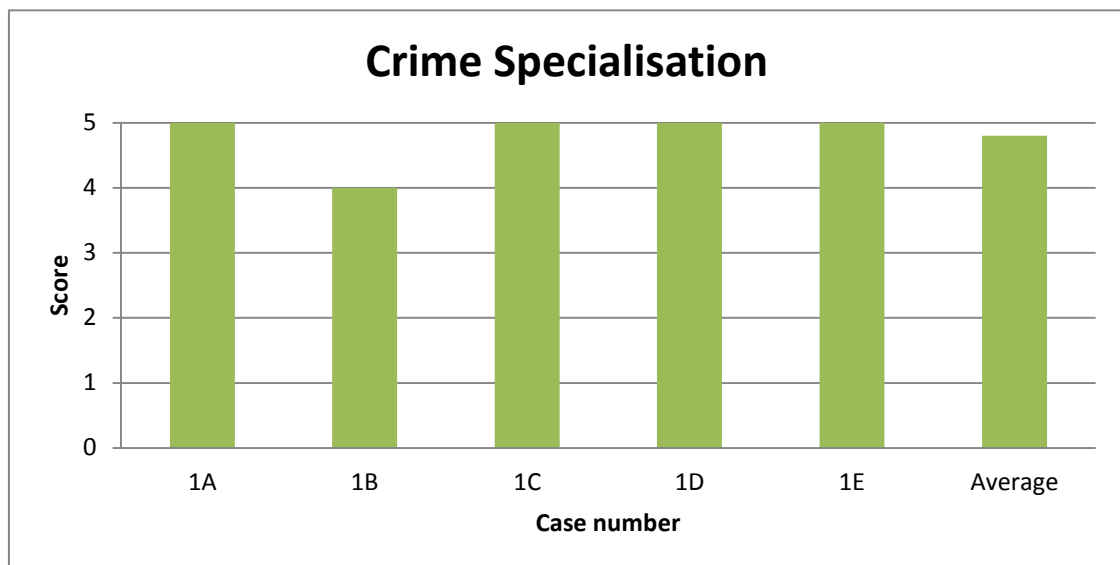


Figure 8.7: ICST case scores for crime specialisation

The ICST offending groups were all specialists with little evidence of involvement in other crime types<sup>112</sup>. Only a small number of ICST offenders from across all cases were involved in any other offending, typically low level drug dealing or assault/ domestic violence offences. This is in contrast to other studies which have shown sex offenders to be generalist offenders (Soothill et al, 2000). One reason for this specialisation may be due to the attitudes of the offenders: no offender who provided information to the police acknowledged the illegality of theirs or their

<sup>112</sup> It was not possible to access the Police National Computer to get a full list of previous convictions. The SIOs on the each case, however, did state that no offender had been convicted for a previous sexual offence or any previous offences against a child.

co-offenders' actions. This was supported by the SIOs who, during their interviews, commented that despite the offenders being aware that the victims were not being treated with respect or dignity, they did not believe their actions were illegal. One SIO (Case 1C) went as far as to say that the perpetrators felt that the victims were culpable for the abuse as they let it happen and kept on going back for more.

This attitude towards the welfare of vulnerable children, coupled with the lack of financial gain or commercialisation in many instances may have resulted in offenders failing to acknowledge their own criminal actions. The SIO for Case 3A, an ongoing project, believes that some new groups are commercially motivated, possibly producing more generalised, profit-driven, criminal groups.

Key trend: the groups involved in ICST appeared highly specialised.

#### ***8.3.2.6 ICST Identity***

Group identity can be analysed either by internal or external conception. Internally conceived groups see themselves as a collective whereas externally conceived groups are labelled as such by outside sources and may not view themselves as a group at all. Internally conceived groups may choose to conceal their group involvement from non-members for reasons such as fear of retribution or the desire to avoid unwanted law enforcement attention. Due to the difficulties in understanding how a group views itself internally, this parameter is concerned with the external construct. Each group was therefore measured on how the individual members presented themselves in terms of group involvement. The scores for this category are shown in Figure 8.8.



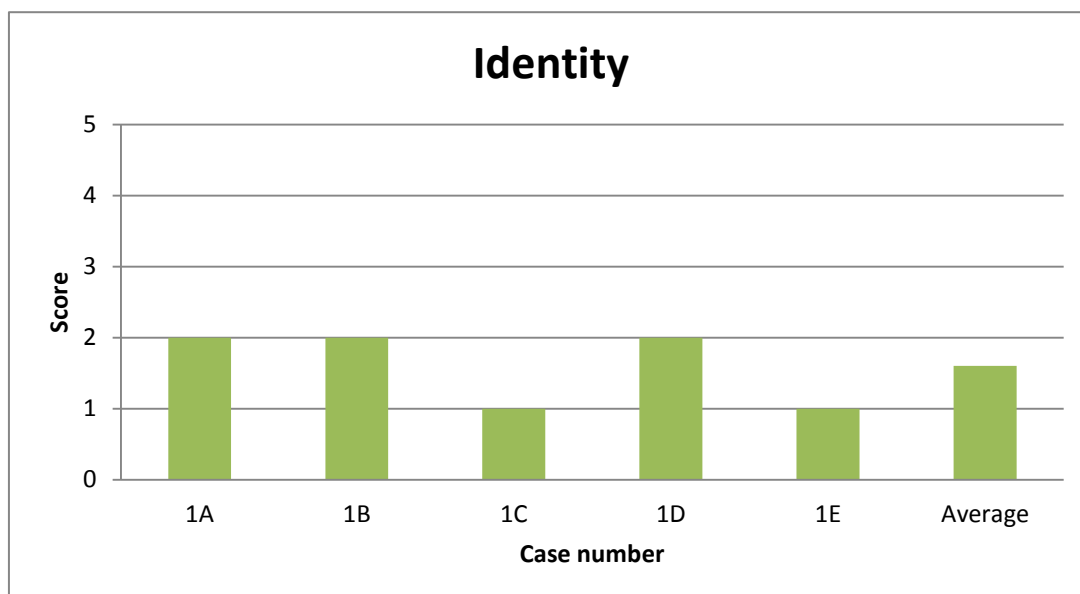


Figure 8.8: ICST case scores for identity

Due to the majority of offenders across category one cases failing to see themselves as belonging to an offending group there was a low level of deliberate markers to indicate group identity such as the use of a group name. Irrespective of internal group acknowledgement, many of the groups were still seen as such by the wider community and their victims. This group identity was mainly built around the offenders' social ties to one another which in many cases pre-dated the abuse. Due to the perception held by those outside the group, law enforcement practitioners were able to identify a number of group members through their relationship with those already known to the police. Caution must be taken here, however, as it may be possible to view individuals as operating within the group based on assumptions around kinship and work connections. It may also be the case that only a fragment of the whole group or network is ever discovered, leading to an incomplete assessment of the structure and working of the group.

Key trend: group members did not appear to view themselves as belonging to a criminal group but they were seen as such by the wider community.

### 8.3.2.7 ICST Group Fragmentation

The geographical closeness of a group's membership could affect group cohesiveness and the ease and ability to communicate effectively with one another. There may be advantages to having a geographically diverse membership such as knowledge of many local areas as well as protecting the group as a whole from single jurisdiction law enforcement efforts. The scores for this category are shown in Figure 8.9.

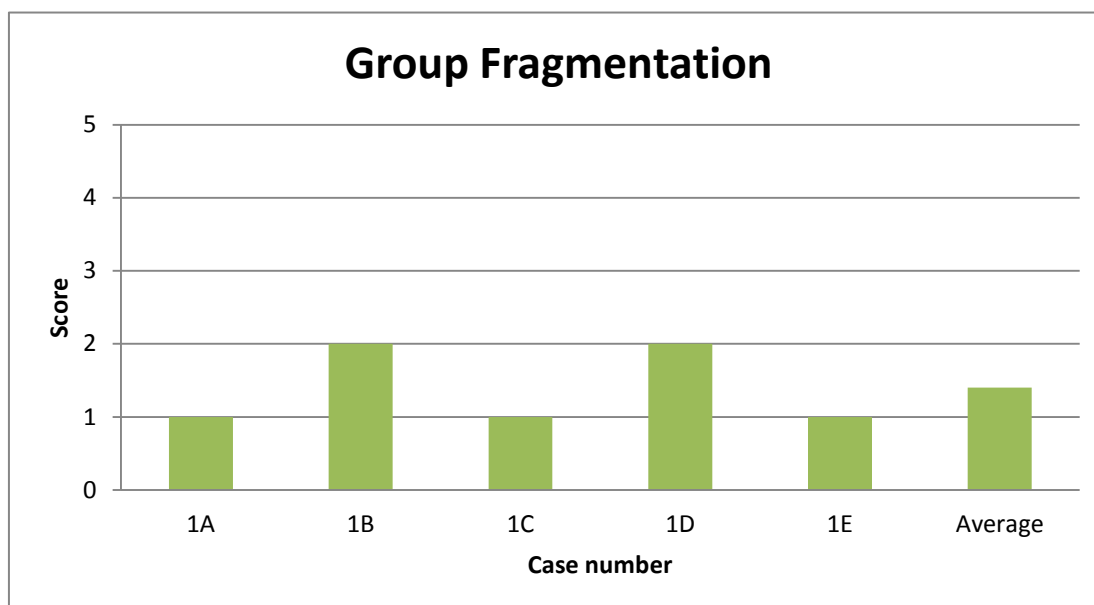


Figure 8.9: ICST case scores for group fragmentation

In all category 1 cases the offenders had pre-existing social ties to at least one other member of the group. These pre-existing relationships included kinship such as brothers or cousins or long lasting friendships such as schoolmates. Relationships such as neighbours and colleagues were also common. Many of the offenders lived in close proximity to one another and so it is likely they would have seen one another in the area even if they were previously unconnected.

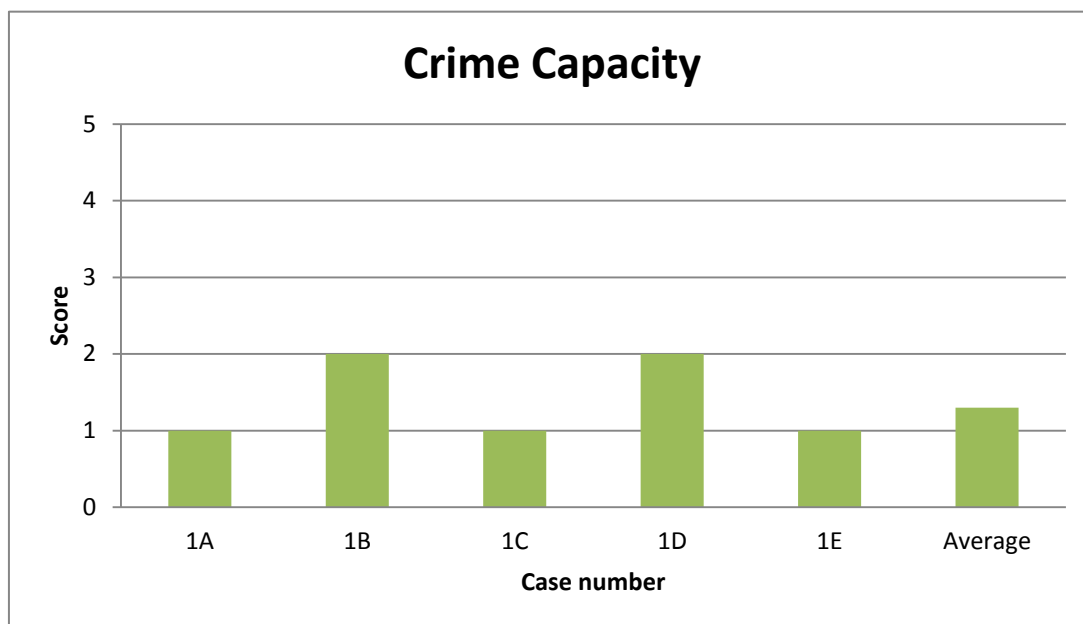
These ICST group members predominantly operated within a confined area, usually within a single town or area of a city. Many lived in the same neighbourhood and worked together, giving members legitimate reasons to meet up where they may discuss or plan criminal activities. Cases 1A, 1C and 1E operated within a single small area and rarely deviated from familiar recruitment and abuse locations. In Cases 1B and 1D there was a more extensive movement but this was still limited to neighbouring cities or counties. Exact details on

geographic locations where abuse occurred was not available for all cases. The wider network of offenders in ICST cases, many of whom have not been identified, could, however, be dispersed to a much greater extent than seen here.

Key trend: group members are all located within close proximity to one another.

### **8.3.2.8 ICST Crime Capacity**

The crime capacity of a group is concerned with the geographical spread of harm caused by the group's current membership, categorised as local, national or international reach. The scores for this category are shown in Figure 8.10.



*Figure 8.10: ICST case scores for crime capacity*

The crime capacity of ICST groups appears to be limited to local areas and their immediate surroundings. It was not always clear where the abuse took place as many victims reported being driven around for hours beforehand. There were indications that some victims from Cases 1B and 1D were transported to other UK cities. If the groups become more sophisticated or have members who move to other parts of the country then the victims may start to be exploited on a more national scale. There are also concerns around the exploitation of children living in local authority care who are moved around the country; some offenders are travelling in order to continue the abuse (Department for Education, 2012).

Key trend: the crime is currently limited to a small geographical area although the level of harm caused is high.

### 8.3.3 Comparison of ICST groups with Internet CSOGs

In order to compare ICST groups with another form of CSOG, those which operate online, Case 2B was also scored against the eight parameters for comparison. A major difference between the investigation strategies used for category one cases and Case 2B is that for online offending the police are aware of the group-based element to the crime, often utilising covert tactics to target the group’s activities. In comparison, category one cases have not focused on the ‘group’ side to offending at the start of the investigation. This section explores the differences and similarities between the average category one scores compared with the online cases covered in Case 2B shown in Table 8.14 and Figure 8.11.

*Table 8.14: Comparison between ICST and online groups*

Parameter	ICST (average)	Internet (Case 2B)
Hierarchy	3	4
Recruitment	3	2
Personal Growth	3	4
Role Assignment	3	5
Crime Specialisation	4.8	5
Identity	1.6	4
Group Fragmentation	1.4	5
Crime Capacity	1.4	5

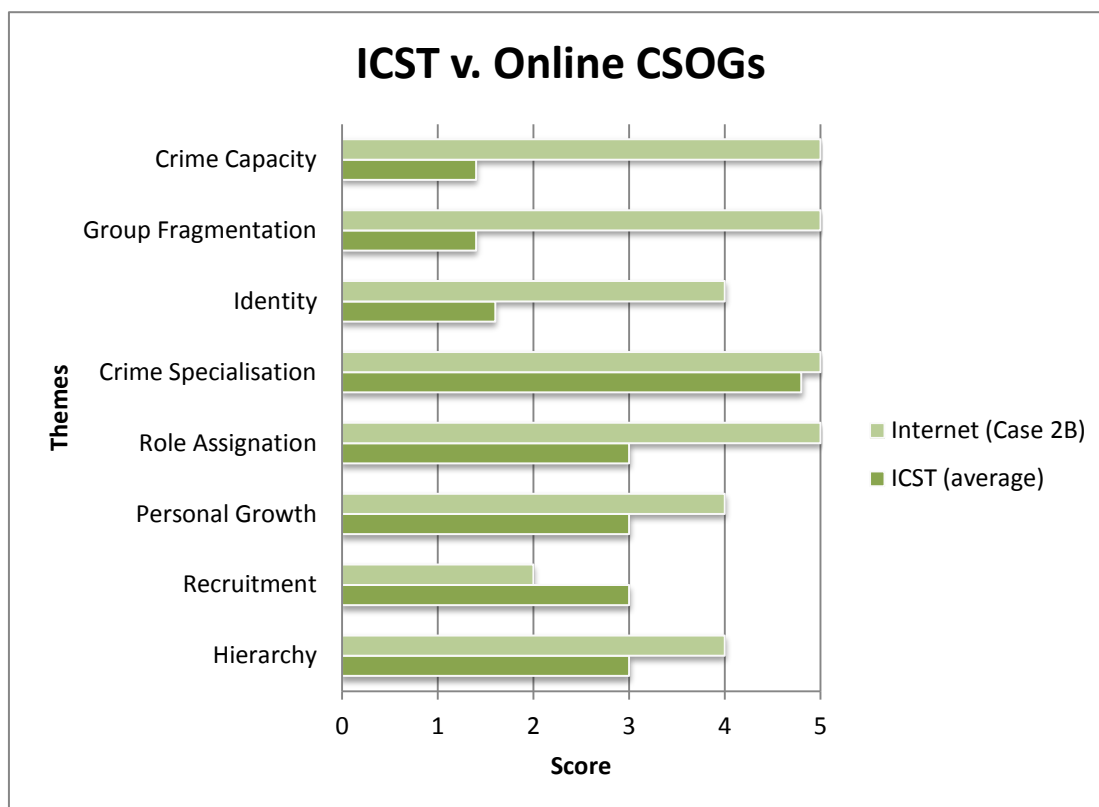


Figure 8.11: ICST and Online CSOG comparison

As shown above, the emerging profile of ICST cases are very different from their online counterparts. Online groups tend to exhibit a strong vertical hierarchy, although all those individuals considered 'high status' were treated similarly to one another. For example, it is recognised that a producer of abuse images and the individual in charge of online security for group members play pivotal roles and are awarded high status accordingly (CEOP Interviewee 3).

The online groups' recruitment appeared to have a 'business need' element, particularly in regards to recruiting new producers. CEOP Interviewee 3 also commented that he was welcomed into an online group despite not meeting their minimum joining requirements because he was known to create his own images. Role assignment was high for these online groups as not all members had access to a child to abuse or the computer skills to conduct adequate vetting of new members. Many online groups gave themselves a name and although members would not advertise their membership outside of the abuse 'community' they clearly recognised their involvement within a dedicated organisation. The other major difference

between online and ICST groups was that online groups were internationally fragmented with globally distributed harm to victims caused by a dispersed membership.

Although it is acknowledged that the sample size used here is small, the emerging trend is that ICST and online offending groups have different structures and different functionality despite achieving similar goals. It would, therefore, not be recommended that the investigation strategies used for online groups be applied without adaption to ICST groups. The police may, however, be able to utilise some of the key successful strategies to better understand the group-based function of ICST groups. One major strategy routinely applied to online investigations and rarely used for ICST (with the exception of Case 1A) is the use of covert policing. This is discussed in detail in section 8.3.

#### **8.3.4 Potential strategies for ICST cases**

Combining the framework in section 8.2 with the ICST average scores in section 8.3 it was possible to develop some intervention strategy suggestions for law enforcement, as shown in Table 8.15. These suggestions are based on the ideas generated through the SWOT analysis for each sub-theme. Some suggestions are more viable than others and each one is intended purely as an example. In reality this framework may be used as an ideas generation exercise at the start or during an investigation as a new way to view a group.

Table 8.15: Possible ICST intervention ideas based on the group structure framework

Parameter	Defining characteristics	Ideas for interventions
Hierarchy	Horizontal-like structure where most offenders operate on an even status	Using influence activity attempt to increase or decrease the perceived status of important individuals to break cohesion among group members
Recruitment	Low levels of active recruitment but group members occasionally introduced new friends or work colleagues who became active within the group	Using intelligence of known offenders create social network analysis maps to predict who may be likely to join the group
Personal Growth and Promotion	No sense of personal growth or promotional opportunities although achieving personal desires through access to children for sexual exploitation was freely available to group members	Use messaging to exacerbate existing frustrations, particularly in groups where there appears to be differing levels of status among members
Role Assignment	Offenders were largely able to do all of the required roles if needed but tended to complete tasks that fit most easily within their current circumstances such as driving the victims if they used a car for work.	Target those offenders who use their employment as a benefit to offending such as taxi drivers who drive victims to abuse locations. The increased risk may be too high when a consequence is losing their source of income
Crime Specialisation	The groups involved in ICST appeared highly specialised although this does not account for individual offending behaviour	Target individual offenders who may be involved in other forms of crime such as driving offences (speeding etc), benefit fraud or assault in order to break up the group
Identity	Group members did not appear to view themselves as belonging to a criminal group but they were seen as such by the wider community	Utilise the community to openly condemn criminal groups and create a zero tolerance policy within the community for those members perceived as belonging to increase the risk of being associated with known offenders
Group Fragmentation	Group members are all located within close proximity to one another	Using local law enforcement and other practitioner knowledge of the local area create hot spot maps for known recruitment and abuse and increase patrols and spot checks in these areas
Crime Capacity	The crime is currently limited to a small geographical area although this often includes large numbers of victims repeatedly abused	Utilise multi-agency partnerships, including influential people within the offenders own community, to vocalise their disdain for the criminal activity Be aware that other victims further afield may also be targeted

These suggestions demonstrate the breadth of areas that could be considered when tackling ICST crimes from a group-based perspective. Coupled with more traditional techniques and a nuanced approach to individual groups and locations this framework may prove a useful tool for SIOs in the future.

#### *8.4 Conclusion*

The police have the capabilities to conduct a wide range of investigations using a suite of strategies that best fit the individual operation. By understanding more about the type of offending groups the police may be in a better position to make these decisions and apply strategies rarely used in ICST investigations. The current investigation strategies shown in chapter five for Cases 1A-E highlight a number of different approaches. This is to be expected and likely to reflect the preferences of the individual SIO or police force. Best practice guidance would be of use to future SIOs faced with ICST operations in order to provide a framework for developing nuanced strategies based on past experiences, both positive and negative.

One key area for further development is the understanding of an offending group's structure and functionality. This chapter has provided a set of eight parameters based on wider OCG data which were then applied to ICST case files. Although these parameters have not been formally validated they appeared to cover a wide range of group aspects previously not routinely considered, if at all, by law enforcement during ICST investigations. As more ICST investigations complete it may be possible to test these parameters further and build upon this limited data set.



## Part 3: Implications

### Chapter Nine: Improving current practice

Drawing on the analyses undertaken throughout this thesis, this chapter explores the possibility of applying to ICST case investigation strategies routinely used for other crimes. Unfortunately, it was not possible to empirically test these due to time, access and ethical constraints.

Three strategies are explored in turn, namely: multi-agency reception centres; covert techniques; and centralised guidance. Each strategy has been discussed in the context of how it may be applied to ICST cases in the future. These techniques were selected based on their potential to support ICST investigations in both their current form and building upon suggestions made throughout this thesis.

#### *9.1 Introduction*

As previously stated, group-based child sex offending has until recently been thought of as uncommon (CEOP, 2011; OCC, 2012). This means that only a small number of SIOs will have dealt with multiple offenders in a child sex offending case before. Even those who have been involved in large-scale online cases may only have dealt with a small number of offenders within their jurisdiction. ICST (or any CSOG) cases are, therefore, likely to be unfamiliar to many SIOs. Consequently, there is potential for SIOs to adapt and apply strategies from other crime-type investigations with the risk that investigative techniques may not translate effectively or may have unanticipated and/or detrimental outcomes. Single-victim/single-offender sex crime investigations are used as the basis for ICST investigations<sup>113</sup> but this may lead to missed opportunities when dealing with multiple offenders and multiple victims. Key offences, offender and victim profiles and control techniques are outlined briefly below.

#### Offences

In 2012 the first convictions for the internal sex trafficking of a British minor within the UK were achieved under English law. The actions which led to this conviction are likely

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<sup>113</sup> From SIO interviews

to have been occurring for many years. The offences ranged from rape to sexual activity with a child to false imprisonment (see section 6.3.2 for further details on convictions)

### Offenders

ICST groups appeared to have social connections that pre-dated the offending (Cockbain et al, 2011). Pre-existing relationships between offenders can make it harder for law enforcement to distinguish between offenders coming together to commit an offence and when they are gathered for legitimate purposes.

### Victims

ICST victims share vulnerabilities with one another such as age, a 'relationship' with one or more of the offenders, the use of alcohol and/or drugs and a chaotic home life. Victims from ICST exploitation all have multiple vulnerabilities, are often marginalised within society and are often without solid support structures. This can make the offers from the offenders of an active social life, attention and a boyfriend seem appealing.

### Control techniques

Like many forms of exploitation, the offenders in ICST cases control victim using a combination of physical force, violence and psychological manipulation. Only a small number of victims reported being physically restrained, although many did report physical violence, or threats thereof, towards themselves or loved ones. Psychological manipulation also played an important role in controlling the victims, as outlined in Table 9.1. Due to the levels of control most victims did not attempt to escape from the offenders even when not physically prevented from leaving. ICST victims would be released after the abuse but would be revictimised on subsequent occasions. This ostensible victim compliance with the abuse by returning to the offenders numerous times can be difficult to explain to members of a jury.

*Table 9.1: Grooming techniques in ICST cases*

Offender intention	ICST example
Build trust	Playing the role of friend or boyfriend
Flatter	Complementing the victim on how she looks
Normalise the behaviour	Frequently and openly discuss sex and expose victim to pornography
Isolate victim	Insult or undermine friends, family and other support networks
Disorientate victim	Drive the victim around for hours before going to the abuse location
Intimidate victim	Threaten with violence and insult and laugh at victim

As seen in chapter six, there are a variety of investigation and prosecution techniques in use when dealing with ICST cases. Below are suggestions for three additional tactics that may prove beneficial to building the case and any subsequent trials.

### *9.2 Multi-agency reception centres*

The initial contact a victim has with law enforcement can have an important effect on victim cooperation. In order to build trust and rapport, a novel approach to initial victim care should be considered. The ‘reception centre’ model was developed in Belgium in the late 1990s for use in labour exploitation investigations (Europa, 2013) and adapted for the UK by a tactical advisor at the UKHTC (Hand, 2008).

The reception centre model was developed to act as a place of safety, security and stability in which victims of exploitation can be taken and their initial needs addressed (Europa, 2013). A reception centre acts as a place for victims to come to terms with what has happened to them and to make decisions about their future. While there, various agencies assess and attend to the victim’s immediate needs and plan for medium and longer-term support. An important aspect of the reception centre is the opportunity provided for police to build rapport with the victims and gain their trust. Providing hot food, showers and a safe place to sleep can help the victim feel secure whether or not they chose to cooperate with the investigation. Reception centres provide a location away from the exploitative environment, enabling police officers to take a clear, coordinated and centralised approach to victim support and evidence collection. In the UK, reception centres are not permanent structures where all victims can go. Instead

they are case specific and typically run for two to five days<sup>114</sup> depending on the specifics of the investigation (Hand, 2008).

Reception centres bring together diverse statutory and voluntary agencies such as social services, the benefits agency and counselling services. Despite the exploitation, the offenders were a source of stability and security for many victims and removing the offenders may leave a void that others can exploit. In the case of ICST, many victims have a plethora of needs and so may benefit from a similar, holistic approach to short, medium and longer-term support.

The precise location of a reception centre will depend on the operational considerations such as the anticipated number of victims. The location should be selected based on privacy, size and distance from the offenders (Hand, 2008). The building used can also vary, from a rural country hotel to army barracks, as long as the required facilities are available. Adequate space and facilities (permanent or mobile) are necessary in order to accommodate sleeping quarters, washing facilities, areas for medical assessment, interview rooms, places to eat and so forth.

A crucial difference between ICST and some other forms of exploitation and trafficking is that on strike days it is uncommon for any ICST victims to be found with the offenders. The only exception to date was Case 1A where two victims were seen leaving an offender's property during surveillance. This led to an impromptu arrest of two offenders and the remaining arrests being brought forward. The majority of ICST victims, however, were identified through disclosure by other victims over several days and weeks. This snowball effect of victim identification would negate the possibility of having a reception centre that followed the model shown above where all the victims are present at the same time. It may, however, still be possible to adapt the reception centre model to suit ICST cases.

For a reception centre to be successful a number of dos and don'ts may help ensure a successful outcome for victims (Hand, 2008). This list has been adapted in this thesis to meet the needs of ICST victims as shown below:

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<sup>114</sup> Although reception centres are normally carefully planned to coincide with a strike day, an impromptu centre might be set up if victims were encountered unexpectedly.

## Do

- Provide identification tags in one colour for staff and another for victims so that it is possible to ascertain roles and to ensure only authorized individuals are in the centre.
- Provide hot food and drinks for all victims and medically-advised alcohol and drugs (including tobacco) for those with a medical need. Encourage staff and victims to eat together to help build rapport.
- Provide signs to key areas such as toilets, the canteen shower facilities and sleeping areas to help victims find them easily. Provide areas for relaxation, including designated smoking areas.
- Set up the centre in a secluded location, ideally with minimum entrances and exits that can be monitored to keep outsiders (including offenders' associates or journalists) away from victims
- Try to identify and separate any victims who may pose a threat to other victims (e.g. girlfriend figures or victims who have been used to recruit others for abuse)

## Don't

- Give the victims paper suits to wear instead of clothes if items are taken for forensic examination.
- Transport the victims to the reception centre using police vehicles. This may result in the victims feel as if they are being arrested as well as drawing attention to where they are being taken
- Have uniformed police in the reception centre, as some victims may find this intimidating
- Only offer support to those victims willing to cooperate with the investigation

Two possible options for an ICST reception centre, developed for this thesis, are the establishment of i) a small, ad hoc centre to deal with victims on a local level or ii) a national centre where all ICST victims from across the country are assisted. Both models could incorporate the following components, shown in Figure 9.1 below.

<b>Arrival and registration</b>	Victims are brought to the centre once they have been identified and should be given a full explanation as to why they are there and what will happen over the coming days and over the course of the investigation. Upon arrival, initial registration will include recording the victim's name, date of birth, nationality, details of any family members contact details, dietary requirements or allergies. Additional details such as whether they are still at school and who they live with (e.g. living at home, in care or private accomodation) will also be gathered. Victims' details should also be checked against the PNC and other relevent databases to gain as much information as possible on the victim.
<b>Medical treatment</b>	Each victim should first be assessed to identify urgent medical needs or long-term conditions, including any sexual health needs such as sexually trasmitted infections or pregnancy. A forensic medical examination should be conducted if necessary. Alcohol or medication may need to be medically-advised and supplied.
<b>Support service availability</b>	Each key service present at the reception centre ( <i>e.g.</i> education, health and social services) should be provided with an area in which to set up a stand or table so that they can have a base for interacting with victims. Private rooms or separated areas should be provided for more private and in-depth assessment of victim needs. Each stand should be staffed by qualified professionals who can assist victims in meeting their immediate and long-term support needs, including counselling and healthy relationship guidance. This is designed to assist the victims in returning to education or employment and suitable accomodation. It is hoped this will lower the risk of revictimisation.
<b>Collection of evidence</b>	Victims should be asked if they are willing to provide statements and/or be interviewed regarding any exploitation they may have experienced. If victims are believed to have been trafficked, an appropriate individual should complete a National Referral Mechanism (NRM) form. Many of the victims in ICST may be granted trafficking victim status which comes with additional support provisions. Victims' clothing may be retained (new clothing will need to be provided) and details of injuries sustained during the period of exploitation recorded. Any other relevant evidence will also be recorded, including reference to other victims.
<b>Continued support</b>	Many victims will be unwilling to speak to police immediately after arrival at a reception centre. This may be due to fear or a lack of recognition of their exploitation. Some victims may also have had negative past experiences with the police. Patience and supportive treatment from the police may increase their willingness to cooperate. Reception centres should give victims time to reflect and receive the support that they need as well as allowing the police to gain evidence for their investigation.

Figure 9.1: Proposed reception model for ICST

The first option, small local centres, would allow for victims to be dealt with by local agencies that may be better placed to address the victim's requirements in the medium and long term as well as assessing their immediate support needs. This reception centre may be set up to run over a couple of days once a few victims had been identified. Alternatively, it could operate as a drop-in centre where information is available about the support that can be offered and appointments made with the agencies that can best support the victims. The drop-in centre could include an arrangement with local sexual assault referral centres where a medical examination can take place and forensic samples taken if appropriate. This model would require buy-in from the key agencies to ensure the provisions would be available and would result in the victims being dealt with separately rather than as a larger group. The benefit to this, however is that the victims could not be accused of collusion by the defence counsel during subsequent trials.

The second option, a nationwide centre, could be set up as a central facility where all victims of ICST are taken from across the country. This reception centre could be set up on a more permanent basis, staffed by representatives from relevant agencies including the police to gather evidence and take statements, social services, education and health professionals. The larger, nationwide reception centre would have the benefit of removing the victims from the area where the abuse took place and give them space in a more permanent setting to have their needs assessed. There would also be a lower resource intensity as only one building and one set of professionals would be needed for the centre to operate rather than one centre in each area. It would, however, need to be open for much longer periods of time.

The following agencies should be invited to participate in ICST reception centres due to the services they can offer:

- Education: to ensure the victim can reengage with education and training
- Social services: to ensure all basic needs are being met including appropriate housing
- Drug/alcohol/mental health counsellors: to help the victims come to terms with what has happened to them, develop skills to deal with the trauma, reduce substance dependency and reduce the likelihood of revictimisation

- Health professionals: to conduct forensic medical examinations and collect intimate swabs for use as evidence in the investigation
- Projects and/or charities that focus on supporting child victims of sexual abuse: to support victims in the medium and long term. These groups may also be able to provide awareness work and training to the victims to recognise the signs of potential exploitation in the future. It may also be useful to engage with charities that provide support to the parents of sexually abused children such as CROP<sup>115</sup>.

Although this ICST reception centre model has not been used in practice, similar concepts are in use for other victim types. In the UK there are a small number of charities which operate 'safe houses' where (mainly female) victims of domestic violence can stay. The first of these shelters opened in London in 1971, run by what is now the charity Refuge<sup>116</sup>. These shelters are designed to offer accommodation as well as practical and emotional support to help victims leave abusive relationships and build a new life. Although there have been little research into the effectiveness of shelters on the level of revictimisation (Whathen and McMillian, 2003) the concept of providing a 'one-stop-shop' for advice and support for victims of ICST may be valuable. Potential concern around whether these shelters can lead to additional victimisation through bringing together multiple victims in one location is unknown.

### *9.3 Covert tactics*

The use of covert surveillance is paramount in many police operations. Covert tactics, however, are not used uniformly across all crime types. Instead, they tend to focus on group-based crimes that last for more than a single instance. This is demonstrated in the latest Office of the Surveillance Commissioner report to Parliament, which showed that 54% of all surveillance requests in 2011-12 were for drug trafficking cases (House of Commons, 2012). Case 1A used covert tactics as part of their investigation and found them to be successful (from interview with SIO). Many of the suggestions from the framework in Chapter seven, designed to support investigations when attempting to undermine a group, would benefit from the use of covert tactics.

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<sup>115</sup> CROP is the coalition for the removal of pimping. For more information see: <http://www.cropuk.org.uk/>

<sup>116</sup> For details see <http://refuge.org.uk/>



Covert, or concealed, strategies can involve a number of different actions with differing levels of intrusiveness. In more general terms covert strategies are those which are not open to real-time public scrutiny and involve the collection of intelligence and evidence through the deliberate bypass of a person's privacy. Covert tactics can be especially useful when an investigation is concerned with crimes that are planned but have not yet been committed, or if the criminal activity is recurrent as often seen when OCGs are involved.

The aim of covert policing is to provide additional sustenance to police investigations and support any subsequent prosecutions. Covert policing may also allow for the prosecution of other, less serious offences that have been committed in addition to the main offence. The focus on lesser offences may have potential benefits including providing the police with the opportunity to prevent or disrupt future offences whilst the offender is on bail or held on remand in custody (Harfield and Harfield, 2008). This was seen in Case 1B where the SIO focused on motoring misdemeanours of the offenders. The result was a number of offenders gaining points on their licences and one offender being banned from driving, reducing his ability to attract and then transport victims to abuse locations.

Guidelines on covert investigative procedures had been issued by the Home Office (1969; 1984) but these procedures were rarely monitored or routinely applied. A number of Acts have since been passed which govern the use of covert tactics in the UK. The Interception of Communications Act was passed in 1985, followed by the Police Act in 1997. The following year the Human Rights Act 1998 was formally adopted which provided further legislation to control the use of covert tactics. In 2000 the Regulation of Investigatory Powers (RIPA) Act unified the individual statutes to provide law enforcement with a single point of guidance. The notion behind RIPA was to find a workable balance between the rights of an individual and the need for police to conduct flexible and responsive operations (Harfield and Harfield, 2008).

### **9.3.1 The role of covert tactics within an operation**

Investigators often use covert tactics to provide a balance between acquiring evidence and preventing harm. By gathering real-time intelligence and sufficient evidence it is possible to stop a perpetrator before or during the commission of a crime, rather than having to rely solely

on reactive investigations. In the case of ICST this would be before new victims were recruited or before further sexual abuse of existing victims had taken place.

The amount of time and resources allocated to covert working is operation dependent and must meet the objectives set out in the overall investigative plan. Four key questions on proportionality, legitimacy, authority and necessity – forming the acronym PLAN – are routinely asked by the SIO before being authorised to embark on covert work (Ashworth, 2002; Harfield and Harfield, 2008; Home Office, 2010). These, alongside their application to an ICST case, are shown in Table 9.2.

*Table 9.2: Key questions to be asked when considering covert investigation strategies*

Meaning	Questions	Example ICST responses <sup>117</sup>
Proportionality	Why is it proportional to obtain the intended product of this surveillance in the manner proposed?	Corroborative evidence is not available in many instances due to lag time between the abuse occurring and the disclosure. Evidence collected through covert means would support the victim’s testimony in court, showing that the offenders knew the victims and had engaged in sexual relationships and abuse. It may also help identify other victims and offenders previously unknown to the police
Legitimacy	What is the legitimate purpose of the proposed action?	The actions are required to provide both intelligence and evidence for use in prosecution cases against child sex offending groups
Authority	What is the lawful foundation and authority for the proposed action?	Authorisations for direct and intrusive surveillance would be sort for key offenders
Necessity	Why is the proposed action necessary?	Many victims are seen as non-credible witnesses resulting in some cases being dropped before prosecution or resulting in lengthy and traumatic cross examination for the victim. Evidence gathered through covert means may reduce the pressure on the victims during the trial and result in high rates of conviction

<sup>117</sup> These are presumed responses based on a number of ICST cases rather than actual responses given by a single SIO. They have, however, been reviewed by an SIO who agreed, in principle, with their validity.

Covert tactics are expected to contribute to an operation in one of three ways (Kruisbergen et al, 2011):

- Inclusion: The gathering of evidence that can be used to prosecute a suspect e.g. a covertly recorded conversation of an offender offering to bring a child to an abuse 'party' to an undercover officer.
- Exclusion: The gathering of evidence that proves the suspect was not involved<sup>118</sup> e.g. CCTV images of a suspect in a different location to where the sexual abuse of a child took place.
- Steering: The collection of intelligence that can indirectly benefit an investigation e.g. knowledge gained of the recruitment method used by offenders and the route travelled between recruitment and abuse sites.

### 9.3.2 Authorisations

In order to conduct covert investigations, appropriate authorisation needs to be granted either by a senior police officer or, for higher levels of intrusiveness, the Home Secretary. It is not appropriate to employ covert tactics when overt tactics could provide the same level of intelligence and evidence or when the matter is not of a serious nature. Applications need to include detailing the type of surveillance planned, the identity of suspects (if known), what information is likely to be gathered and a justification of any foreseen collateral intrusion<sup>119</sup>. The application should reflect attempts at 'balancing the size and scope of the proposed activity against the gravity and extent of the perceived crime or offence' (Home Office, 2010, p26). A criticism of the authorisations process is its internal nature: the police decide if the police can use these tactics, a situation potentially leading to misuse (Big Brother Watch, 2011). To prevent or detect these abuses of power the Office of the Surveillance Commissioner (OSC) was developed under Part III of the Police Act 1997.

Covert tactics may appear an attractive option to investigators, particularly with the development of new technology enabling quicker, easier and cheaper surveillance options. The

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<sup>118</sup> This is usually related to a specific incident as it may be possible that the suspect was involved in another aspect of the crime e.g. just because a criminal did not physically abuse the child does not mean they did not play a part in planning the crime.

<sup>119</sup> This is when the privacy of an innocent third party is breached as part of the operation.

figures issued by the OSC, however, indicate that the number of authorisations granted for use of covert tactics has marginally decreased each year, from 2929 in 2008/9 to 2889 in 2010/11 (OSC, 2011). Data are not available on the number of applications which have been rejected or denied renewal. Sexual offences do not appear as a separate crime-type and it is difficult to know if ICST crimes would fall within 'Assault', 'Conspiracy', 'Kidnap' or 'Other'.

Drug trafficking investigations account for over half of the authorisations granted each year. The high use of covert tactics in this area may be accounted for by the lack of victims willing to make a complaint<sup>120</sup>, the potential to gather evidence otherwise unavailable to the police and the familiarity and long standing use of covert tactics within drug trafficking investigations. These issues are similarly encountered within ICST investigations and so may benefit from adopting and utilising some of these well-understood strategies. Professor Ormerod, appointed Law Commissioner for Criminal Law and Evidence in 2010, acknowledged the growing concern around a lack of victim disclosure in an increasing number of crimes. He states 'policing in the 21<sup>st</sup> century more commonly involves detecting and investigating types of crime in which there is no victim who is likely, or disturbingly, willing to trigger a coercive or reactive police investigation.' (Ormerod, 2006, p67)

### **9.3.3 Type of Covert tactics**

This section provides details of different forms of covert tactics including surveillance, the use of digital and mobile data sources, the interception of communication and the use of a covert human intelligence source (CHIS).

#### **9.3.3.1 Surveillance**

Surveillance can be defined as the 'monitoring, observing or listening to persons, their movement, their conversations or their other activities or communications' (RIPA S.48(2), 2000). Surveillance can be classified as either overt or covert; and within covert as either directed or intrusive. It is considered covert if the subject is unconscious of the fact they are under surveillance (Home Office, 2010). The two most commonly used surveillance devices are closed circuit television (CCTV) and automatic number plate recognition (ANPR) systems. The use of overtly placed CCTV does not require authorisations as they are clearly labelled and their

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<sup>120</sup> Drug trafficking may be seen as a 'victimless crime' as buyers willingly purchase drugs from the dealers. This argument ignores the violence that often accompanies this crime-type.

use across the UK in public places is common knowledge. CCTV data is stored for a minimum of six months so this can be used for historic cases as well as real time investigations. ANPR systems are often similarly employed, monitoring general traffic flow and motoring offences (Home Office, 2010). ANPR systems installed in car parks, for example, may provide investigators with further evidence and intelligence about the offenders and the vehicle they are using. The two distinct forms of covert surveillance, directed and intrusive, are discussed in turn below.

#### Directed surveillance

This form of covert surveillance is the less intrusive of the two and is set up to gain private information about a person or group. It typically involves the covert recording of the actions, movement or conversations held in public where the person involved could reasonably expect a certain level of privacy. This form of surveillance covers all areas except inside a residence or private use vehicle<sup>121</sup>, whether accessed directly or through the use of remote technical devices such as long range cameras or microphones (Harfield and Harfield, 2008)

#### Intrusive surveillance

This covers the more intrusive areas excluded from directed surveillance (i.e. any activity, movement or conversation that occurs within a residential property or within a private vehicle where a person is present). The term 'intrusive' refers solely to the location of the surveillance as opposed to the predicted nature of the information gathered (Home Office, 2010).

Both directed and intrusive surveillance techniques have been used in ICST investigations, albeit to a limited extent. Case 1A is considered a pioneering operation<sup>122</sup> due to the extensive use of covert tactics employed. Examples of the use of directed surveillance include the images taken from CCTV camera's showing offenders in a car attracting the attention of young girls before offenders and victims drove off together. More proactively, the SIO arranged for intrusive surveillance to capture the conversations held between offenders inside a car that

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<sup>121</sup> Taxis are exempt from this under RIPA 2000 S.48(7)

<sup>122</sup> Through conversation with practitioners from a number of agencies including the police and other law enforcement groups.

was frequently used to pick up victims (see section 8.3.3.4). This provided importance intelligence although was not admissible as evidence during the trial. Since the successful prosecution of offenders in Case 1A, many SIOs have noted an interest in the potential use of covert tactics in their own ICST investigations<sup>123</sup>. The SIO from Case 1A stated that as more operations use these methods, it may lead to a greater number of guilty pleas due to the increased physical evidence available.

### **9.3.3.2 Computers, telephones and communication data**

There are many devices that can receive, transmit and store data that may be useful to law enforcement during an investigation. During the apprehension of a suspect, digital and cellular devices may be seized. Although these are now in the possession of law enforcement they cannot be lawfully searched or examined without either permission from the owner of the device (under PACE regulations) or a RIPA authorisation if done covertly. Communications data does not include access to the content; instead it can be divided into three sections as shown in Table 9.3.

*Table 9.3: Different forms of communications data (adapted from Harfield and Harfield, 2008)*

Type of data	Information included related to the communication
Traffic	<ul style="list-style-type: none"> <li>• Origin and/or destination</li> <li>• Location of device used to send and/or receive</li> <li>• The registered sender and/or recipient</li> <li>• The type of device through which the communication has passed</li> </ul>
Service Use	<ul style="list-style-type: none"> <li>• Itemised billing (e.g. phone records, internet connections)</li> <li>• Timing and duration of service use</li> <li>• Information on data upload and download</li> <li>• Records of special services (e.g. conference call)</li> </ul>
Subscriber	<ul style="list-style-type: none"> <li>• Identity of account holder</li> <li>• Billing information</li> <li>• Installation address</li> </ul>

UK communications service providers are bound by the Data Retention (EC Directive) Regulations 2007 which stipulates that fixed and mobile telephone communications data must be stored for 12 months. This does not include the retention of text message content which is

<sup>123</sup> From interviews with SIOs for category three cases.

currently only held by one company , and for a maximum of seven days<sup>124</sup>. Real time text messages can, however, be accessed from all service providers with appropriate authorisation. Communications data can also include details such as websites visited, type of Internet searches conducted, use of mapping software and personal details taken from these sites when registering as a user. Voicemail for a phone can also be accessed through covert authorisations.

With regard to computer files, cloud storage offering large amounts of free storage to users is becoming increasingly popular (Plummer, 2012). This may mean that it is possible for someone to store nefarious files, for example illegal child pornography images, away from their own devices. Cloud storage is now routinely policed with all CSE referrals being made to CEOP<sup>125</sup>. Social networking sites such as Facebook can provide details of real time instant messaging if the risk to a user is considered high, although historic data is not retained.

In ICST cases the majority of the interactions between victims and offenders (including victim to victim and offender to offender) has been over mobile phones. The cases examined within this thesis showed little or no evidence of computers being used. Many offenders had multiple SIM cards, possibly due to the different call rate deals available, that led to added complications for investigators. Links were shown, however, between offenders and victims when examining phones. Evidence from itemised billing of numerous calls and texts were shown in court. In Case 1A some text message content was available which showed relationships between offenders and victims.

### **9.3.3.3 Covert Human Intelligence Source (CHIS)**

A CHIS can come from a variety of backgrounds including undercover law enforcement officers and paid or unpaid informants (RIPA S.26, 2000). Irrespective of how a CHIS is recruited they must be handled carefully, with three levels of supervision and monitoring in place. The Handler is the direct liaison between the CHIS and the police operation and is responsible for the day-to-day activities. A group of Handlers are then managed by a Controller who oversees the use of the CHIS and requires frequent updates and risk assessments. The final level is the

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<sup>124</sup> This is due to legacy technology but the company has since been given a government grant to update the technology. This information was shared during a training event ran by Simon Moore at the NPIA.

<sup>125</sup> From conversation with CEOP referral team managers.

Senior Manager, often a senior police officer who oversees the use of CHIS's in their force area. Risk assessments form a major part of deciding whether or not to deploy a CHIS. Additional safeguards are needed when the CHIS is an informant who has some form of vulnerability, such as a learning disability, or if they are under the age of 18 years.

Due to the nature of a CHIS's objective (i.e. to gain intelligence and evidence regarding the commission of a crime) there may be times when they are in criminal situations. A CHIS may need to take part in illegal activity to maintain their cover. In 1974 it was agreed that a 'certain amount of interest and enthusiasm' for the criminal activities could be considered reasonable behaviour by the CHIS in order to maintain cover (R v Mealey and Sheridan (1974) 60 Cr App R 59 at 61). This agreement was reaffirmed in 2002 with the then Parliamentary Under-Secretary Bob Ainsworth MP stated 'in a very limited range of circumstances, it may be possible that participation in a criminal offence might be rendered lawful by virtue of a correctly authorised CHIS' (Hansard, 2002, Col 507). A CHIS, however, is not legally exempt if he/she incites criminal activity (see Lord Micholls in R v Loosley 2001 UKHL 53 paragraph 1).

Within online child sex offending investigations, CHIS's are frequently used to infiltrate an offending group or play the role of a child in forums and chat rooms (Fulda, 2002; Mitchell et al, 2005). The role of the CHIS in these operations is twofold; to gather intelligence that may lead to information about other offenders or victim identification and to collate evidence that can be used in a prosecution. No ICST operation to date has used a CHIS, either in the role of offender, facilitator or potential victim although that does not mean it would not be an option in future cases. Careful consideration around practicalities and ethics, however, would need to be given before using a CHIS in an ICST investigation.

#### **9.3.3.4 Interception**

Interception refers to the monitoring of transmissions made via the telecoms system, the modification or interference of the system itself or the interception of post. It relates specifically to the content of the transmission being accessed, whether an entire conversation or part thereof. This is the most tightly controlled covert tactic as it is a major breach of a person's right to privacy and a breach of Article 8 of the European Court of Human Rights. Interception authorisation can only be granted by the Home Secretary. The content of an



intercept can only be used as intelligence during the investigation rather than as evidence during any subsequent prosecutions.

A number of creative ways have been developed that utilise loopholes in the system and allow for conversations to be accessed without having to request authorisation for an intercept. Two of these methods are:

#### One party agrees to the surveillance

If a subject is already under a surveillance order that includes the recording of his conversations and the other person involved in the communication agrees to the surveillance going ahead then additional intercept authorisation is not needed to record both sides of the conversation. This loophole is routinely applied when recording conversations held between a CHIS and a subject under surveillance<sup>126</sup>. The content of these conversations can then be used in evidence rather than purely as intelligence.

#### Intrusive surveillance devices are in place at one or both ends

If both parties involved in the conversation are under surveillance then it would be possible to install surveillance devices at both locations to record the conversation. Alternatively, a device could be placed in a location to record just one side of the conversation. This would need intrusive surveillance authorisation for both subjects and additional authorisation to cover any required property interference but would not require further intercept authorisation<sup>127</sup>.

In Case 1A a listening device was installed in one of the offender's cars to record conversations being held among the offending group. While under surveillance numerous telephone calls were made within the car using a Bluetooth handset. This enabled the probe to record both sides of the conversation without breaching interception rules. Under specific circumstances it may be possible for future ICST investigations to utilise this tactic for intelligence gathering purposes.

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<sup>126</sup> Care must be taken to avoid entrapment as this would invalidate the evidence under PACE S.78. For example see *R v H* (1987) Crim LR 47.

<sup>127</sup> This assumes that the telephony equipment is not tampered with in any way.

### 9.3.3.5 The legality and risks of covert tactics

Deciding upon the right time for police intervention can be a delicate balance between minimising harm to victims and gathering evidence to prosecute the offender(s). Covert tactics have been cited by some proponents as unnecessarily risky, especially during ICST operations<sup>128</sup>. There is a need, however, to balance the risk of non-intervention against the risk of intervention and the potential for additional trauma felt by the victims in a trial with little or no corroborating evidence.

When analysing covert strategies, risk can be viewed along two parameters. First, risks must be identified during investigational planning and then monitored, reviewed and amended as needed. This can be particularly problematic when dealing with multiple agencies as perceptions of risk may differ. Second, the products of a covert investigation need to be risk assessed when determining how the data will be stored and used (Harfield and Harfield, 2008). One of the most common models for assessing risk within UK police forces is referred to by the mnemonic PPPLEM (Harfield and Harfield, 2008), as shown in Table 9.4. This is used as a guide for SIOs to assess what risks may be present during an investigation, and can be updated as the investigation progresses.

*Table 9.4: Risk analysis model used by law enforcement to determine whether covert strategies should be employed (adapted from Harfield and Harfield, 2008)*

Meaning	Questions
Police and community risks	What are the risks to the organisation within the community due to engaging in this operation? Is there any general risk to/from the community at large? Adverse publicity? Public disorder? What are the risks of not doing anything?
Physical risks	What are the physical risks to staff/subjects/third parties?
Psychological risks	What are the psychological risks to staff/subjects/third parties?
Legal risks	What are the legal risks to staff/subjects/third parties?
Economic risks	What are the economic risks to staff/subjects/third parties? What is the cost of the operation?
Moral risks	What are the moral risks to staff/subjects/third parties? Can the operation be justified morally as well as legally? What are the risks of not doing anything?

<sup>128</sup> The former head of a child protection agency and ex senior police officer made this statement during a conference in relation to the use of covert strategies in Case 1A.

In regards to dealing with the identified risks, ACPO recommend the use of the another model referred to as RARA (for example see Richards, 2009) which simply states that when faced with a risk you can do one of the four actions: Remove it; Avoid it; Reduce it or Accept it.

The, often irrefutable, evidence obtained through covert means is frequently attacked by defence counsel. Applications to have covertly gathered evidence excluded during the trial can be based on the prejudicial effect it could have on the defendant or on the method by which it was obtained. If an individual police officer or police operation is believed to have breached RIPA 2000, or another governing Act, then there are three possible consequences. First, if a defendant is believed to have been unfairly deceived as part of the investigation then the judge could issue a stay of proceedings. This stops all further legal processes and can be temporary or permanent (Gillhams, n.d). Second, evidence gathered either directly or indirectly through improper actions can be excluded from the trial. Finally, when a breach is considered serious enough it may result in the police officer becoming the subject of a criminal or civil complaint.

#### *9.4 Centralised guidance*

Central law enforcement agencies in the UK (e.g. SOCA, CEOP and the UKHTC) offer centralised support to local police forces during investigations. This support can come in a variety of formats including the deployment of tactical advisors to assist with strategic planning both early on in the investigation as well as at key points such as strike days and setting up the reception centres. The CPS also develop guidance to support operations (see CPS, 2010 for an example of support for labour exploitation cases) but so far no documentation has been produced that offers specific support for ICST cases.

One possible way to offer centralised guidance to SIOs dealing with ICST type cases is by using a checklist. Depending on the type, checklists can be flexible in dealing with the nuances of the individual investigation while providing a helpful aid to an SIO who may not have dealt with this type of crime before. A checklist may prove particularly useful when dealing with CSOG cases in order to prompt the SIO to consider the group-based element to the crime as well as the sexual nature of the offence and age of the victim.

### **9.4.1 The purpose of a checklist**

In its simplest form a checklist is a list of instructions that should be followed to achieve a certain outcome (Gawande, 2010). Checklists can be used purely as an aide-memoire of everyday steps that may be forgotten or as a strict set of instructions which must be followed in sequence. Checklists are not designed to provide a user with new information but to help the user complete the necessary tasks to accomplish a goal. A good checklist should be 'concise, unambiguous, sharply defined, specific and easy to follow' (Sidebottom et al, 2013, p12). When a task involves multiple agencies, as in ICST type investigations, confusion and misunderstanding can arise from the various uses of terminology and jargon. A checklist may prove particularly useful in standardising the language so that the same information is available to all those involved (Winters et al, 2009).

Checklists are often developed and implemented when basic steps that increase the chance of a successful outcome are frequently missed in practice. Checklists are used extensively in aviation; pilots are given a book of evidence-based checklists to follow in cases of emergency when flying (Boorman, 2001). Checklists are also used in the construction industry in two different ways; first as a set of instructions to follow and second to ensure regular communication when making important decisions (Parfitt and Sanvido, 1993).

Improvements to surgery recovery rates have been noted when checklists have been introduced. Gawande (2010) implemented a 19-point checklist for non-cardiac surgery across a wide range of hospitals globally. After 30 days, where no additional changes were made to hospital procedures, the death rate fell from 1.5% to 0.8%. Rates of complications also fell, from 11% to 7% (Hayes et al, 2009). These improvements were achieved through the consistent completion of routine and widely-understood tasks rather than the introduction of new equipment, additional training or medical breakthroughs (Pronovost and Vohr, 2010).

The police are frequent users of checklists in situations ranging from conducting investigation briefings (Cook and Tattersall, 2010) to handling people in police custody (NPIA, 2012) to DASH – the domestic abuse, stalking and honour-based violence risk identification, assessment and management (Richards, 2009). This broad use of checklists within everyday policing should

mean that the introduction of a checklist for dealing with one particular crime-type, in this case ICST, is not an unfamiliar concept.

#### **9.4.2 Checklist development**

Problems can be categorised in one of three ways: simple, complicated and complex.

Glouberman and Zimmerman (2002) offered the following definitions:

- Simple problems are those who can be solved using an easily replicable solution; to bake a cake you follow a recipe that you can reasonably expect to work every time you use it.
- Complicated problems rely on following a set of instructions to be solved but also require high levels of expertise. For example, building a racing car requires certain components (the recipe: wheels, chassis, engine etc) as well as experts to ensure optimal functionality. Once you have made one racing car, however, you can be fairly confident when building a second one.
- Complex problems need a much more nuanced solution due to the high number of variables involved. A parent may gain insight and experience when raising a child but due to differences in circumstances, environment and personality cannot guarantee raising a second child successfully by following the same exact actions and behaviours. There is always some uncertainty when dealing with complex problems.

Police investigations into ICST can be seen as complex problems. They involve multiple offenders, multiple victims, multiple crime scenes and multiple instances of abuse and exploitation. Although SIOs benefit from experience, each case will be different and a positive outcome cannot be guaranteed by following the same investigation strategy each time. Checklists can be used to support simple, complicated and complex problems. An ICST checklist, as proposed here, would utilise existing knowledge from experienced SIOs combined with academic research to generate a concise, easy to use guide to support SIOs on future cases. Following Peleg et al (2000), Winters et al (2009) categorised checklists in one of four ways, as shown in Table 9.5.

Table 9.5: Different checklist structures (adapted from Winters et al, 2009)

Name	Operators involved	Overview
Static parallel	1	Read-and-do tasks, often requiring a yes or no response
Static sequential with verification	2	Challenge-and-response, one person reads off the item and the second confirms completion
Static sequential with verification and confirmation	2+ (a team)	Challenge-and-response, one person is designated to read out the items in order and the team member responsible for that task will confirm completion. Only once a task has been confirmed will the next item be read out
Dynamic	Varying	Flowchart to inform decision making where a question is asked and the response will determine which fork in the decision flow will be taken

Despite the growing ubiquity of checklists there seems to be little in the way of a standardised development method (Hales et al, 2008). Winters et al (2009) developed a series of basic steps which they believe lead to a well-constructed checklist, namely: conducting a current literature review; appraising the needs of the user; engaging multiple users during the iterative design process; conducting a thorough pilot test; making necessary amendments; and finally, roll-out. Winters et al (2009) also stress the need for a checklist to remain up to date by being frequently re-assessed and amended as new information (through research or practice) becomes available.

In addition, key attributes to a good checklist have been summarised by Sidebottom et al (2012) as:

- Concise – only information related to the task is included. If the checklist is too long then it should be broken down into smaller tasks with their own associated checklist(s)
- Unambiguous – technical language or jargon is removed and common language is used throughout
- Clearly defined – each task has an identifiable start and end and is both concrete and actionable
- Specific – this is in terms of what the item is, how it should be completed and by whom
- Easily followed – each item is standard practice compatible

When a checklist combines all of these points it can appear deceptively simple giving the impression that creating a checklist is a quick and easy process. Developing an effective checklist, however, can be arduous and time consuming involving multiple iterations in response to user feedback (Gawande, 2010; Pronovost and Vohr, 2010). In reality, the process of checklist development is often done by a poorly equipped committee, where individuals lack the practical experience of completing the task themselves and fail to adequately engage end-users before the checklist is rolled out (Winters et al, 2009).

When a new tool, such as a checklist, has been developed and implemented in practice an evaluation should be conducted. Although benefits may have been observed, it is important to ascertain if these can be accredited to the new intervention or whether they have been caused by other factors. In medicine, for example, Provonost and Vohr (2010) built on the work of Gawande (2010) to highlight positive benefits which they found were attributable to the introduction of the checklist. A similar study by De Vries et al (2010) involved the implementation of a surgical checklist in the Netherlands. They also observed lower patient complications after the implementation of the checklist and no change in the control groups. This latter study goes some way to address concerns raised by Bosk et al (2009) who argue that the improved patient care seen in Gawande's (2010) study could have been due to general hospital improvements.

Conducting evaluations of checklists in certain areas of policing may be more problematic. Attempting to evaluate the effectiveness of checklists in ICST investigations may be particularly challenging for two reasons. First, each investigation involves a high number of variables, some of which may not even be known to the SIO. This would make it difficult to accurately assess if any benefits seen were contributable to the checklist or to other external factors. Second, investigations into ICST are still relatively rare and so it may not be possible to find an adequate sample size to assign control groups. In the absence of a full evaluation it may be possible to test the checklist theoretically. SIOs could be asked to run through the checklist and feedback on any issues they found with completing each task and to highlight any missing areas that should be incorporated. Feedback could also be provided on the ease of use, time it took to complete and the potential usefulness of the checklist to an investigation.

As a tool, checklists have faced numerous criticisms in relation to both how they are developed and their real-world application (Degani and Wiener, 1993; Bosk et al, 2009; and Davidoff, 2010). The main objections towards checklists are that they:

- Fail to address real world complexity and diversity
- Belittle the knowledge and experience of experts
- Are treated as the solution rather than just a tool
- Discourage innovative working
- Lead to a lack of engagement
- Are frequently improperly designed or implemented
- Are a burden to end-users

Although it may not be possible to discredit all of these concerns, some can be overcome through the careful planning of a checklist during the design phase, involving regular consultation with end-users, and a well-thought through implementation plan. Others may be mitigated through proper change management, regular appraisals and feedback sessions aimed at encouraging practitioner engagement.

#### **9.4.3 Initial suggestions for a ICST investigation checklist**

Police investigations can involve lots of different people in different locations which different competing agendas and end goals. Terminology may also be different across the various agencies. A checklist may help to clearly map out individual actions so that all parties involved are aware of action points and who should complete them, reducing duplicate work and preventing important actions from being missed. The aim of an ICST investigation checklist would be to support the SIO and allow him or her to spend more time on the nuances of the case without missing any of the fundamental aspects identified by previous SIOs and other research. Within the complex police investigation environment, a checklist is more likely to be designed as an aid rather than a definitive and exhaustive list of sequential actions. A checklist used for investigative purposes should encourage SIOs to consider additional agencies and sources of information which might be useful as well as the investigation strategy itself.



A static parallel checklist may be a good initial fit. A checklist may also serve to promote discussion and debate. A static sequential checklist with verification (with or without confirmation) could be used as a starting point for debating different course of action, particularly when involving non-police agencies. A key factor in creating an ICST investigation checklist is flexibility; a checklist of this nature should be transferable yet adaptable to meet the requirements of local conditions.

Based on findings in this thesis it has been possible to outline areas for consideration if a ICST checklist were to be created<sup>129</sup>. These areas, and possible tasks within them, are highlighted below. These initial checklist suggestions have been divided into topic areas rather than by chronology of actions as there is no definitive sequence to which these actions must abide. It is expected that only some of the suggestions made here would make it onto a final checklist after testing and conferring with relevant individuals. Again, these are just possible questions that could be considered for inclusion.

#### The crime problem

- Has a problem profile been created which focuses on the group-based aspect to the crime? Is this up to date?
- Have all the databases (e.g. Police National Computer, missing children logs, national DNA database) been accessed for relevant data on all known offenders and victims?
- Has the problem been assessed and prioritised using the OCG matrix?
- What is the time frame of the abuse (e.g. is it still occurring or if not when it is thought to have stopped)?
- Is there a trafficking (international or internal) element to the crime? If so have the UKHTC been informed and an NRM referral made?

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<sup>129</sup> Due to time constraints it was not possible to engage with SIOs and other agencies to adequately generate a full checklist for ICST investigations as part of this thesis.

### The investigation team

- How many officers have been assigned?
- What skills do they bring (e.g. victim liaison, interviewing skills, experience of working on OCG investigations) and what skills may be missing (e.g. child protection experience, SOITs)?
- Have outside agencies been consulted and/or bought in? – including health, education, social services, parent groups such as CROP, central agencies such as CEOP and specialist CSE charity groups?
- Have officers who have worked on similar cases been contacted for advice? – including SIOs, victim liaison workers and central agencies such as CEOP and the UKHTC?
- Are regular meetings set up to discuss the progress of the investigation, to enable multi-partnership decision making and/or to address any concerns?
- Are all core members of the multi-agency team known to one another by name<sup>130</sup> and are contact details shared?

### The investigation strategy

- Have offenders and/or victims been identified?
- Is the abuse mainly online or offline?
  - If online, are the offenders based in the UK? If there is an international element to the crime have the relevant countries and agencies been informed? - including Europol/Interpol?
  - If offline, are the offences contained within one police jurisdiction or do multiple force areas need to be involved?
- Has a network chart been created showing links between offender-offender, offender-victim and victim-victim? Did these relationships exist prior to the start of the abuse?
- How many offenders are in the core group and how many are facilitators and/or clients?
- Is it known what communication channels are being used by offenders and victims?

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<sup>130</sup> Gawande (2010) showed that knowing the name of all integral team members can foster a more productive and effective team environment.

- Are there any emerging patterns around recruitment and grooming techniques (e.g. using victims to recruit their friends for abuse, driving around areas that attract young people such as shopping centres)
- Is it an offending group or a collection of individuals offending against the same victim(s)?
- What is known about the offenders (e.g. work place, family situation, hierarchy within the group) and are they older than the victims or peers?
- What is known about the type of abuse (e.g. do the perpetrators offend together or alone, are victims abused by all members of the group?)
- Can covert tactics be deployed? (e.g. surveillance on the offenders, surveillance in known recruitment and/or abuse hotspots such as parks and shopping centres, audio probes in offender's cars, the use of a CHIS?)
- What child protection measures are in place to prevent further harm? - including in cases when abuse is thought to still be continuing?
- Can the offending network be targeted for other offences as well as CSE?
- Can a reception centre be utilised to support the victims?
- Will all offenders be targeted on a single strike day? – including offenders who may have travelled from outside the force area?
- Has guidance and support from the CPS been requested early on in the investigation?
- Has a forensic strategy been devised? - including for those instances where medical examination is no longer possible due to time delay in disclosure?
- Are victims willing to testify? Are special measures available?
- What support is being offered to victims who face lengthy cross examination from multiple defence barristers?

## *9.5 Conclusion*

The three sections discussed above (reception centres, covert tactics and centralised guidance) have all provided valuable support to crime investigations. Due to a number of key similarities between ICST and other group-based offending it may be possible that these same strategies could be beneficial in ICST cases. Suggestions for how these three strategies might be applied to ICST investigations have been given, although none have been tested in practice. The first of

these strategies, reception centres, may be limited by budgetary and resource constraints and the ad hoc nature of the offending. The use of checklists for supporting SIOs is likely to be familiar to many officers and relatively cheap and simple to implement. This may improve the chances of it being employed by SIOs working on these cases in the future. For any new ICST case a specific and nuanced approach is required but these tools may offer additional support and help SIOs overcome some of the issues currently faced.

## Chapter Ten: Conclusion

This thesis has focused on developing novel approaches to ICST investigation strategies. ICST groups were the focal point of this thesis due to the uncommon and emerging crime characteristics; the offline contact abuse of multiple victims by multiple offenders who were not related to the victims through familial or authoritative connections. In addition to exploring a nascent crime-type, this thesis also made initial steps in addressing the lack of research into group offending from a situational perspective.

The research question addressed in this thesis was:

How can investigation strategies for internal child sex trafficking (ICST) groups be developed through understanding the group-based element to the crime?

This question has been answered by addressing sub-questions across 'Analysis' and 'Implementation' chapters. Together these chapters have generated a greater understanding of ICST crime groups and suggested possible ways in which this knowledge could be utilised in police investigations. Some key findings can also be applied to CSOGs more generally and wider crime-type OCGs. The key findings from each chapter are discussed in turn below.

### *10.1 Chapter summaries*

Chapters Four to Eight each addressed a different aspect to the overall research question, allowing knowledge to be built up and applied incrementally. The major contributions from each chapter are briefly summarised below.

#### **10.1.1 Chapter 5: Child sex offending groups (CSOGs)**

Findings from this chapter helped explain various aspects to CSOG membership. CSE can be broken down into five sub-categories based on how the offenders first interact with their victim, namely: online, institutional, familial, peer-on-peer and community-based. Both online and ICST frequently involve groups of offenders and so may require different investigation techniques from the single-offender-single-victim profile. Groups were seen to be dynamic; changing, adapting and evolving over time.

Recruitment and introduction were key ways in which new members joined a CSOG. Data were unavailable that would indicate to what extent each avenue was taken. The majority of ICST offenders demonstrated group involvement through pre-existing relationships to one another, rather than new members being actively recruited.

Belonging to an offending group can bring both physical and psychological rewards. The physical benefits of belonging to a CSOG may include access to children, access to abuse locations, access to indecent images of children and/or access to specialist skills (e.g. computer skills). The psychological benefits may include a feeling of acceptance or justification for offending behaviour (neutralisation/cognitive dissonance). There are also psychological factors that may 'pull' individuals away from the group such as a lack of trust, fear of exposure, or internal conflict within the group.

In terms of group roles, three levels of offender were identified in ICST groups: key players; peripheral offenders; and facilitators. Knowing how many of each type of offender is in a group may prove useful to law enforcement during an investigation if they are looking for members who may be persuaded, for example, to become a CHIS.

### **10.1.2 Chapter 6: Investigation and prosecution of ICST**

This chapter examined the current investigation and prosecution strategies used in ICST cases. Both the investigation and prosecution had numerous challenges, in part due to the complexities of the case. These included:

#### Investigation:

- The high number of victims, offenders and crime scenes resulted in a large volume of information and often confusing and conflicting accounts.
- Due to the delay in many victims disclosing abuse to the police, the opportunity to gather evidence to support the victim in court was lost.
- There was very little guidance available to SIOs as the cases were seen as novel. This led to high levels of discretion in how the different investigations were managed and run.

### Prosecution:

- There were frequently long delays between the start of an ICST investigation and the trial beginning. This was problematic for victims, both in terms of clarity of memory and being able to move on with their lives.
- Due to the group-based nature of the offending, the victims were frequently subjected to lengthy cross examination by multiple barristers, made worse by the lack of supporting forensic evidence available for most victims.
- Many of the victims had come from chaotic backgrounds and some had previous convictions of their own. This lack of victim credibility did not help with the prosecution case against defendants who were often portrayed as law abiding citizens.

Each investigation was approached differently, seemingly a function of the SIOs prior experience rather than an understanding of group-based CSE. One investigation used covert tactics to gather evidence which proved successful in court. All other category one cases were purely overt. None of the cases, however, considered how the group-based element affected offending characteristics. Instead, the SIOs largely saw the group as a collection of individuals and dealt with them accordingly, missing an opportunity to tackle the social situational side to the crime.

### **10.1.3 Chapter 7: Forensic capabilities**

This chapter addressed one area of forensic evidence available in many ICST cases but not currently gathered or analysed. Many victims reported that offenders did not wear condoms during the sexual abuse. Some victims reported taking home semen-stained clothing, washing the item and storing it. The findings in this chapter demonstrated that full DNA profiles can be generated from semen-stained laundered clothing. This was also true when items were washed multiple times, indicating that semen has a high level of persistence once dried onto fabric.

The findings from this research are important as concepts and evidence dynamics have been empirically identified by this study that has not been demonstrated before. The outcome is the start of an observed and replicable evidence base for the interpretation of DNA profiles that have come from laundered clothing. This thesis has also established the evidentiary value

of collecting stained and laundered clothing during future ICST cases, even when the item has been washed multiple times. No effect on the quality of the profile was observed across the different washing conditions, meaning that there is potential value in all collecting all stained then laundered clothing.

The 16 loci DNA profiles generated are more in-depth than the 10 loci profiles required for admissibility in UK courts and are of a higher standard than all global court requirements. The outcomes from this thesis are, therefore, applicable to cases outside of the UK where investigators may also find value in collecting this type of evidence.

#### **10.1.4 Chapter 8: Developing new investigation strategies**

Eight parameters for understanding the characteristics of a group were developed and split into four overarching themes:

Organisation: Hierarchy, recruitment and promotion

Expertise: Role assignment, crime specialisation

Recognition: Identity

Geographic Location: Group fragmentation and crime capacity.

These areas, not intended as a comprehensive list, were identified within the data sets available and are largely applicable to OCGs, not just ICST groups. Using adapted SWOT analysis, a framework was created to assist law enforcement officers when considering investigation strategies to tackle group-based offending. The broad applicability of this framework was a deliberate decision; ICST groups can be measured against this framework without them having unduly influenced the parameters.

When the ICST cases were assessed against the framework they showed similarities with one another across the eight parameters. The key trends included a horizontal hierarchy, low levels of active recruitment, high levels of ethnic homogeneity, limited role assignment, group specialisation in one area of crime, no internal group identity but externally construed as such, very little group fragmentation geographically, and localised but high levels of harm caused to victims. There was little in common between ICST groups and online CSOGs and so it may not



be possible to apply tactics directly from one CSOG type to another. This is in line with situational approaches to crime; a nuanced approach to a narrowly defined crime-type is required.

## *10.2 Knowledge contribution and application of findings*

This chapter investigated whether tactics from other crime types could be utilised in future ICST investigations. Three investigation strategic areas were identified that had been considered successful in other cases.

First, this thesis proposed the creation of a nation-wide reception centre to cater for all ICST victims from across the country. A reception centre is a designated area where victims can be taken in order to meet their short-term needs and arrange for longer-term support. Police can use the centres to gain rapport with victims, gather evidence and take statements.

Second, covert tactics were suggested for use in some of the larger ICST cases. Covert tactics can include directed and intrusive surveillance, the use of an undercover officer or CHIS, computers, telephone and communications data, and intercepts. Covert tactics are used in a variety of police investigations and may prove particularly useful for group-based offending. ICST Case 1A used covert tactics during the investigation with great success, leading to other SIOs seeking further information about how to apply it to their own ICST case.

Finally, centralised guidance is suggested in this thesis to provide best-practice recommendations to SIOs dealing with their first ICST case. Information from a variety of sources, both practical and academic, can come together to inform best practice and help new SIO and investigation teams learn from previous cases. No such guidance existing for ICST as of yet. As a starting point, a checklist for use by SIOs was recommended, although a complete and tested checklist was not produced as part of this thesis.

Together, the chapters in this thesis show that group offending can be a heterogeneous, fluid and dynamic concept with a frequently changing membership-base. The interaction between individuals during the planning and commission of a crime can influence the actions that take place. Recognising the complexity of these offending relationships, rather than considering

each offender as a separate, discrete individual operating in the presence of others, may support investigators when tackling group-based offending. This may be particularly true for crimes that have, until recently, been seen as overwhelmingly a solo offence such as CSE.

It is important to note that offenders may not just operate within one group but may be members of multiple groups and may also commit some offences alone. The fluctuation in membership needs to be considered by police when tackling offenders. There may be opportunities for law enforcement to more effectively intervene when group numbers are reducing. Police need to be aware that cessation may not have actually occurred. Instead group members may have joined other groups, merged with another group, or are dormant until a perceived threat has reduced to acceptable levels.

One of the key findings from this research has been that a one-size-fits-all approach to tackling CSOG groups is unlikely to be effective. Despite the outcome of each group being the same (i.e. the sexual abuse of a child) the mechanisms that enable the abuse are quite different across CSOG types. ICST groups are not connected to the victims through familial or other pre-existing authoritative relationships. Instead, offenders will search for children to abuse in target-rich areas such as shopping centres or through the offender's employment in the night-time economy. This information is useful to police when starting an investigation so that a wider focus can be given to identifying potential offenders.

Three types of offender (key, peripheral and facilitator) were identified as being involved in ICST offending, each playing a different role and having a different status within the group. Recognising that not all offenders play the same role is important for law enforcement. Facilitators, for example, may prove a good source of information in exchange for lenient treatment as they are often far less involved in the physical abuse.

This thesis has also outlined the ethnically homogenous nature of ICST groups where members show no indication of being predominantly sexually attracted to children. The age range of these ICST offenders was broad, typically early 20s to mid-50s, possibly representing offending which has continued unabated for several decades. Due to the sense of impunity and the neutralisation shown by many offenders, it is likely that only minimal law enforcement

avoidance tactics are currently being used by offenders. The result is a range of opportunities for police to intercede at both an overt and covert level. Police action will send a clear message to offenders that ICST-type behaviour is not acceptable and that offenders will be held accountable for their actions.

There is no single model for joining an ICST group. Multiple methods exist across and within different groups. Individuals may gain a range of benefits by belonging to a group but may not be conscious of why they chose to stay. An increased access to victims or abuse locations can make group offending an attractive option. Belonging to a group may also increase the likelihood of committing an offence as more people are involved. High levels of trust are needed when operating in long standing ICST groups.

Law enforcement officials may benefit from identifying and understanding different patterns in member recruitment but should remain aware that these methods are not absolute and may differ for each new member. If one over-riding reason for most group member involvement cannot be easily identified then a combined law enforcement attack on a number of areas may produce the most effective results. This could include undermining the psychological benefits of group involvement as well as trying to reduce the profits and increase the risk of group offending. Law enforcement may be able to play on the fears associated with group environment and make the group, criminogenic in itself, seem less appealing to potential new members.

Investigating ICST cases to date has appeared ad hoc with a lack of nuanced guidance available to SIOs who have no experience of tackling group-based sex offences. Police culture values and promotes decisiveness among senior officers (Mortimer and Shepherd, 1999) but studies have shown that a poor situational awareness may lead to more decision-making failures than a poor choice of actions (Endsley, 1997). Due to time pressures and resource constraints, police officers rarely have the opportunity to reflect on an investigation strategy and map out lessons learnt from the experience. The result is a loss of practical information that could have improved future cases. It is, therefore, important that SIOs are appraised of the offending situational context, both physical and social, before deciding on a course of action.

As ICST groups are still relatively uncommon it is unlikely that officers will be experienced in investigating this crime-type. The investigative strategy for ICST cases are likely to be based upon other sexual offence investigations, frequently a single offender and a single victim. 'The challenge of improving the quality of major investigations is one that faces all police forces' (Gottschalk, 2006, p.381); an understanding of a key element to ICST cases can support this goal. By offering a familiar tool, in the form of a SWOT framework, and three examples of workable, actions from another crime investigation, it is hoped that SIOs on ICST cases in the future will have a broader range of information to draw upon. Each technique may have a greater or lesser importance to an investigation, dependent upon the unique circumstances surrounding that case (Heymann, 1985). These findings should not be limited to law enforcement officers alone. Instead, they could offer useful insights for other statutory agencies and third sector organisations whose role is to support ICST victims.

Prior to this thesis there was limited knowledge around the group structure of CSOGs and how this could support a criminal investigation. This thesis has used hard-to-access data to understand more about ICST groups. This study has also approached the problem from a situational perspective, differing from the more traditional dispositional approaches to crime research. By looking at ICST through the social situational context, the thesis has suggested new ways in which law enforcement could tackle this crime by attacking and undermining the group rather than focusing on individual offenders. The focus on investigation is also a novel approach; most CSE research is interested in understanding victims, rather than addressing the police response to the crime. This investigative focus, where the aim is to support improved responses, is also in line with a situational approach.

### *10.3 Research strengths and weaknesses*

In regards to child sex crime investigations, which tend to bring a high level of public interest and political scrutiny, there appears to be two critical reasons for a lack of empirical research (Innes, 2007):

1. Data have not been collected that would allow for either robust quantitative or qualitative research to be conducted.

2. When data are available, the police (or other data holders) have been reluctant to allow researchers access to sensitive case files. Reasons offered include legal, resource and security issues.

It has been possible to overcome both of these issues within this thesis. First, by taking a situational approach, the data sources available were adequate to address the research question posed. Details of an individual's disposition were not required; only information related to specific crimes committed and group involvement were of interest. Second, through obtaining various security and vetting clearances, ensuring data protection measures were in place and by operating in a professional and thoughtful manner, data owners felt able to securely share their data.

The variety of data sources has been a major strength of this thesis, allowing the research to draw upon multiple areas for each part of the project. By utilising multiple data sources it has been possible to gain a greater understanding of specific ICST cases and CSOGs more generally. The forensic science element to this thesis also broadened the scope and potential interest in the research as a whole, introducing science practitioners to a nascent crime type in which their own work may be able to contribute.

The limited number of ICST cases available lent itself well to a qualitative study; in-depth analysis could be conducted without an overload of information. A key strength to this research has been the practical focus; academic theory and research applied to developing improved practitioner response. Key findings from this thesis have been published in peer-reviewed academic journals and have been welcomed and accepted by academics and practitioners alike.

As with any large study there are a number of limitations that could not be mitigated against entirely. Many of these limitations affect the generalisability of the results, although they are not thought to fundamentally affect the quality of the findings.

First, all five ICST cases come from two specific regions of England. The findings may, therefore, be specific to those regions rather than represent what is happening across the country more

generally. These findings do, however, provide a basis for analysing future cases as more data becomes available.

Second, as the majority of the data came from law enforcement agencies it may have an intrinsic bias; offenders are seen as guilty and victims as honest. This may affect the way the data is gathered and what was available for use within this thesis. With the exception of the forensic experiments, all data used in this project was secondary. As the data was not gathered for the purpose of answering the research question posed here, the result is that some key information may not have been gathered. Researcher bias may also have affected the way in which data was analysed and reported and although this can be acknowledged it cannot be entirely avoided.

Finally, replication of findings is difficult for qualitative research in general but possibly more so when dealing with sensitive and restricted material. Details of case files cannot be included without sufficient anonymisation due to confidentiality agreements. This restriction in including the data sources within the thesis makes academic rigour and systematic approach to the research all the more important.

Despite these limitations, the outputs from this research project are a valuable first step to understanding a complex crime area. As more data becomes available additional data analysis methods will be possible, including a quantitative analysis that can build on the foundation provided by this thesis. This greater availability of data will lead to more varied research questions being answered, greater scrutiny applied to these initial findings and a more rounded understanding of the problem areas.

The data made available through case files lent itself well to a qualitative analysis of the case files. The data, however, was not accurate or detailed enough to allow for situational analysis in regards to spatial or temporal analysis. If data related to precise locations rather than vague references to shopping centres with multiple entrances, for example, then it may be possible to gain a better understanding of the key recruitment and abuse locations. The same is true for temporal data. There is very little available that provides exact dates or times when events occurred. Instead, information such as 'a week day' or 'late at night' was the norm. By

recording more specific details it may be possible to investigate relationships between events and times. Both spatial and temporal data are fundamental to many situational approaches to crime reduction. Having better recorded data would enable researchers to conduct more accurate analysis to identify key patterns and trends, leading to a better law enforcement response.

There could also be further research conducted into what circumstances led to the initiation of an investigation, identification of offenders and victims and what circumstances lead to the arrests. Through exploring what actions lead to these events, more could be understood around what steps investigators should be taking to expedite offender identification, for example.

#### *10.4 Wider application*

The findings from this thesis have provided a grounding for future work to build upon. Additional research could take many forms such as the inclusion of more ICST cases as they become available or comparing these ICST findings with other CSOGs or OCGs. As the findings are tested and evaluated they may be altered, added to or shown to only be true for a small number of cases. In regards to the specifics of this thesis, the following extensions to the research would prove beneficial.

##### **10.4.1 Testing and evaluation of findings**

Each of the areas explored in Chapter four around group dynamics could be tested further. This could include examining whether the findings identified within this thesis hold true when more ICST cases are examined and whether there are additional findings for other forms of CSOG. If data were available it would be useful to understand the extent to which each option occurred. For example, when considering how members join a group it could be helpful to law enforcement to have a better understanding as to the most popular recruitment methods and whether these were different across Key, peripheral and facilitating group members. Other research tools, such as a combined crime script and social network analysis map could be developed showing which offenders were responsible for which actions and how best to prevent or deter the behaviour. Commodity analysis may also prove useful if a greater commercial awareness is seen among some ICST offenders.

Each of the proposed options for police strategy development (i.e. the parameter framework, the SIO checklist, ICST reception centres and the greater use of covert tactics) would require further exploration and testing before being considered for implementation. This exploration could include research into possible limitations, ethical considerations and challenges that may arise from their use. It could also involve hypothetical testing with SIOs to understand if the framework or checklist, for example, was likely to yield positive results before amending and running a small pilot study.

Additional checklists could also be explored for third sector agencies to help support victims or a Gantt-chart style checklist, as seen on construction sites, could be developed to ensure strong lines of communication are in place within multi-agency teams. This type of checklist highlights important milestones in a process and indicates when and with whom communication must be sought before moving on to the next steps.

Reception centres could also be tested and evaluated on a smaller scale to understand what is appropriate for ICST victims and what additional services may be required. Although a model for reception centre use for labour exploitation victims has been shown to be successful in a small number of cases a full evaluation of the centres would be beneficial when considered expanding the concept to other crime types. For each of these areas further work, such as a viability study, would be needed to understand the time, resource and budgetary requirements for successful implementation.

#### **10.4.2 Examining the use of situational crime prevention techniques**

Patterns within ICST, such as the way pre-existing social connections led to new offenders joining the group, can be understood and analysed from a situational perspective. The situational approach has been particularly useful when developing investigative strategies based on understanding how ICST groups operate.

Ideally, ways would be identified in which offenders could be deterred from committing an offence by changing the environment to make it harder for them to do so. This notion of changing the situational environment to prevent crime is known as situational crime



prevention (SCP). SCP has developed from an initial three broad areas of interest to the five 'pillars' of intervention strategies:

- Increase the efforts
- Increase the risk
- Reduce the benefit
- Remove provocation
- Remove excuses

This strategic framework guides stakeholders in considering ways to prevent and disrupt crime-specific activities (Clarke, 1997; Clarke and Eck, 2003). Within each of the five pillars, five strategic areas of focus have been suggested (Cornish and Clarke, 2003), as shown in Table 10.1.

Table 10.1: 25 techniques of SCP (adapted from Cornish and Clarke, 2003)

Increase the effort	Increase the risks	Reduce the rewards	Reduce provocations	Remove excuses
<b>1.Target harden</b> Tamper proof packaging	<b>6.Extend guardianship</b> Travel in a group at night	<b>11.Conceal targets</b> Off-street parking	<b>16.Reduce frustrations stress</b> Efficient queues and polite service	<b>21.Set rules</b> Hotel registration
<b>2.Control access to facilities</b> Electronic card access	<b>7.Assist natural surveillance</b> Support whistleblowers	<b>12.Remove targets</b> Women’s refuges	<b>17.Avoid disputes</b> Separate enclosures for rival football fans	<b>22.Post instructions</b> ‘No parking’ signs
<b>3.Screen exits</b> Ticket needed for exit at stations	<b>8.Reduce anonymity</b> Taxi driver IDs	<b>13.Identify property</b> Vehicle licensing	<b>18.Reduce emotional arousal</b> Controls on violent pornography	<b>23.Alert conscience</b> Signature for customs declarations
<b>4.Deflect offenders</b> Separate female facilities e.g. toilets	<b>9.Utilise place managers</b> CCTV on double-decker buses	<b>14.Disrupt markets</b> Monitor pawn shops	<b>19.Neutralise peer pressure</b> Disperse trouble makers at school	<b>24.Assist compliance</b> Public toilets
<b>5.Control tools/weapons</b> Disable stolen mobile phones	<b>10.Strengthen formal surveillance</b> Use of security guards	<b>15.Deny benefits</b> Graffiti cleaning	<b>20.Discourage imitation</b> Censor information of modus operandi	<b>25.Control drugs and alcohol</b> Breathalysers in pubs

These 25 techniques guide stakeholders in considering ways to prevent and disrupt illegal activities and are crime specific (Clarke, 1997; Clarke and Eck, 2003). Crime scientists are keen to expand on SCP theory and believe that criminal opportunists can be deterred by “changing the situation in the narrow sense, not the environment in the broad sense” (Laycock, 2003). Care must be taken when developing potential prevention initiatives to avoid criticism of victim blaming. For example, criticism could be levelled at the SCP pillar of ‘remove provocation’ when discussing sexual offences as referring to a victim’s behaviour (e.g. drinking, walking alone at night) or choice of clothing (e.g. short skirt) prior to the assault.

SCP has traditionally steered away from the more social aspect of the crime but there is growing recognition of the benefits of exploring the social dimension to the framework. This has led to greater discussion around the 'who' as well as the 'what', 'how' and 'when' of crime (Anderson and Felson, 2010). SCP aims to 'create a safe environment rather than create safe individuals' (Wortley and Smallbone, 2008, p8). Some techniques identified within SCP overlap, for example increasing the effort to commit a crime may also increase the risk. The SCP matrix can be used as a guide for law enforcement and other agencies to help promote discussion around novel ways to prevent specific crime types in the future. For example, Table 10.2 offers SCP suggestions for tackling ICST.

Table 10.2: Application of SCP intervention table to ICST

Increase the effort	Increase the risks	Reduce the rewards	Reduce provocations	Remove excuses
<p><b>1.Target harden</b> Have a guardian, such as a community support officer, patrolling parks and local beauty spots</p>	<p><b>6.Extend guardianship</b> Encourage children to stay in groups when out without adult supervision</p>	<p><b>11.Conceal targets</b> Put tarpaulin around under-18 nightclub queues so the children are not visible from the street</p>	<p><b>16.Reduce frustrations /stress</b> Socially acceptable pornography is made easily available</p>	<p><b>21.Set rules</b> Clear messaging on the age of and need for sexual consent in the UK</p>
<p><b>2.Control access to facilities</b> Ensure hotels and B&amp;Bs insist on recording official ID of all clients, especially those paying in cash</p>	<p><b>7.Assist natural surveillance</b> Ensure security guards at shopping centres know who to contact to report suspicious activity</p>	<p><b>12.Remove targets</b> Ensure parents and carers are aware of where their children are and encourage missing children to be reported</p>	<p><b>17.Avoid disputes</b> Empower children to resist grooming</p>	<p><b>22.Post instructions</b> Clear signs in hotels and B&amp;Bs that inappropriate sexual conduct will result in the police being contacted</p>
<p><b>3.Screen exits</b> CCTV cameras in place at entrance and exits to target rich environments such as school gates</p>	<p><b>8.Reduce anonymity</b> Taxi drivers need to show their IDs with a photograph and full name</p>	<p><b>13.Identify property</b> Vehicle licensing and clear road names so that an area can be easily identified</p>	<p><b>18.Reduce emotional arousal</b> Controls on violent pornography</p>	<p><b>23.Alert conscience</b> Highlight consequences to the victim of destructive sexual relationships</p>
<p><b>4.Deflect offenders</b> Separate car parking and road access from pedestrian areas such as shopping centres to reduce levels of ‘cruising’ for victims</p>	<p><b>9.Utilise place managers</b> Bouncers at under-18 night clubs should closely monitor outside queues to ensure children are not being approached</p>	<p><b>14.Disrupt markets</b> Issue harbours warnings or sexual offence protection orders if an adult is inappropriately socialising with a child</p>	<p><b>19.Neutralise peer pressure</b> Provide clear messaging around what is a consenting, healthy sexual relationship to children</p>	<p><b>24.Assist compliance</b> Easy and anonymous ways to report – particularly for friends or family members of the offender</p>
<p><b>5.Control tools/weapons</b> Crack down on shops selling alcohol to adults accompanied by unrelated children</p>	<p><b>10.Strengthen formal surveillance</b> Police should be trained in signs of ICST so they feel confident questioning a situation</p>	<p><b>15.Deny benefits</b> Offer self defence and awareness training to young people</p>	<p><b>20.Discourage imitation</b> Censor information of modus operandi</p>	<p><b>25.Control drugs and alcohol</b> Limit the amount of alcohol which can be purchased by an individual in any one shop</p>

Table 9.2 is meant purely as an example of a broad range of interventions which could be considered, rather than advocating for a particular set of methods. A research project focusing upon ICST prevention initiatives from a situational perspective would be welcomed.

### **10.4.3 Wider-application of findings**

Outside of ICST research, many of these findings could have wider applications. It may be possible that some of these findings can help develop understanding of other offending group behaviour. Centralised guidance on best practice may help support SIOs who are faced with group-based crimes outside of volume crime investigations. This could take a form similar to the ACPO (1998) Murder Investigation Manual which provides SIOs with guidance on the steps that should be taken at each stage of the investigation, details on how to address complex cases, and key agencies who may be of assistance. For CSOG cases this could include the need to understand what type of group-offending is occurring, a list of potential partner agencies, strategies for interviewing suspects and victims, forensic strategy, tools for consideration (crime script, hot spot mapping etc), covert tactics that might be employed and any indicators or prevention work that could be implemented alongside the investigation.

The forensic findings within this thesis may also have wider application. The profiles generated could be used as an accurate exclusionary tool as well as being used to identify offenders. Due to the high number of loci points (16) tested in this thesis, the profiles could be admissible in any international court so could be used to assist cases outside of the UK. Although the demonstration of semen stains on laundered clothing may be considered less relevant in adult cases (i.e. if the offender claims consent) it may still prove contact occurred between the offender and victims. Extending the research further could result in a greater understanding of how multiple stains are affected by the laundering process, offering a baseline for use when interpreting DNA profiles. Further research in this area could also include testing the persistence post-laundering of other types of biological material for use in other crime types.

## References

Below is the full list of references for this thesis divided into Acts, legal cases and referenced documents.

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Regulation of Investigatory Powers Act (RIPA) 2000  
Criminal Justice and Police Act 2001  
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## Appendices

### *Appendix A: Ethical review documents*

This section includes the following documents:

- Ethical approval from NRES committee
- Ethical approval from UCL (as sponsoring institute)
- Semen donor information sheet
- SIO interview participant information sheet
- SIO interview topic guide

## A.1 Ethical approval letter: NRES committee

### **NRES Committee London - Central**

Level 7N019, Maternity Block  
Northwick Park Hospital  
Watford Road  
Harrow  
Middx  
HA1 3UJ

Telephone: 020 8869 3775

Facsimile: 020 8869 5222

05 July 2011

Miss Helen Brayley  
Lecturer and Director of the UCL JDI Centre for the Forensic Sciences  
UCL  
JDI, 2nd Floor Brook House  
2-16 Torrington Place  
London  
WC1E 7HN

Dear Miss Brayley

**Study title:** **To what extent can forensic intelligence aid the investigation and prosecution of Internal Child Sex Trafficking (ICST)?**

**REC reference:** **11/LO/0928**

The Research Ethics Committee reviewed the above application at the meeting held on 29 June 2011. Thank you for attending to discuss the study.

### **Ethical opinion**

- Main issue with members was the involvement in the researcher's partner being the donor or a friend. Members wondered if this would be a conflict of interest.
- A discrepancy as to how many sites; two and four are mentioned.
- The title did not relate to the actual design of the study.

The Chair invited Miss Brayley to join the meeting and thanked her for attending. A summary of the items discussed and the researcher's responses are given below.

- a. Members informed Miss Brayley that their main concern was that she is using her partner as a donor and asked if she had considered using a donor bank or at least somebody unconnected to her. Miss Brayley explained that her supervisor had suggested this way and a similar study had been carried out previously. She added that by using her partner the process would be simpler, quicker and meant that she would not have to visit a hospital. The committee asked if she had already mentioned this to her partner and if he has agreed to give consent, Miss Brayley said that he had agreed and she has two other friends as a back-up.
- b. Members asked Helen where the analysis and health screening for DNA will take place. Miss Brayley said the testing is done at the University, and after DNA storage she will check if it matches.
- c. Members asked why she has not considered an unconnected source, Miss Brayley said that she figured there would be more obstacles for her to overcome making her project take longer to complete.
- d. The committee asked Miss Brayley why she was carrying out the study as this had been done previously. Miss Brayley agreed that it had been done previously but findings were limited and the laundering and forensic testing had only been done on cotton, whereas she will be investigating other fabrics.
- e. Members asked for clarity as to the number of participants as 200 is stated in A59 of the IRAS form or 400 stated in A13, Miss Brayley said she was unsure at this stage as to how many are likely to respond.
- f. The committee asked if trafficking is considered a particular crime, Miss Brayley said that operations have deemed it trafficking. Members asked if she had a written statement on what forensic teams are doing. And if there was a demand for this study from the forensic team. Miss Brayley said that very little had been published academically, she added that forensic units are being closed down and no new research is proposed by them that she is aware of.
- g. Members asked what risk there was to her if she were to get a donor from a donor bank. Miss Brayley said there was a lack of people coming forward and a marked drop in sperm donors. Asked if there was a risk to her, Miss Brayley said not personally but to the time lines which could affect her project.

The members of the Committee present gave a favourable ethical opinion of the above research on the basis described in the application form, protocol and supporting documentation, subject to the conditions specified below.

### **Ethical review of research sites**

#### **NHS Sites**

The favourable opinion applies to all NHS sites taking part in the study, subject to management permission being obtained from the NHS/HSC R&D office prior to the start of the study (see “Conditions of the favourable opinion” below).

### **Conditions of the favourable opinion**

The favourable opinion is subject to the following conditions being met prior to the start of the study.

Management permission or approval must be obtained from each host organisation prior to the start of the study at the site concerned.

*Management permission (“R&D approval”) should be sought from all NHS organisations involved in the study in accordance with NHS research governance arrangements.*

Guidance on applying for NHS permission for research is available in the Integrated Research Application System or at <http://www.rdforum.nhs.uk>.

*Where a NHS organisation’s role in the study is limited to identifying and referring potential participants to research sites (“participant identification centre”), guidance should be sought from the R&D office on the information it requires to give permission for this activity.*

*For non-NHS sites, site management permission should be obtained in accordance with the procedures of the relevant host organisation.*

*Sponsors are not required to notify the Committee of approvals from host organisations*

**It is responsibility of the sponsor to ensure that all the conditions are complied with before the start of the study or its initiation at a particular site (as applicable).**

#### **Statement of compliance**

The Committee is constituted in accordance with the Governance Arrangements for Research Ethics Committees (July 2001) and complies fully with the Standard Operating Procedures for Research Ethics Committees in the UK.

With the Committee’s best wishes for the success of this project

Yours sincerely

**Dr John Keen  
Chair**

## A.2 Ethical approval letter: UCL sponsor



University College London Hospitals



NHS Foundation Trust

### Joint UCLH/UCL/Royal Free Biomedical Research (R&D) Unit

**Office Location:**

1<sup>st</sup> Floor Maple House, 149 Tottenham Court Road,  
London W1T 7DN

Ms Helen Brayley  
UCL JDI Centre for the Forensic Sciences  
JDI, 2nd Floor Brook House  
2-16 Torrington Place  
London  
WC1E 7HN

Dear Ms Brayley,

#### Sponsor's approval

Title: **To what extent can forensic intelligence aid the investigation and prosecution of Internal Child Sex Trafficking (ICST)?**  
Project ID: 11/0201  
REC Ref: **11/LO/0928**  
UKCRN ID: N/A

As sponsor, I am pleased to confirm that the necessary governance and sponsorship checks are satisfied. Thank you for providing the letter dated 05 July 2011 confirming a favourable/no objection Ethics opinion.

Sponsorship runs concurrently with that of the above stated ethics approval. UCL sponsorship is independent of Ethics and may be withdrawn at any time if the terms are not met.

#### Site approval.

You must get written site/local approval before you start your research at particular site/sites. In the case of each site forward the respective SSI and the Local approval letter to the sponsor.

Please read carefully the following terms and requirements of this approval and contact this office should you require further clarification.

### **During your study**

- Your research must be conducted in accordance with the Department of Health's Research Governance Framework for Health and Social Care (2nd edition 2005) and all members of the research team must be aware of their responsibilities under the Framework.
- Comply with the Data Protection Act, Caldicott Principles and Trust Information Governance Policy in addition to that of UCL and the site.
- Respond to, and maintain communication with, the sponsor throughout the duration of your study.
- Maintain an investigator file to store all study/trial documentation to be made available for sponsor monitoring and or audit.
- Notify this office, in writing, of any change in the research team, or suspension or premature closure of the study, substantial and non-substantial amendments. Copies of all letters to and from Ethics regarding this study must be sent to this office.
- Notify, in writing, the sponsor of serious adverse events, incidents and complaints.

### **At the end of your study**

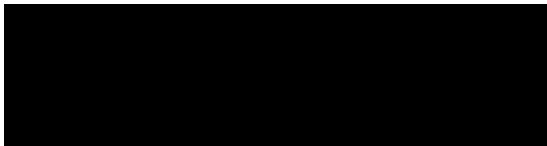
- Complete the end of study declaration at <http://www.nres.npsa.nhs.uk/applications/after-ethical-review/endofstudy/#endofstudyDefining> or NRES declaration of the end of a study form v1.0 and send it to [david.wilson@ucl.ac.uk](mailto:david.wilson@ucl.ac.uk)

You should send a lay summary (maximum 2 A4 sides) of the final research report to the sponsor at the end of the study. You may enclose this with the end of study declaration or send it to the sponsor subsequently [david.wilson@ucl.ac.uk](mailto:david.wilson@ucl.ac.uk)

There is no standard format for final reports. As a minimum, you should inform the main sponsor and the REC whether the study achieved its objectives, the main findings, and arrangements for publication or dissemination of the research, including any feedback to participants.

We wish you all the best for your research.

Yours sincerely,



Mr David Wilson

UCL sponsor representative  
UCL research co-ordinator  
Information and database Officer  
UCL/UCLH/Royal Free Biomedical Research Unit

### A.3 Semen donor information sheet

#### Study into Forensic Capabilities: Semen Staining on Clothing

(Student Research Project)

##### Semen Donor Participant Information Sheet

Please read carefully and retain for your information. Please return one copy of the consent form to the researcher before participating in any aspect of this study.

I would like to invite you to take part in my PhD research study. Before you decide I would like you to understand why the research is being done and what it would involve for you. **I will go through the information sheet with you and answer any questions you have.** This should take about 10 minutes. Please feel free to discuss this study with others before you agree to take part. Please ask if there is anything that is not clear.

##### What is the purpose of this study?

This study has been designed to gain a better understanding of forensic capabilities in cases of child sexual exploitation (CSE) in the UK.

Previously completed and ongoing police operations into CSE have shown relatively low levels of forensic evidence collection, particularly from the victims. This results in the victims having to testify in court which is not only traumatic but also brings up issues of credibility. Having more forensic evidence may reduce the pressure on victims and may help jurors understand the sequence of events that have occurred.

One area where more forensic evidence may be available relates to the girls clothing. It appears that during instances of abuse, many perpetrators do not wear condoms and ejaculate on the victims. The victims then go home, wearing the stained clothes, and often hide it away or wash it. These items are then not routinely collected during an



investigation as it believed that no evidence could be taken from them as the incidents are often not reported immediately to the police.

By testing semen stained clothing this study hopes to find patterns and time frames for which the semen, and DNA contained within it, can still be extracted and used as evidence.

#### Why have I been chosen?

You have been asked to take part as you are a healthy male who has recently been given a clear sexual health check and have no known problems with semen production or sperm mobility.

#### Do I have to take part?

Participation in this study is voluntary and you can choose to not take part. If you choose to take part and then later decide that you no longer want to continue, you can withdraw your participation at any point during the study without the need to provide any form of justification. If, however, you have already provided samples the collected samples will still be used, but no new samples will be collected once you have withdrawn.

#### What does participation involve?

Your role in this study will be to provide semen samples, deposited into a sample cup, for use in experiments. Each sample will be used the same day and in its entirety. No sample will be retained for longer than 24 hours and will only be used for the experiments associated with this study. At no point will the sample be shared, sold, or used for any other purpose.

The experiments will take the form of applying semen to various articles of clothing (mimicking the range of clothing young girls wear) and subjecting the items to various test conditions such as washing at different temperatures and with different washing

powders. A DNA profile will be developed from any spermatozoa remaining on the clothes in order to ascertain if viable DNA is still present. Your sole responsibility, however, will be to provide semen samples for use in this study.

#### How long does the study last?

This study is part of a PhD project that is funded from October 2010 until September 2013. This section of the project will last for approximately 6 months and will involve your participation for the duration of this time. You will be required to provide 2-3 samples per month for 6 months. A schedule will be drawn up between yourself and the researcher to ensure that it is convenient for you and you are free to withdraw at any point.

#### What if there is a problem?

Every care will be taken in the course of this study. However, in the unlikely event that you are injured by taking part, compensation may be available.

If you suspect that the injury is the result of the Sponsor's (University College London) negligence then you may be able to claim compensation. After discussing with your doctor, please make the claim in writing to Dr Ruth Morgan who is the Chief Investigator for the research and is based at JDI, 2<sup>nd</sup> Floor Brook House, 2-16 Torrington Place, London, WC1E 7HN. The Chief Investigator will then pass the claim to the Sponsor's Insurers, via the Sponsor's office. You may have to bear the costs of the legal action initially, and you should consult a lawyer about this.

Regardless of this, if you wish to complain, or have any concerns about any aspect of the way you have been approached or treated by members of staff or about any side effects (adverse events) you may have experienced due to your participation in the research, the normal National Health Service complaints mechanisms are available to you. Details can also be obtained from the Department of Health website: <http://www.dh.gov.uk>

Will my taking part be kept confidential?

Your participation in this study will be confidential and any identifying information will be stored in accordance with UCL regulations and in line with the Data Protection Act 1998. The results of the experiments will be made available in peer reviewed journals and as part of a wider PhD thesis but any mention of the semen donor will be anonymised so that it is not possible to identify you.

Who can I contact with questions about this study?

If you have any questions or wish to contact the researcher conducting this experiment you can do so in a number of ways.

You can contact the researcher directly via:

Telephone: 0203 108 3193

Email: [Helen.brayley.09@ucl.ac.uk](mailto:Helen.brayley.09@ucl.ac.uk)

Address: JDI, 2<sup>nd</sup> Floor, Brook House, 2-16 Torrington Place, London, WC1E 7HN.

If you wish to make a complaint about the study you can contact the academic supervisors directly:

Dr Ruth Morgan ([ruth.morgan@ucl.ac.uk](mailto:ruth.morgan@ucl.ac.uk))

Prof Richard Wortley ([R.wortley@ucl.ac.uk](mailto:R.wortley@ucl.ac.uk)).

Both supervisors are also located at JDI, 2<sup>nd</sup> Floor, Brook House, 2-16 Torrington Place, London, WC1E 7HN.

## **A.4 SIO interview participant information sheet**

### **Interview Participant Information Sheet**

Please read carefully and retain for your information. Please return one copy of the consent form to the researcher before participating in any aspect of this study.

I would like to invite you to take part in my PhD research study. Before you decide I would like you to understand why the research is being done and what it would involve for you. I will go through the information sheet with you and answer any questions you have. This should take about 10 minutes. Please feel free to discuss this study with others before you agree to take part. Please ask if there is anything that is not clear.

#### What is the purpose of this study?

This study has been designed to gain a better understanding of investigation strategies in cases of internal child sex trafficking (ICST), a form of child sexual exploitation (CSE) in the UK. In particular this study is interested in the more recent phenomenon of children aged around 11-16 years old who are sexually abused by groups of adults.

As part of my study it is important for me to know what is currently being done when investigating these specific crimes. This includes understanding policy, procedures and processes that are employed and who is responsible for these at the various stages of the investigation. By learning about previous operations from different areas around the country, I will be able to better comprehend the limitations and difficulties faced by police officers as well as see examples of best practice, all of which will be fed into the subsequent parts of my research. The overall aim is to be able to offer insight into current capabilities and to find a way to share this information with practitioners in a useful and accessible way.

### Why have I been chosen?

You have been asked to take part as you have previously been involved as a senior investigating officer (SIO) in an ICST case.

### Do I have to take part?

Participation in this study is voluntary and you can choose to not take part. If you choose to take part and then later decide that you no longer want to continue, you can withdraw your participation at any point during the study without the need to provide any form of justification.

### What does participation involve?

Your role in this study will be to provide information on the processes and procedures employed as part of the investigation, with a discussion on why these were chosen and whether a different approach would be taken in the future.

### How long does the study last?

This study is part of a PhD project that is funded from October 2010 until September 2013. This section of the project will last for approximately 6 months and will involve your participation for an initial one hour interview, with the potential for a second interview if more information is required. The interview times will be arranged at your convenience.

### What if there is a problem?

Every care will be taken in the course of this study. However, in the unlikely event that you are injured by taking part, compensation may be available.

If you suspect that the injury is the result of the Sponsor's (University College London) negligence then you may be able to claim compensation. After discussing with your doctor, please make the claim in writing to Dr Ruth Morgan who is the Chief Investigator for the research and is based at JDI, 2nd Floor Brook House, 2-16 Torrington Place, London, WC1E 7HN. The Chief Investigator will then pass the claim to the Sponsor's Insurers, via the Sponsor's office. You may have to bear the costs of the legal action initially, and you should consult a lawyer about this.

Regardless of this, if you wish to complain, or have any concerns about any aspect of the way you have been approached or treated by members of staff or about any side effects (adverse events) you may have experienced due to your participation in the research, the normal National Health Service complaints mechanisms are available to you. Details can also be obtained from the Department of Health website: <http://www.dh.gov.uk>

Will my taking part be kept confidential?

Your participation in this study will be confidential and any identifying information will be stored in accordance with UCL regulations and in line with the Data Protection Act 1998. The results of this research project will be made available in peer reviewed journals and as part of a wider PhD thesis but any information included will be anonymised so that it is not possible to identify you.

Who can I contact with questions about this study?

If you have any questions or wish to contact the researcher conducting this experiment you can do so in a number of ways.

You can contact the researcher directly via:

Telephone: 0203 108 3193

Email: [Helen.brayley.09@ucl.ac.uk](mailto:Helen.brayley.09@ucl.ac.uk)

Address: JDI, 2nd Floor, Brook House, 2-16 Torrington Place, London, WC1E 7HN.

If you wish to make a complaint about the study you can contact the academic supervisors directly:

Dr Ruth Morgan ([ruth.morgan@ucl.ac.uk](mailto:ruth.morgan@ucl.ac.uk))

Prof Richard Wortley ([R.wortley@ucl.ac.uk](mailto:R.wortley@ucl.ac.uk)).

Both supervisors are also located at JDI, 2nd Floor, Brook House, 2-16 Torrington Place, London, WC1E 7HN.

## **A5. Interview Topic Guide**

### Interview Topic Guide

This is an outline of some of the key questions to be asked during the interview sessions for police officers involved in previous ICST investigations. The interviews will only be semi-structured to allow the interviewee to talk about what they felt were the important forensic issues.

What caused the investigation to start? (NGO input, victim disclosure etc)

Was there a strategic plan from the start or did this evolve with the investigation?

How was the plan implemented? Who was responsible for this?

If you had a new investigation in this area what would you do differently?

What would you do the same?

Was any forensic evidence used?

Do you think this had any effect on the trial (asked for either evidence or no evidence)

## *Appendix B: DNA results*

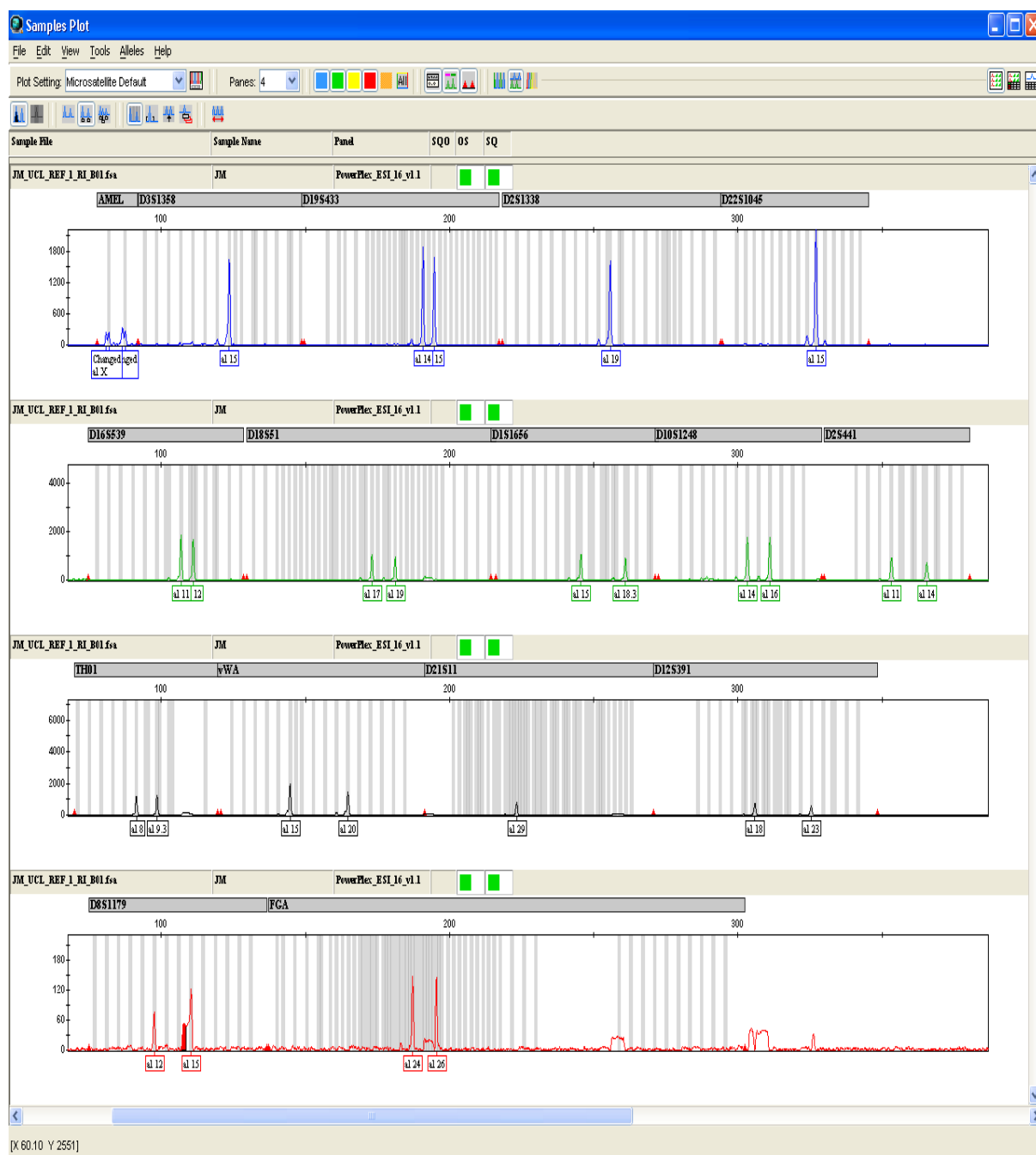
This section includes the following documents:

- Reference samples for donor 1 and 2 and investigator 1 and 2
- Results of the control samples
- Outputs from mixed samples
- Full tabulated results

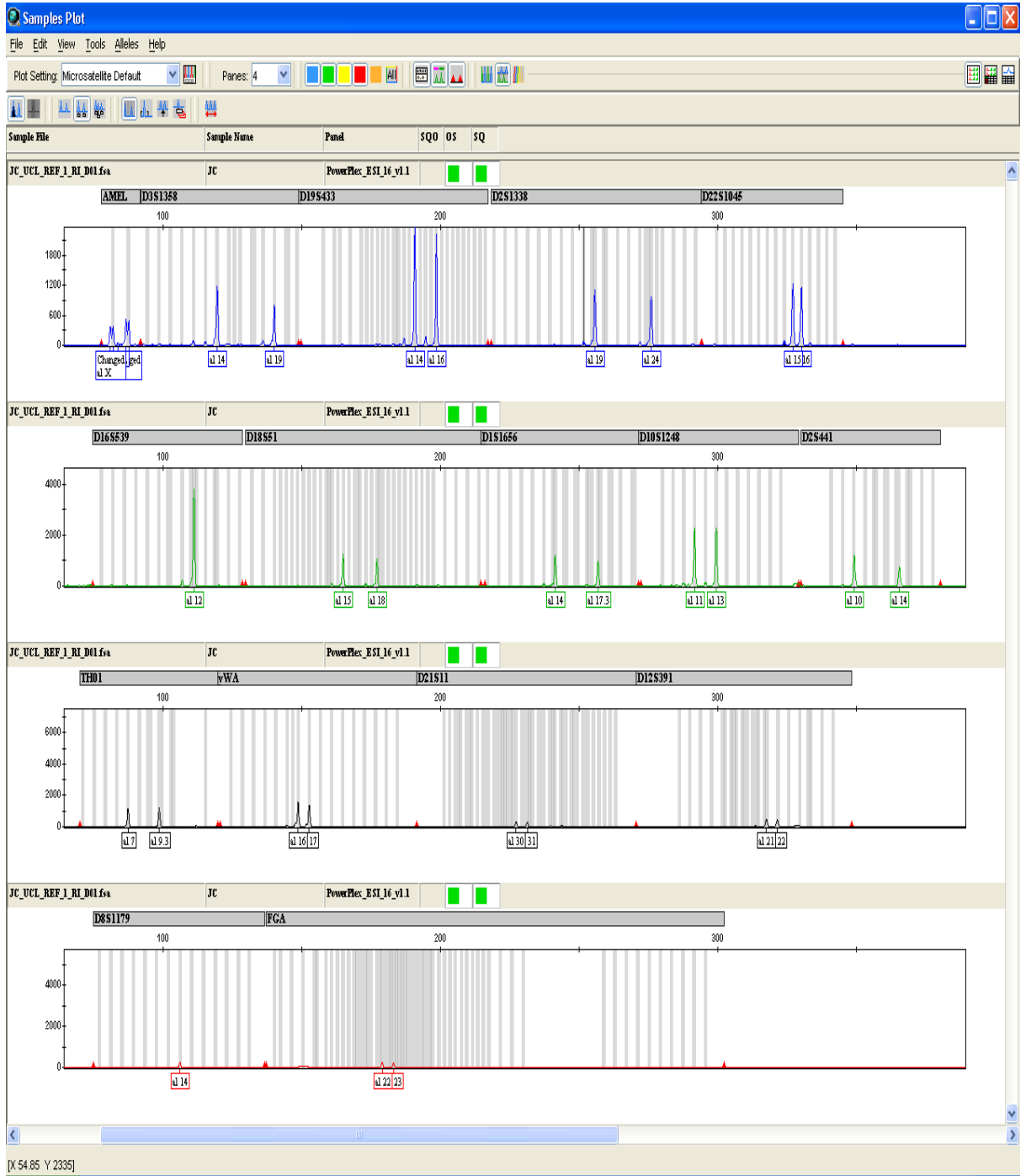


## C.1 Reference samples

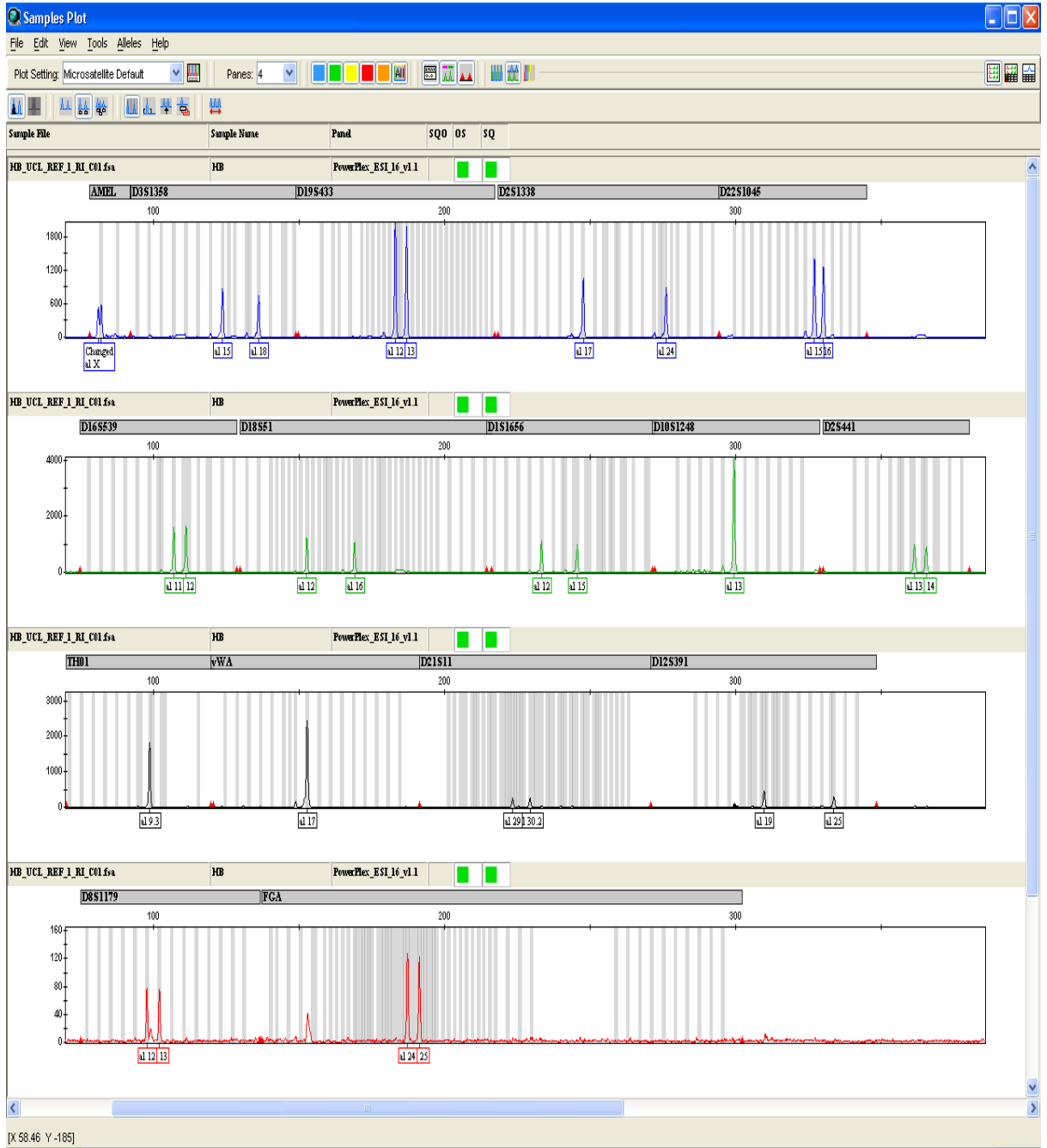
Donor 1:



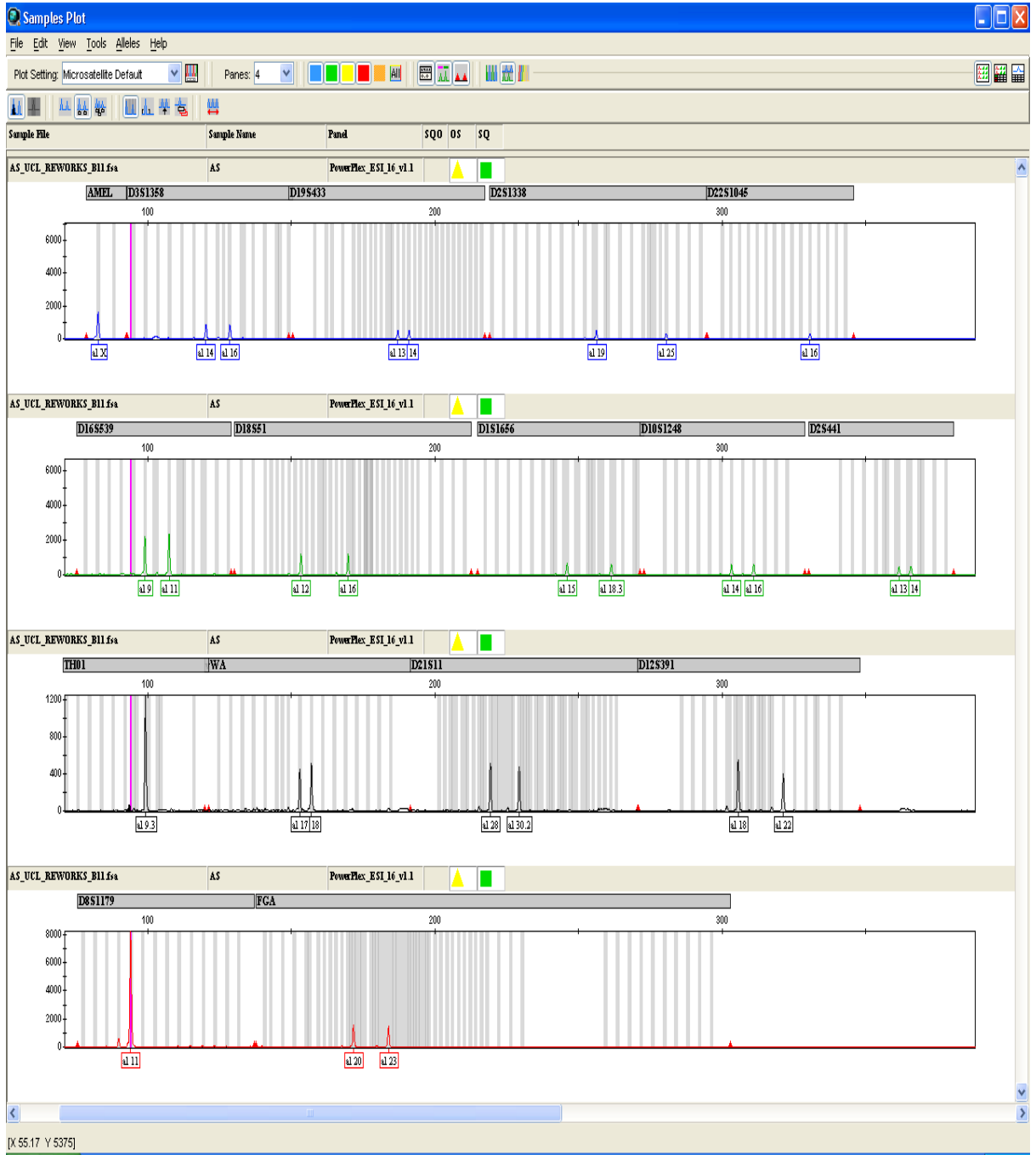
Donor 2:



Investigator 1:

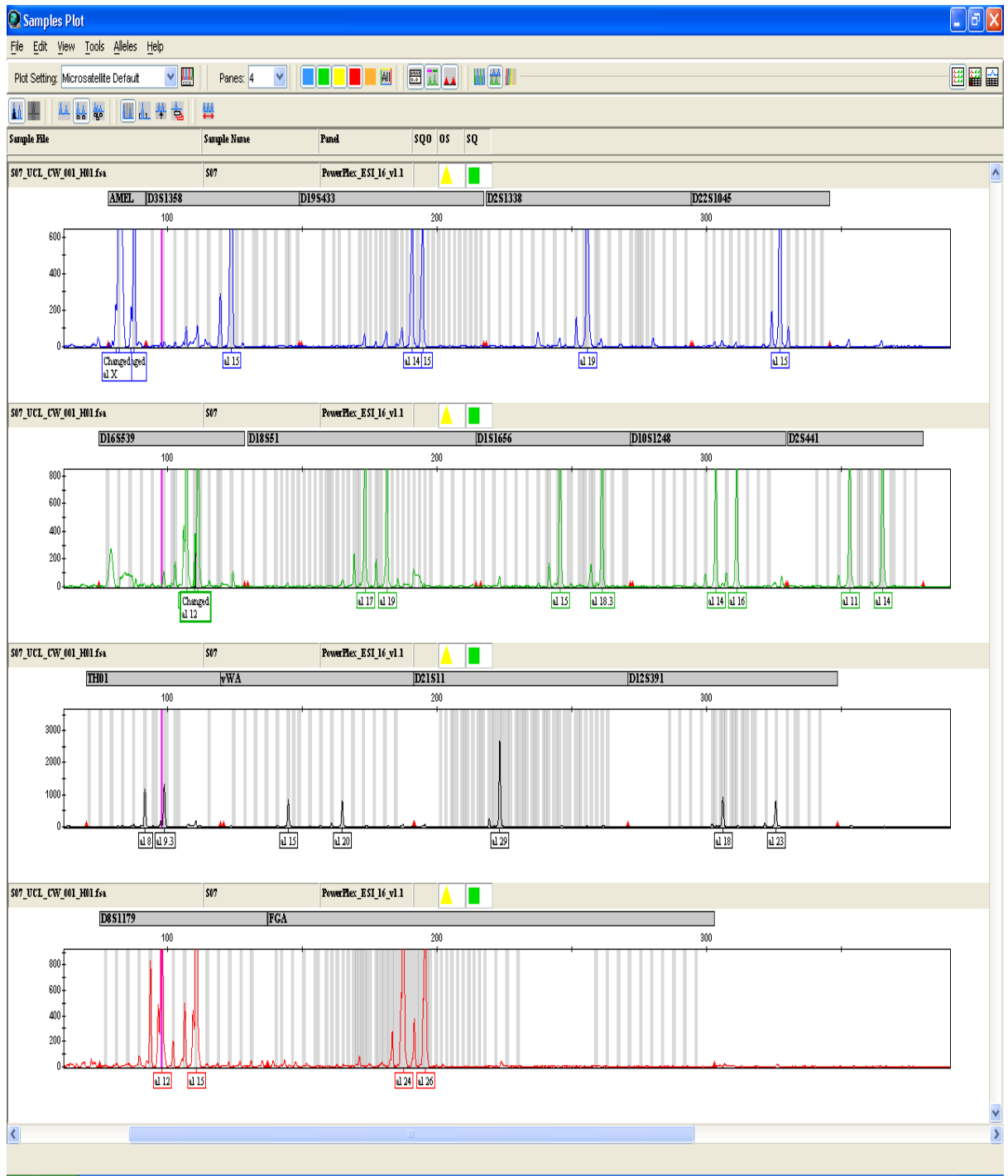


# Investigator 2:

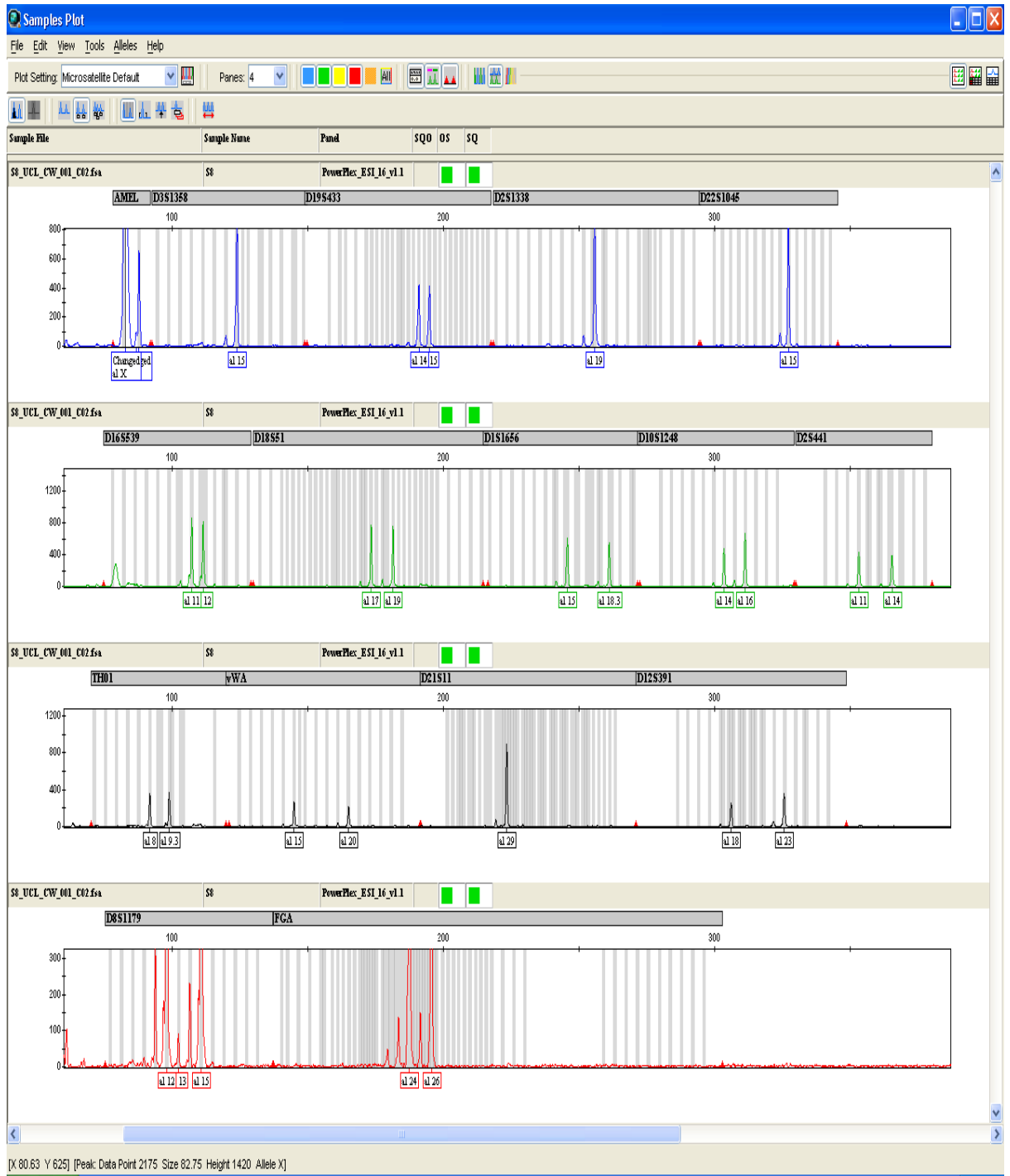


## C.2 Control samples

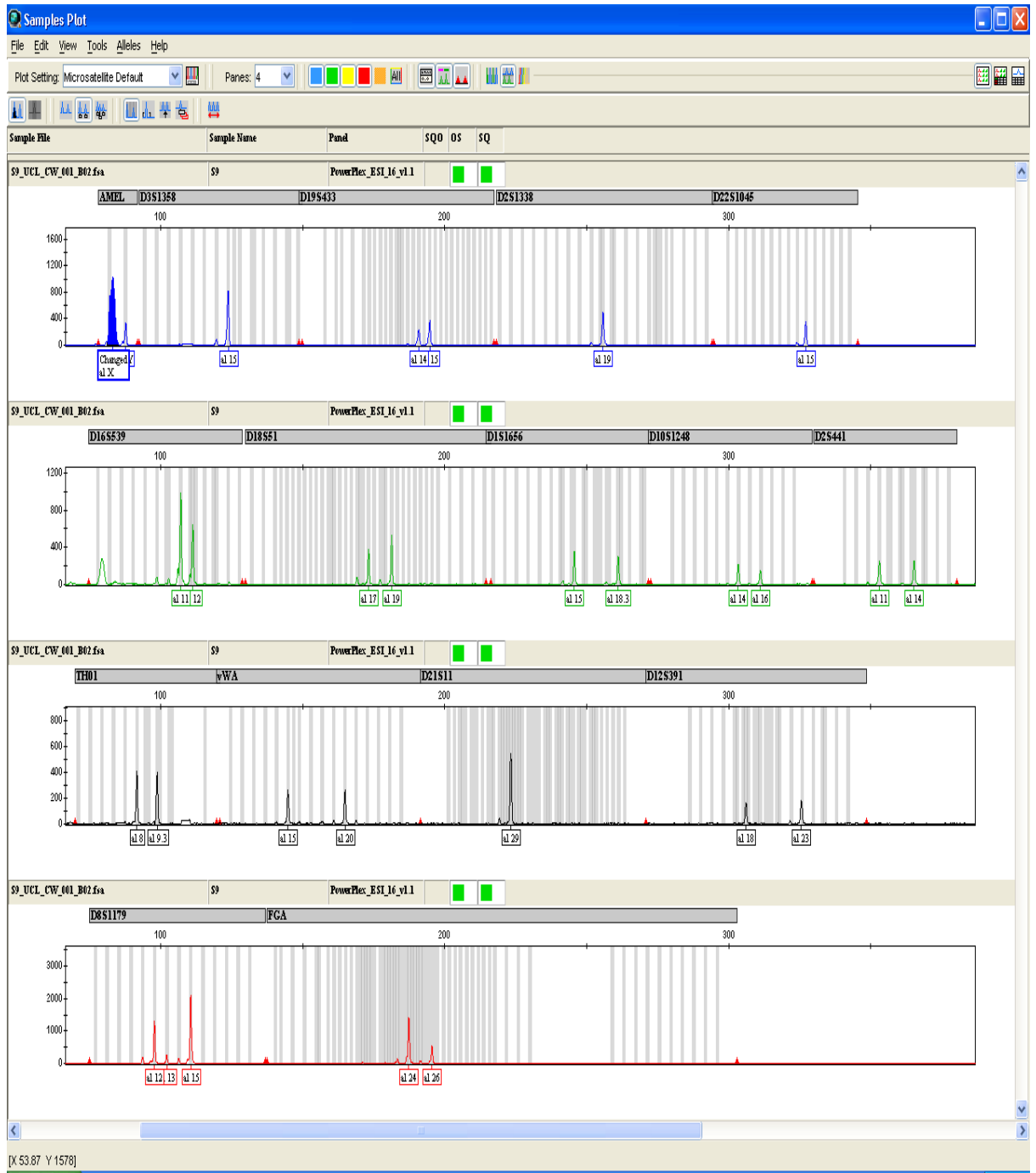
S7



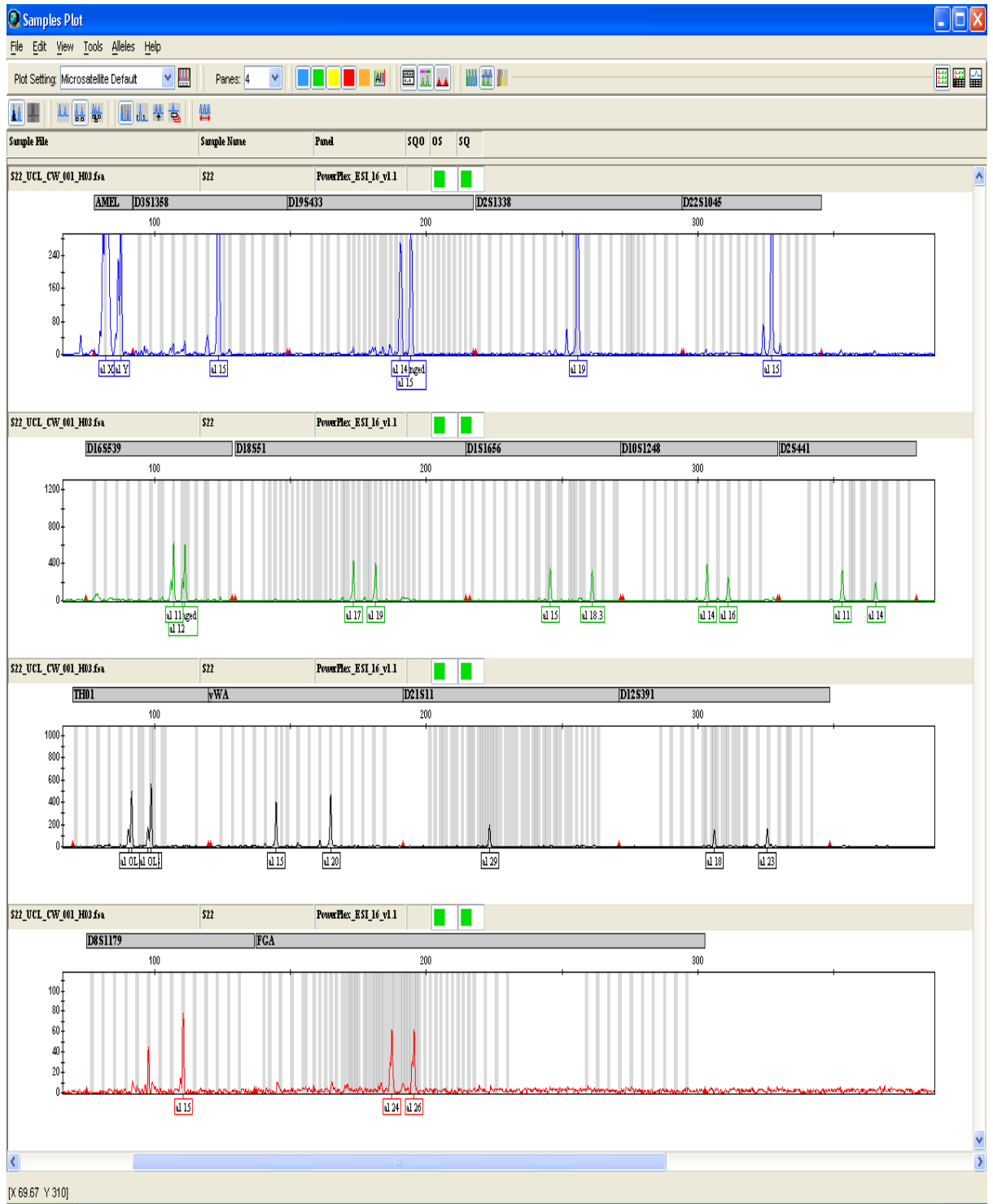
S8



S9

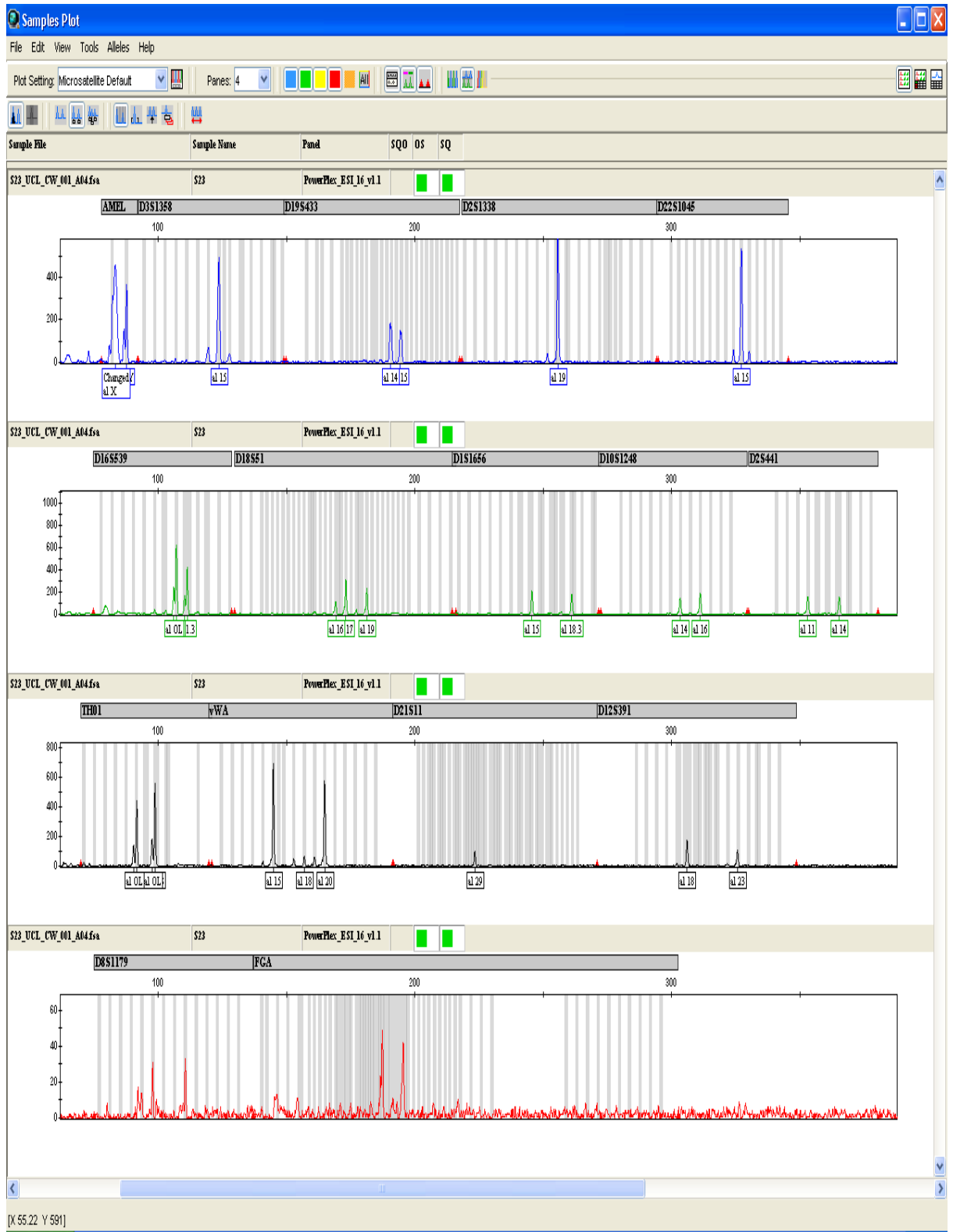


S22

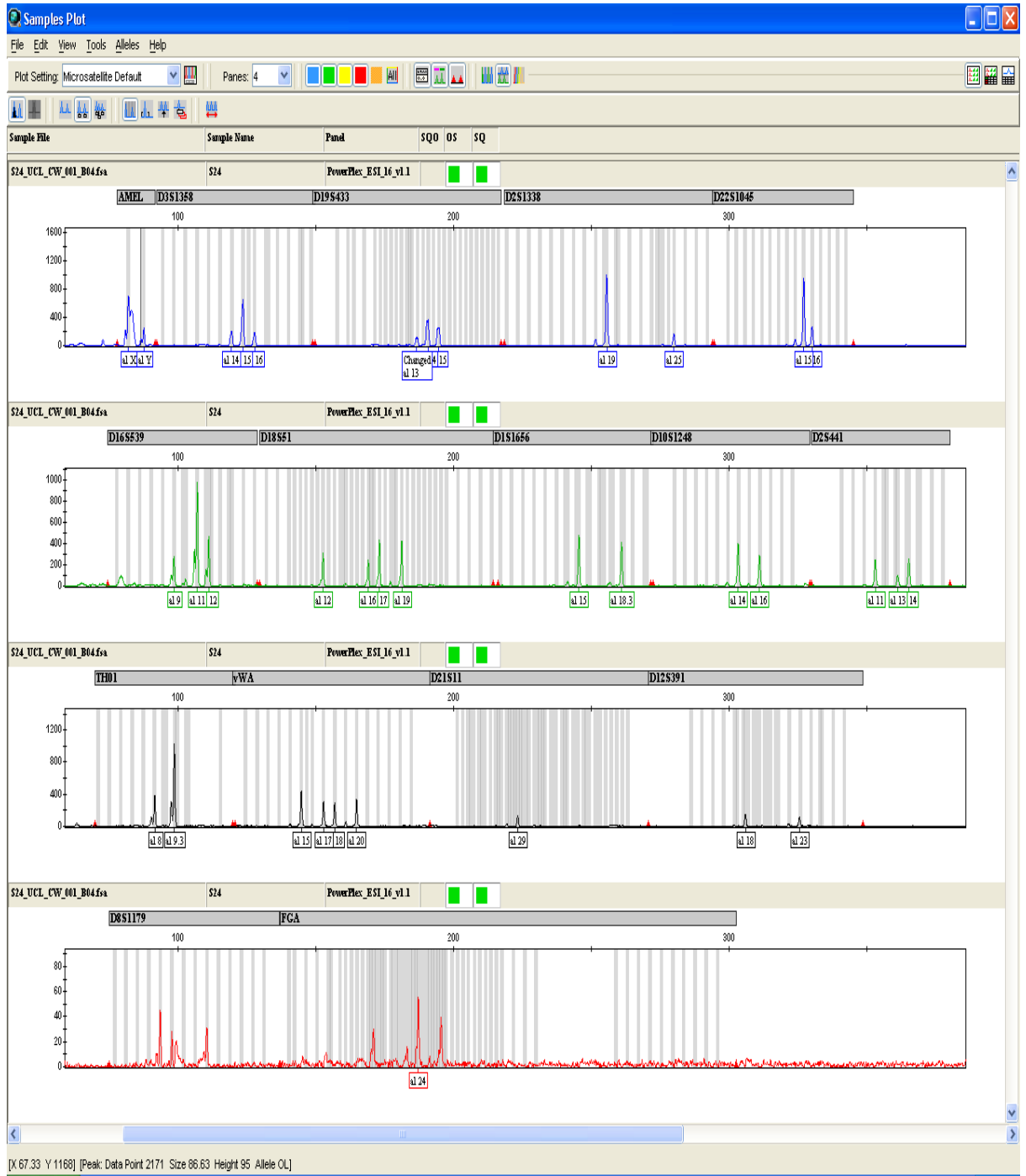




S23

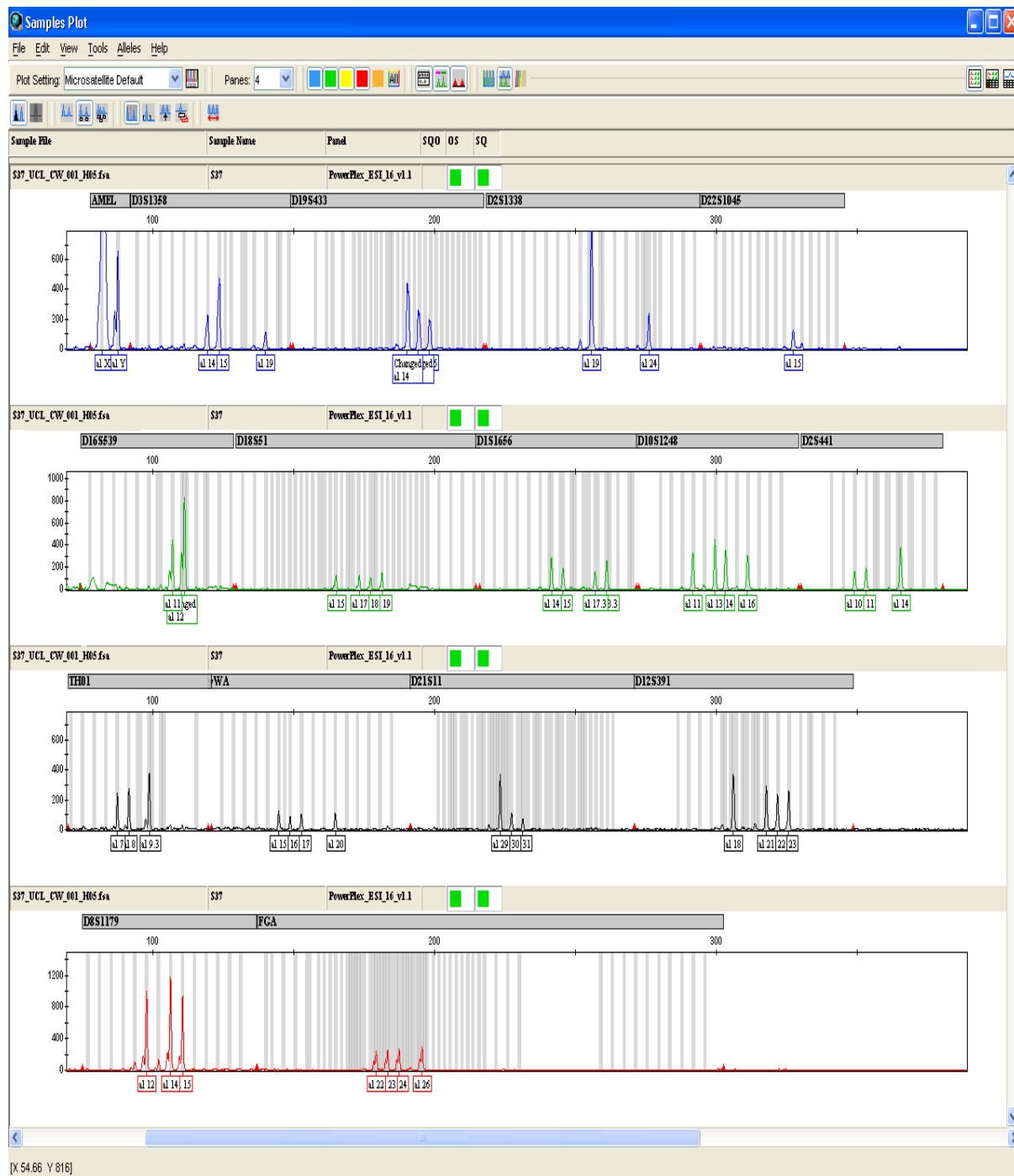


S24

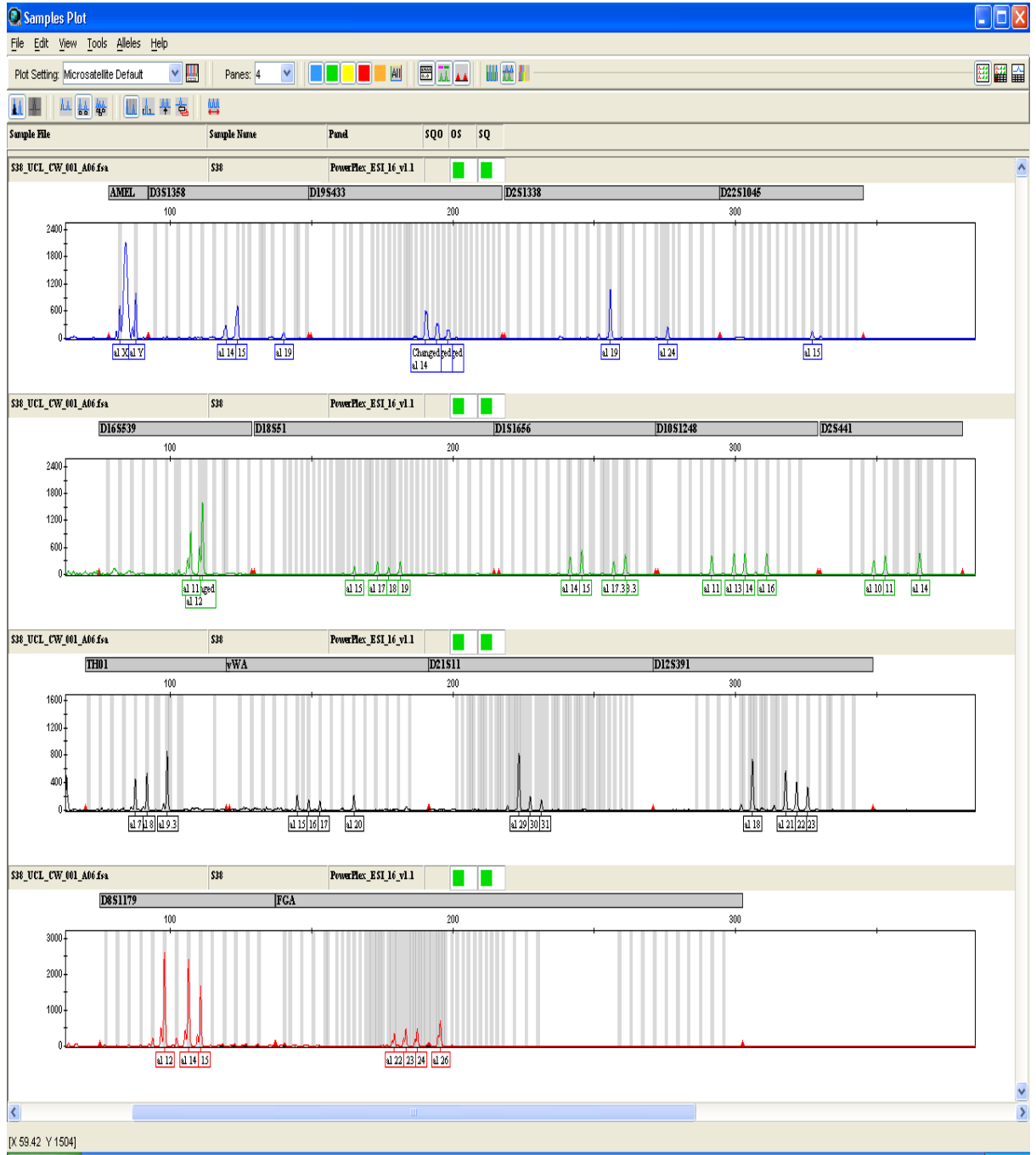


### C.3 Mixed sample outputs

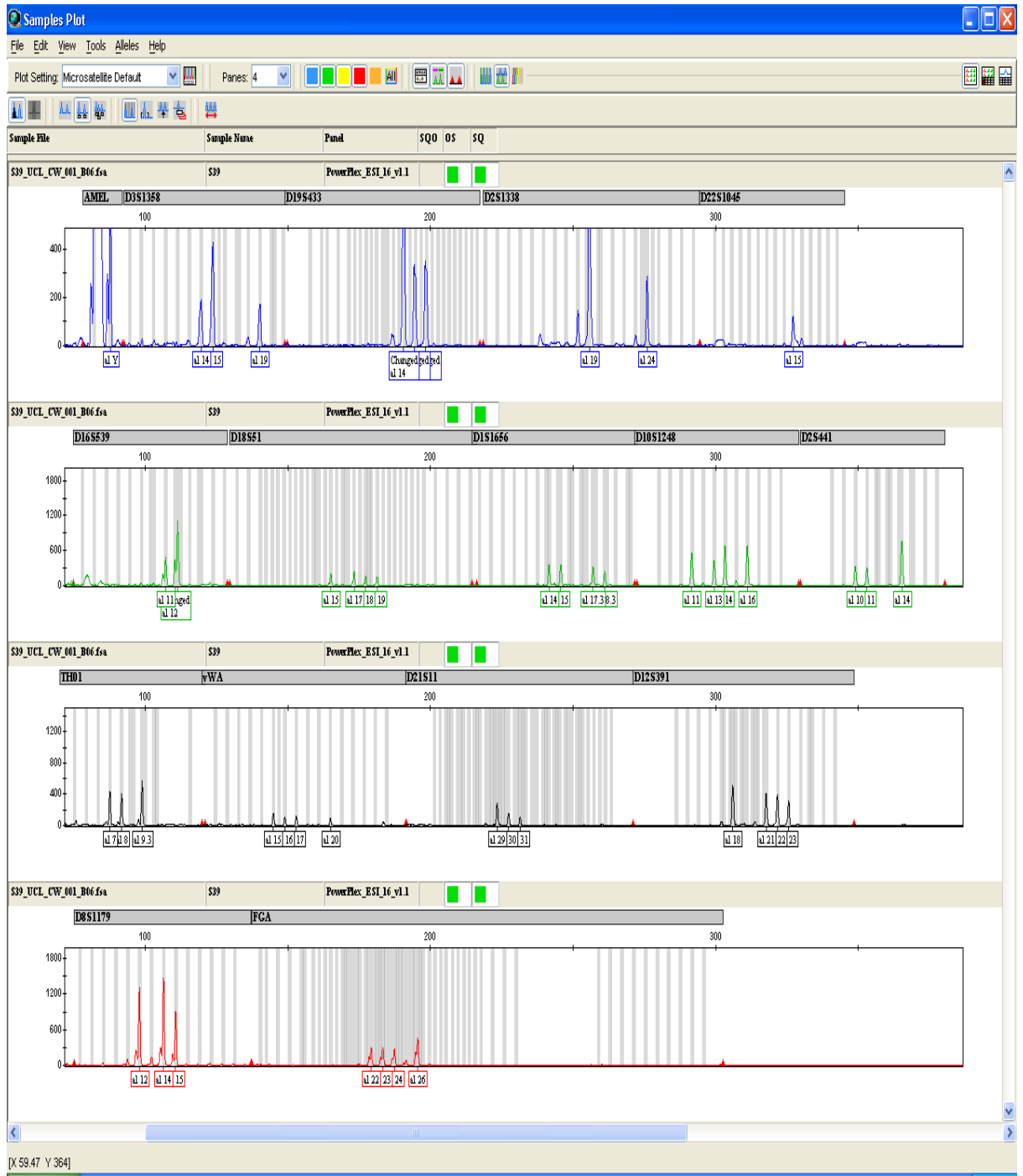
S37



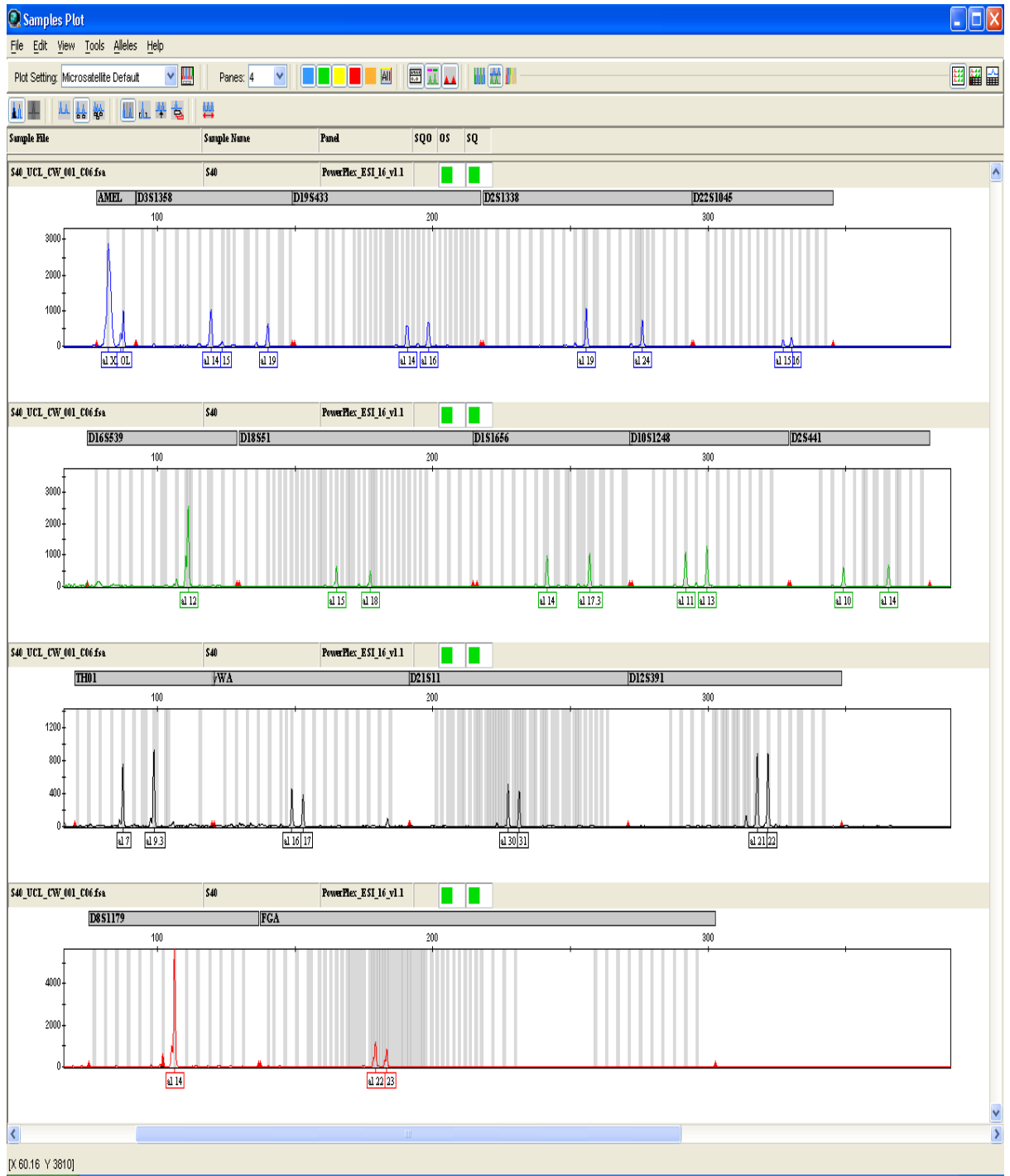
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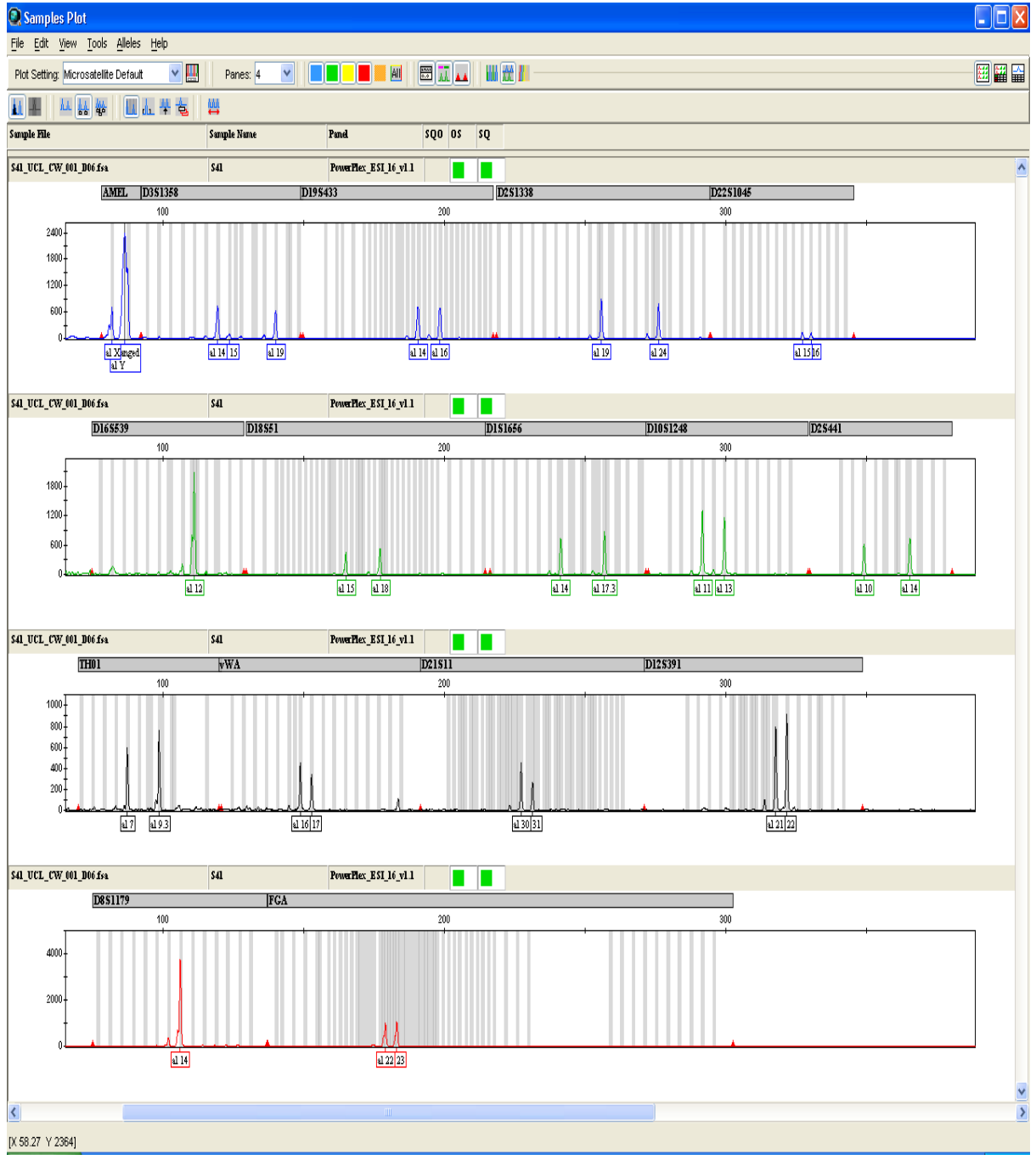
S39



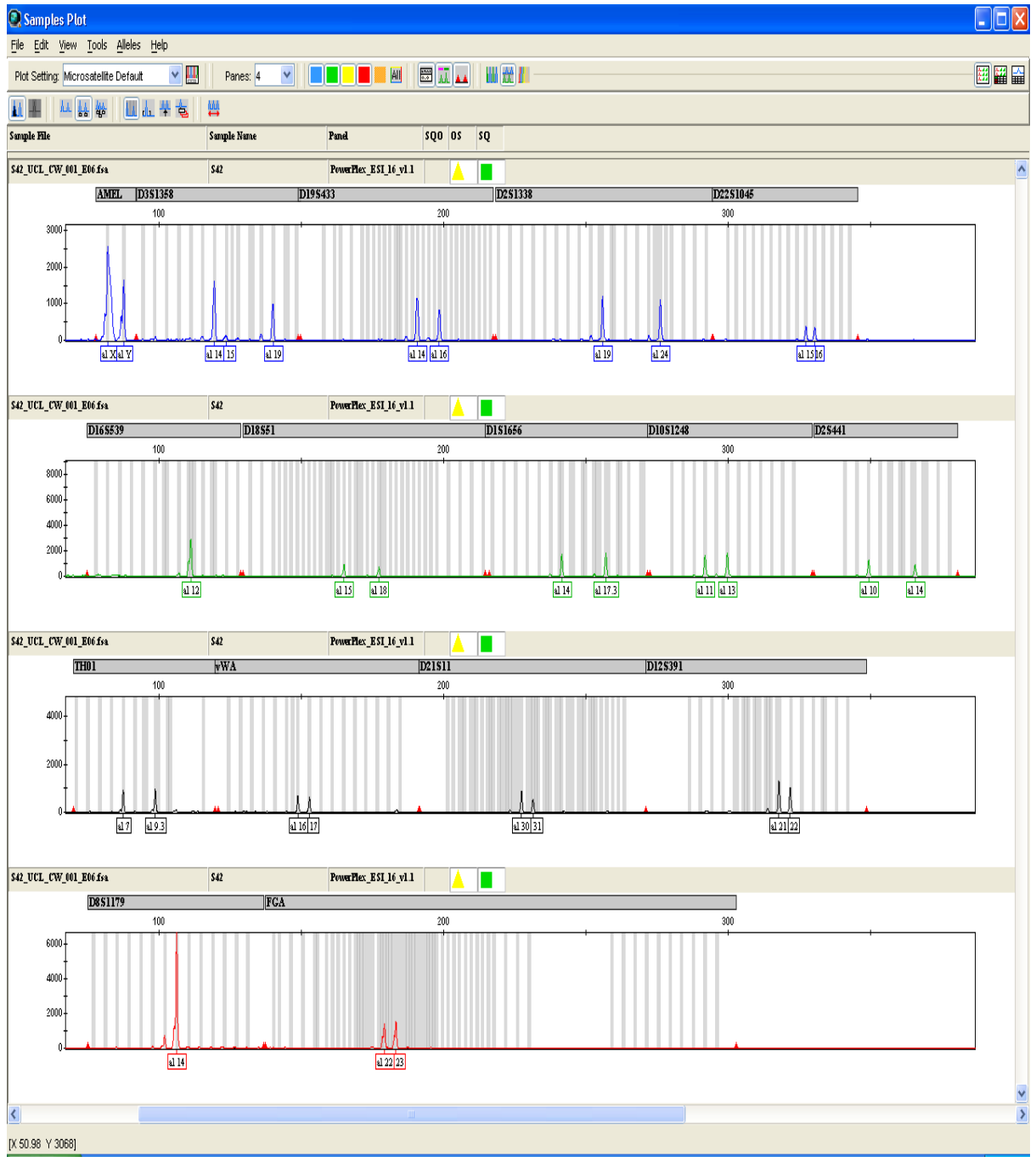
# S40



# S41



S42





#### C.4 Full tabulated results

Sample					
1	AMELO	D3S1358	D19S433	D2S1338	D22S1045
	X,Y	15,15	14,15	19,19	15,15
	D16S539	D18S51	D1S1656	D10S1248	D2S441
	11,12	17,19	15,18.3	14,16	11,14
	THO 1	VWA	D21S11	D12S391	
	8,9.3	15,20	29,29	18,23	
2	AMELO	D3S1358	D19S433	D2S1338	D22S1045
	X,Y	15,15	14,15	19,19	15,15
	D16S539	D18S51	D1S1656	D10S1248	D2S441
	11,12	17,19	15,18.3	14,16	11,14
	THO 1	VWA	D21S11	D12S391	
	8,9.3	15,20	29,29	18,23	
3	AMELO	D3S1358	D19S433	D2S1338	D22S1045
	X,Y	15,15	14,15	19,19	15,15
	D16S539	D18S51	D1S1656	D10S1248	D2S441
	11,12	17,19	15,18.3	14,16	11,14
	THO 1	VWA	D21S11	D12S391	
	8,9.3	15,20	29,29	18,23	
4	AMELO	D3S1358	D19S433	D2S1338	D22S1045
	X,Y	15,15	14,15	19,19	15,15
	D16S539	D18S51	D1S1656	D10S1248	D2S441
	11,12	17,19	15,18.3	14,16	11,14
	THO 1	VWA	D21S11	D12S391	
	8,9.3	15,20	29,29	18,23	

		<b>D16S539</b>	<b>D18S51</b>	<b>D1S1656</b>	<b>D10S1248</b>	<b>D2S441</b>
		11,12	17,19	15,18.3	14,16	11,14
		<b>THO 1</b>	<b>VWA</b>	<b>D21S11</b>	<b>D12S391</b>	
		8,9.3	15,20	29,29	18,23	
		<b>D8S1179</b>	<b>FGA</b>			
		12,15	24,26			
5		<b>AMELO</b>	<b>D3S1358</b>	<b>D19S433</b>	<b>D2S1338</b>	<b>D22S1045</b>
		X,Y	15,15	14,15	19,19	15,15
		<b>D16S539</b>	<b>D18S51</b>	<b>D1S1656</b>	<b>D10S1248</b>	<b>D2S441</b>
		11,12	17,19	15,18.3	14,16	11,14
		<b>THO 1</b>	<b>VWA</b>	<b>D21S11</b>	<b>D12S391</b>	
		8,9.3	15,20	29,29	18,23	
		<b>D8S1179</b>	<b>FGA</b>			
		12,15	24,26			
6		<b>AMELO</b>	<b>D3S1358</b>	<b>D19S433</b>	<b>D2S1338</b>	<b>D22S1045</b>
		X,Y	15,15	14,15	19,19	15,15
		<b>D16S539</b>	<b>D18S51</b>	<b>D1S1656</b>	<b>D10S1248</b>	<b>D2S441</b>
		11,12	17,19	15,18.3	14,16	11,14
		<b>THO 1</b>	<b>VWA</b>	<b>D21S11</b>	<b>D12S391</b>	
		8,9.3	15,20	29,29	18,23	
		<b>D8S1179</b>	<b>FGA</b>			
		12,15	24,26			
7		<b>AMELO</b>	<b>D3S1358</b>	<b>D19S433</b>	<b>D2S1338</b>	<b>D22S1045</b>
Minor			11,12	9.2,11.2		16
Major		X,Y	15	14,15	19	15
		<b>D16S539</b>	<b>D18S51</b>	<b>D1S1656</b>	<b>D10S1248</b>	<b>D2S441</b>
Minor			9	20		
Major		11,12	17,19	15,18.3	14,16	11,14
		<b>THO 1</b>	<b>VWA</b>	<b>D21S11</b>	<b>D12S391</b>	
Minor						
Major		8,9.3	15,20		29 18,23	

Minor	<b>D8S1179</b>	<b>FGA</b>			
		13			
Major	12,15	24,26			
8	<b>AMELO</b>	<b>D3S1358</b>	<b>D19S433</b>	<b>D2S1338</b>	<b>D22S1045</b>
	X,Y		15 14,15		19 15
Minor	<b>D16S539</b>	<b>D18S51</b>	<b>D1S1656</b>	<b>D10S1248</b>	<b>D2S441</b>
Major	11,12	17,19	15,18.3	14,16	11,14
Minor	<b>THO 1</b>	<b>VWA</b>	<b>D21S11</b>	<b>D12S391</b>	
Major	8,9.3	15,20		29 18,23	
Minor	<b>D8S1179</b>	<b>FGA</b>			
		13			
Major	12,15	24,26			
9	<b>AMELO</b>	<b>D3S1358</b>	<b>D19S433</b>	<b>D2S1338</b>	<b>D22S1045</b>
	X,Y		15 14,15		19 15
Minor	<b>D16S539</b>	<b>D18S51</b>	<b>D1S1656</b>	<b>D10S1248</b>	<b>D2S441</b>
Major	11,12	17,19	15,18.3	14,16	11,14
Minor	<b>THO 1</b>	<b>VWA</b>	<b>D21S11</b>	<b>D12S391</b>	
Major	8,9.3	15,20		29 18,23	
Minor	<b>D8S1179</b>	<b>FGA</b>			
		9			
Major	12,15	24,26			
10	<b>AMELO</b>	<b>D3S1358</b>	<b>D19S433</b>	<b>D2S1338</b>	<b>D22S1045</b>
	X,Y	15,15	14,15	19,19	15,15
Minor	<b>D16S539</b>	<b>D18S51</b>	<b>D1S1656</b>	<b>D10S1248</b>	<b>D2S441</b>
Major	11,12	17,19	15,18.3	14,16	11,14
Minor	<b>THO 1</b>	<b>VWA</b>	<b>D21S11</b>	<b>D12S391</b>	
Major	8,9.3	15,20	29,29	18,23	
Minor	<b>D8S1179</b>	<b>FGA</b>			
Major	12,15	24,26			
11	<b>AMELO</b>	<b>D3S1358</b>	<b>D19S433</b>	<b>D2S1338</b>	<b>D22S1045</b>
	X,Y	15,15	14,15	19,19	15,15
Minor	<b>D16S539</b>	<b>D18S51</b>	<b>D1S1656</b>	<b>D10S1248</b>	<b>D2S441</b>

	11,12	17,19	15,18.3	14,16	11,14
	<b>THO 1</b>	<b>VWA</b>	<b>D21S11</b>	<b>D12S391</b>	
	8,9.3	15,20	29,29	18,23	
	<b>D8S1179</b>	<b>FGA</b>			
	12,15	24,26			
12	<b>AMELO</b>	<b>D3S1358</b>	<b>D19S433</b>	<b>D2S1338</b>	<b>D22S1045</b>
	X,Y	15,15	14,15	19,19	15,15
	<b>D16S539</b>	<b>D18S51</b>	<b>D1S1656</b>	<b>D10S1248</b>	<b>D2S441</b>
	11,12	17,19	15,18.3	14,16	11,14
	<b>THO 1</b>	<b>VWA</b>	<b>D21S11</b>	<b>D12S391</b>	
	8,9.3	15,20	29,29	18,23	
	<b>D8S1179</b>	<b>FGA</b>			
	12,15	24,26			
13	<b>AMELO</b>	<b>D3S1358</b>	<b>D19S433</b>	<b>D2S1338</b>	<b>D22S1045</b>
	X,Y	15,15	14,15	19,19	15,15
	<b>D16S539</b>	<b>D18S51</b>	<b>D1S1656</b>	<b>D10S1248</b>	<b>D2S441</b>
	11,12	17,19	15,18.3	14,16	11,14
	<b>THO 1</b>	<b>VWA</b>	<b>D21S11</b>	<b>D12S391</b>	
	8,9.3	15,20	29,29	18,23	
	<b>D8S1179</b>	<b>FGA</b>			
	12,15	24,26			
14	<b>AMELO</b>	<b>D3S1358</b>	<b>D19S433</b>	<b>D2S1338</b>	<b>D22S1045</b>
	X,Y	15,15	14,15	19,19	15,15
	<b>D16S539</b>	<b>D18S51</b>	<b>D1S1656</b>	<b>D10S1248</b>	<b>D2S441</b>
	11,12	17,19	15,18.3	14,16	11,14
	<b>THO 1</b>	<b>VWA</b>	<b>D21S11</b>	<b>D12S391</b>	
	8,9.3	15,20	29,29	18,23	
	<b>D8S1179</b>	<b>FGA</b>			
	12,15	24,26			

15	AMELO	D3S1358	D19S433	D2S1338	D22S1045
	X,Y	15,15	14,15	19,19	15,15
	D16S539	D18S51	D1S1656	D10S1248	D2S441
	11,12	17,19	15,18.3	14,16	11,14
	THO 1	VWA	D21S11	D12S391	
	8,9.3	15,20	29,29	18,23	
D8S1179	FGA				
12,15	24,26				
16	AMELO	D3S1358	D19S433	D2S1338	D22S1045
	X,Y	15,15	14,15	19,19	15,15
	D16S539	D18S51	D1S1656	D10S1248	D2S441
	11,12	17,19	15,18.3	14,16	11,14
	THO 1	VWA	D21S11	D12S391	
	8,9.3	15,20	29,29	18,23	
D8S1179	FGA				
12,15	24,26				
17	AMELO	D3S1358	D19S433	D2S1338	D22S1045
	X,Y	15,15	14,15	19,19	15,15
	D16S539	D18S51	D1S1656	D10S1248	D2S441
	11,12	17,19	15,18.3	14,16	11,14
	THO 1	VWA	D21S11	D12S391	
	8,9.3	15,20	29,29	18,23	
D8S1179	FGA				
12,15	24,26				
18	AMELO	D3S1358	D19S433	D2S1338	D22S1045
	X,Y	15,15	14,15	19,19	15,15
	D16S539	D18S51	D1S1656	D10S1248	D2S441
	11,12	17,19	15,18.3	14,16	11,14

	<b>THO 1</b>	<b>VWA</b>	<b>D21S11</b>	<b>D12S391</b>	
	8,9,3	15,20	29,29	18,23	
	<b>D8S1179</b>	<b>FGA</b>			
	12,15	24,26			
19	<b>AMELO</b>	<b>D3S1358</b>	<b>D19S433</b>	<b>D2S1338</b>	<b>D22S1045</b>
	X,Y	15,15	14,15	19,19	15,15
	<b>D16S539</b>	<b>D18S51</b>	<b>D1S1656</b>	<b>D10S1248</b>	<b>D2S441</b>
	11,12	17,19	15,18.3	14,16	11,14
	<b>THO 1</b>	<b>VWA</b>	<b>D21S11</b>	<b>D12S391</b>	
	8,9,3	15,20	29,29	18,23	
	<b>D8S1179</b>	<b>FGA</b>			
	12,15	24,26			
20	<b>AMELO</b>	<b>D3S1358</b>	<b>D19S433</b>	<b>D2S1338</b>	<b>D22S1045</b>
	X,Y	15,15	14,15	19,19	15,15
	<b>D16S539</b>	<b>D18S51</b>	<b>D1S1656</b>	<b>D10S1248</b>	<b>D2S441</b>
	11,12	17,19	15,18.3	14,16	11,14
	<b>THO 1</b>	<b>VWA</b>	<b>D21S11</b>	<b>D12S391</b>	
	8,9,3	15,20	29,29	18,23	
	<b>D8S1179</b>	<b>FGA</b>			
	12,15	24,26			
21	<b>AMELO</b>	<b>D3S1358</b>	<b>D19S433</b>	<b>D2S1338</b>	<b>D22S1045</b>
	X,Y	15,15	14,15	19,19	15,15
	<b>D16S539</b>	<b>D18S51</b>	<b>D1S1656</b>	<b>D10S1248</b>	<b>D2S441</b>
	11,12	17,19	15,18.3	14,16	11,14
	<b>THO 1</b>	<b>VWA</b>	<b>D21S11</b>	<b>D12S391</b>	
	8,9,3	15,20	29,29	18,23	
	<b>D8S1179</b>	<b>FGA</b>			
	12,15	24,26			
22	<b>AMELO</b>	<b>D3S1358</b>	<b>D19S433</b>	<b>D2S1338</b>	<b>D22S1045</b>

Minor									
Major	X,Y		15	14,15			19		15
	D16S539	D18S51		D1S1656		D10S1248			D2S441
Minor									
Major	11,12	17,19		15,18.3		14,16			11,14
	THO 1	VWA		D21S11		D12S391			
Minor									
Major	8,9.3	15,20				29	18,23		
	D8S1179	FGA							
Minor									
Major	12,15	24,26							
23	AMELO	D3S1358		D19S433		D2S1338			D22S1045
Minor									
Major	X,Y		15	14,15			19		15
	D16S539	D18S51		D1S1656		D10S1248			D2S441
Minor			16						
Major	11,12	17,19		15,18.3		14,16			11,14
	THO 1	VWA		D21S11		D12S391			
Minor		17,18							
Major	8,9.3	15,20				29	18,23		
	D8S1179	FGA							
Minor									
Major	12,15 (low)	24,26 (low)							
24	AMELO	D3S1358		D19S433		D2S1338			D22S1045
Minor		14,16				13		25	16
Major	X,Y		15	14,15			19		15
	D16S539	D18S51		D1S1656		D10S1248			D2S441
Minor		9							13
Major	11,12	12,16,17,19		15,18.3		14,16			11,14
	THO 1	VWA		D21S11		D12S391			
Minor									
Major	8,9.3	15,17,18,20				29	18,23		
	D8S1179	FGA							
Minor									
Major	11,12,15	20,24,26							
25	AMELO	D3S1358		D19S433		D2S1338			D22S1045
	X,Y	15,15		14,15		19,19			15,15
	D16S539	D18S51		D1S1656		D10S1248			D2S441
	11,12	17,19		15,18.3		14,16			11,14
	THO 1	VWA		D21S11		D12S391			
	8,9.3	15,20		29,29		18,23			

	<b>D8S1179</b>	<b>FGA</b>			
	12,15	24,26			
26	<b>AMELO</b>	<b>D3S1358</b>	<b>D19S433</b>	<b>D2S1338</b>	<b>D22S1045</b>
	X,Y	15,15	14,15	19,19	15,15
	<b>D16S539</b>	<b>D18S51</b>	<b>D1S1656</b>	<b>D10S1248</b>	<b>D2S441</b>
	11,12	17,19	15,18.3	14,16	11,14
	<b>THO 1</b>	<b>VWA</b>	<b>D21S11</b>	<b>D12S391</b>	
8,9.3	15,20	29,29	18,23		
	<b>D8S1179</b>	<b>FGA</b>			
	12,15	24,26			
27	<b>AMELO</b>	<b>D3S1358</b>	<b>D19S433</b>	<b>D2S1338</b>	<b>D22S1045</b>
	X,Y	15,15	14,15	19,19	15,15
	<b>D16S539</b>	<b>D18S51</b>	<b>D1S1656</b>	<b>D10S1248</b>	<b>D2S441</b>
	11,12	17,19	15,18.3	14,16	11,14
	<b>THO 1</b>	<b>VWA</b>	<b>D21S11</b>	<b>D12S391</b>	
8,9.3	15,20	29,29	18,23		
	<b>D8S1179</b>	<b>FGA</b>			
	12,15	24,26			
28	<b>AMELO</b>	<b>D3S1358</b>	<b>D19S433</b>	<b>D2S1338</b>	<b>D22S1045</b>
	X,Y	15,15	14,15	19,19	15,15
	<b>D16S539</b>	<b>D18S51</b>	<b>D1S1656</b>	<b>D10S1248</b>	<b>D2S441</b>
	11,12	17,19	15,18.3	14,16	11,14
	<b>THO 1</b>	<b>VWA</b>	<b>D21S11</b>	<b>D12S391</b>	
8,9.3	15,20	29,29	18,23		
	<b>D8S1179</b>	<b>FGA</b>			
	12,15	24,26			
29	<b>AMELO</b>	<b>D3S1358</b>	<b>D19S433</b>	<b>D2S1338</b>	<b>D22S1045</b>
	X,Y	15,15	14,15	19,19	15,15



	<b>D16S539</b>	<b>D18S51</b>	<b>D1S1656</b>	<b>D10S1248</b>	<b>D2S441</b>
	11,12	17,19	15,18.3	14,16	11,14
	<b>THO 1</b>	<b>VWA</b>	<b>D21S11</b>	<b>D12S391</b>	
	8,9.3	15,20	29,29	18,23	
	<b>D8S1179</b>	<b>FGA</b>			
	12,15	24,26			
30	<b>AMELO</b>	<b>D3S1358</b>	<b>D19S433</b>	<b>D2S1338</b>	<b>D22S1045</b>
	X,Y	15,15	14,15	19,19	15,15
	<b>D16S539</b>	<b>D18S51</b>	<b>D1S1656</b>	<b>D10S1248</b>	<b>D2S441</b>
	11,12	17,19	15,18.3	14,16	11,14
	<b>THO 1</b>	<b>VWA</b>	<b>D21S11</b>	<b>D12S391</b>	
	8,9.3	15,20	29,29	18,23	
	<b>D8S1179</b>	<b>FGA</b>			
	12,15	24,26			
31	<b>AMELO</b>	<b>D3S1358</b>	<b>D19S433</b>	<b>D2S1338</b>	<b>D22S1045</b>
	X,Y	15,15	14,15	19,19	15,15
	<b>D16S539</b>	<b>D18S51</b>	<b>D1S1656</b>	<b>D10S1248</b>	<b>D2S441</b>
	11,12	17,19	15,18.3	14,16	11,14
	<b>THO 1</b>	<b>VWA</b>	<b>D21S11</b>	<b>D12S391</b>	
	8,9.3	15,20	29,29	18,23	
	<b>D8S1179</b>	<b>FGA</b>			
	12,15	24,26			
32	<b>AMELO</b>	<b>D3S1358</b>	<b>D19S433</b>	<b>D2S1338</b>	<b>D22S1045</b>
	X,Y	15,15	14,15	19,19	15,15
	<b>D16S539</b>	<b>D18S51</b>	<b>D1S1656</b>	<b>D10S1248</b>	<b>D2S441</b>
	11,12	17,19	15,18.3	14,16	11,14
	<b>THO 1</b>	<b>VWA</b>	<b>D21S11</b>	<b>D12S391</b>	
	8,9.3	15,20	29,29	18,23	
	<b>D8S1179</b>	<b>FGA</b>			

	12,15	24,26			
33	<b>AMELO</b>	<b>D3S1358</b>	<b>D19S433</b>	<b>D2S1338</b>	<b>D22S1045</b>
	X,Y	15,15	14,15	19,19	15,15
	<b>D16S539</b>	<b>D18S51</b>	<b>D1S1656</b>	<b>D10S1248</b>	<b>D2S441</b>
	11,12	17,19	15,18.3	14,16	11,14
	<b>THO 1</b>	<b>VWA</b>	<b>D21S11</b>	<b>D12S391</b>	
	8,9.3	15,20	29,29	18,23	
<b>D8S1179</b>	<b>FGA</b>				
	12,15	24,26			
34	<b>AMELO</b>	<b>D3S1358</b>	<b>D19S433</b>	<b>D2S1338</b>	<b>D22S1045</b>
	X,Y	15,15	14,15	19,19	15,15
	<b>D16S539</b>	<b>D18S51</b>	<b>D1S1656</b>	<b>D10S1248</b>	<b>D2S441</b>
	11,12	17,19	15,18.3	14,16	11,14
	<b>THO 1</b>	<b>VWA</b>	<b>D21S11</b>	<b>D12S391</b>	
	8,9.3	15,20	29,29	18,23	
<b>D8S1179</b>	<b>FGA</b>				
	12,15	24,26			
35	<b>AMELO</b>	<b>D3S1358</b>	<b>D19S433</b>	<b>D2S1338</b>	<b>D22S1045</b>
	X,Y	15,15	14,15	19,19	15,15
	<b>D16S539</b>	<b>D18S51</b>	<b>D1S1656</b>	<b>D10S1248</b>	<b>D2S441</b>
	11,12	17,19	15,18.3	14,16	11,14
	<b>THO 1</b>	<b>VWA</b>	<b>D21S11</b>	<b>D12S391</b>	
	8,9.3	15,20	29,29	18,23	
<b>D8S1179</b>	<b>FGA</b>				
	12,15	24,26			
36	<b>AMELO</b>	<b>D3S1358</b>	<b>D19S433</b>	<b>D2S1338</b>	<b>D22S1045</b>
	X,Y	15,15	14,15	19,19	15,15
	<b>D16S539</b>	<b>D18S51</b>	<b>D1S1656</b>	<b>D10S1248</b>	<b>D2S441</b>
	11,12	17,19	15,18.3	14,16	11,14

		<b>THO 1</b>	<b>VWA</b>	<b>D21S11</b>	<b>D12S391</b>	
		8,9,3	15,20	29,29	18,23	
		<b>D8S1179</b>	<b>FGA</b>			
		12,15	24,26			
37	<b>Minor</b>	<b>AMELO</b>	<b>D3S1358</b>	<b>D19S433</b>	<b>D2S1338</b>	<b>D22S1045</b>
						16
	<b>Major</b>	X,Y	14,15,19	14,15,16	19,24	15
		<b>D16S539</b>	<b>D18S51</b>	<b>D1S1656</b>	<b>D10S1248</b>	<b>D2S441</b>
	<b>Minor</b>					
	<b>Major</b>	11,12	15,17,18,19	14,15,17.3,18.3	11,13,14,16	10,11,14
		<b>THO 1</b>	<b>VWA</b>	<b>D21S11</b>	<b>D12S391</b>	
	<b>Minor</b>					
	<b>Major</b>	7,8,9.3	15,16,17,20	29,30,31	18,21,22,23	
		<b>D8S1179</b>	<b>FGA</b>			
	<b>Minor</b>					
	<b>Major</b>	12,14,15	22,23,24,26			
38	<b>Minor</b>	<b>AMELO</b>	<b>D3S1358</b>	<b>D19S433</b>	<b>D2S1338</b>	<b>D22S1045</b>
						16
	<b>Major</b>	X,Y	14,15,19	14,15,16	19,24	15
		<b>D16S539</b>	<b>D18S51</b>	<b>D1S1656</b>	<b>D10S1248</b>	<b>D2S441</b>
	<b>Minor</b>					
	<b>Major</b>	11,12	15,17,18,19	14,15,17.3,18.3	11,13,14,16	10,11,14
		<b>THO 1</b>	<b>VWA</b>	<b>D21S11</b>	<b>D12S391</b>	
	<b>Minor</b>					
	<b>Major</b>	7,8,9.3	15,16,17,20	29,30,31	18,21,22,23	
		<b>D8S1179</b>	<b>FGA</b>			
	<b>Minor</b>					
	<b>Major</b>	12,14,15	22,23,24,26			
39	<b>Minor</b>	<b>AMELO</b>	<b>D3S1358</b>	<b>D19S433</b>	<b>D2S1338</b>	<b>D22S1045</b>
						16
	<b>Major</b>	X,Y	14,15,19	14,15,16	19,24	15
		<b>D16S539</b>	<b>D18S51</b>	<b>D1S1656</b>	<b>D10S1248</b>	<b>D2S441</b>
	<b>Minor</b>					
	<b>Major</b>	11,12	15,17,18,19	14,15,17.3,18.3	11,13,14,16	10,11,14
		<b>THO 1</b>	<b>VWA</b>	<b>D21S11</b>	<b>D12S391</b>	
	<b>Minor</b>					
	<b>Major</b>	7,8,9.3	15,16,17,20	29,30,31	18,21,22,23	
		<b>D8S1179</b>	<b>FGA</b>			
	<b>Minor</b>					
	<b>Major</b>	12,14,15	22,23,24,26			

40	AMELO	D3S1358	D19S433	D2S1338	D22S1045
Minor			15		
Major	X,Y	14,19	14,16	19,24	15,16
	D16S539	D18S51	D1S1656	D10S1248	D2S441
Minor					
Major	12	15,18	14,17.3	11,13	10,14
	THO 1	VWA	D21S11	D12S391	
Minor					
Major	7,9.3	16,17	30,31	21,22	
	D8S1179	FGA			
Minor					
Major	14	22,23			
41	AMELO	D3S1358	D19S433	D2S1338	D22S1045
Minor			15		
Major	X,Y	14,19	14,16	19,24	15,16
	D16S539	D18S51	D1S1656	D10S1248	D2S441
Minor					
Major	12	15,18	14,17.3	11,13	10,14
	THO 1	VWA	D21S11	D12S391	
Minor					
Major	7,9.3	16,17	30,31	21,22	
	D8S1179	FGA			
Minor					
Major	14	22,23			
42	AMELO	D3S1358	D19S433	D2S1338	D22S1045
Minor			15		
Major	X,Y	14,19	14,16	19,24	15,16
	D16S539	D18S51	D1S1656	D10S1248	D2S441
Minor				18.3	
Major	12	15,18	14,17.3	11,13	10,14
	THO 1	VWA	D21S11	D12S391	
Minor					
Major	7,9.3	16,17	30,31	21,22	
	D8S1179	FGA			
Minor					
Major	14	22,23			

### Appendix D: Case by case framework results

This section includes a score for each of the eight parameters highlighted in chapter seven for all category one cases.

#### Case 1A:

	Parameter	Score	Explanation of Grading
Case 1A	Hierarchy	4	Many of the members within the group were seen as roughly equal to one another, similar to a horizontal hierarchy, two members of the group were seen as leader-type figures. They were responsible for making key decisions and were frequently the first to abuse the victims.
	Recruitment	3	There was no active recruitment but a small number of existing members brought in new individuals who were then accepted as part of the offending group.
	Personal Growth and Promotion	3	There was no direct form of promotion but a large part of being a member of the group revolved around going to parties, spending time with friends and an ease of access to teenage girls with whom group members could sexually exploit.
	Role Assignment	3	Some roles were frequently completed by certain members of the group, in part due to their personal circumstances. For example, those members who worked for taxi companies would often drive the victims to and from the abuse locations.
	Crime Specialisation	5	For this group there was no indication that the criminal behaviour was part of a larger criminal enterprise. This meant the group was highly specialised in CSE/ICST offending.
	Identity	2	Although many of the members committed offences with other members of the offending group there was no official recognition of a group per se. many of the victims, however, did describe the abusers as being part of a group of friends.
	Group Fragmentation	1	All members of this offending group lived within a single city, with many living within the same neighbourhood or on the same street.
	Crime Capacity	1	Although high levels of harm was caused to a large number of victims, this harm was contained within a local area.

Case 1B:

	Parameter	Score	Explanation of Grading
Case 1B	Hierarchy	3	There were no clear lines of command within this group and all members appeared to have a roughly equal standing within the group.
	Recruitment	3	There was no active recruitment but a small number of existing members brought in new individuals who were then accepted as part of the offending group.
	Personal Growth and Promotion	3	There was no direct form of promotion but a large part of being a member of the group revolved around going to parties, spending time with friends and an ease of access to teenage girls with whom group members could sexually exploit.
	Role Assignment	3	Some roles were frequently completed by certain members of the group, in part due to their personal circumstances. For example, those members who worked for taxi companies would often drive the victims to and from the abuse locations.
	Crime Specialisation	4	A small number of group members were also involved in low level criminality through drug dealing or minor assault. The main focus of their offending behaviour, however, was the sexual exploitation of children.
	Identity	2	Although many of the members committed offences with other members of the offending group there was no official recognition of a group <i>per se</i> . Many of the victims, however, did describe the abusers as being part of a group of friends.
	Group Fragmentation	2	Although the majority of group members lived within one city, a small number frequently travelled from neighbouring towns and cities, or even slightly further afield in order to abuse the victims.
	Crime Capacity	2	Although high levels of harm was caused to a large number of victims, this harm was contained within a local area. There were a few isolated incidents in which victims from other areas were abused by the group.

Case 1C:

	Parameter	Score	Explanation of Grading
Case 1C	Hierarchy	3	There were no clear lines of command within this group and all members appeared to have a roughly equal standing within the group.
	Recruitment	3	There was no active recruitment but a small number of existing members bought in new individuals who were then accepted as part of the offending group.
	Personal Growth and Promotion	3	There was no direct form of promotion but a large part of being a member of the group revolved around going to parties, spending time with friends and an ease of access to teenage girls with whom group members could sexually exploit.
	Role Assignment	3	Some roles were frequently completed by certain members of the group, in part due to their personal circumstances. For example, those members who worked for taxi companies would often drive the victims to and from the abuse locations.
	Crime Specialisation	5	For this group there was no indication that the criminal behaviour was part of a larger criminal enterprise. This meant the group was highly specialised in CSE/ICST offending.
	Identity	1	Although many of the members committed offences with other members of the offending group there was no official recognition of a group per se. Victims would describe certain members offending together but it was infrequently described as an offending group.
	Group Fragmentation	1	All members of this offending group lived within a single city, with many living within the same neighbourhood or on the same street.
	Crime Capacity	1	Although high levels of harm was caused to a large number of victims, this harm was contained within a local area.

Case 1D:

	Parameter	Score	Explanation of Grading
Case 1D	Hierarchy	2	This group showed lower levels of organisation and structural hierarchy than would be seen in a horizontal hierarchy group but they were focused on a common goal of accessing children for abuse.
	Recruitment	3	There was no active recruitment but a small number of existing members brought in new individuals who were then accepted as part of the offending group.
	Personal Growth and Promotion	3	There was no direct form of promotion but a large part of being a member of the group revolved around going to parties, spending time with friends and an ease of access to teenage girls with whom group members could sexually exploit.
	Role Assignment	2	There was a low level of role assignment in this group, largely due to the similarities in legitimate employment of the offenders. Many worked as take away delivery drivers or taxi drivers and so there was less obvious roles for members to play.
	Crime Specialisation	5	For this group there was no indication that the criminal behaviour was part of a larger criminal enterprise. This meant the group was highly specialised in CSE/ICST offending.
	Identity	2	Although many of the members committed offences with other members of the offending group there was no official recognition of a group per se. many of the victims, however, did describe the abusers as being part of a group of friends.
	Group Fragmentation	2	Although the majority of group members lived within one city, a small number frequently travelled from neighbouring towns and cities, or even slightly further afield in order to abuse the victims.
	Crime Capacity	2	Although high levels of harm was caused to a large number of victims, this harm was contained within a local area. There were a few isolated incidents in which victims from other areas were abused by the group.



Case 1E:

	Parameter	Score	Explanation of Grading
Case 1E	Hierarchy	3	The female victim was seen as slightly below the other offenders who appeared to operate on an equal basis.
	Recruitment	3	There was no active recruitment but a small number of existing members brought in new individuals who were then accepted as part of the offending group.
	Personal Growth and Promotion	3	There was no direct form of promotion but a large part of being a member of the group revolved around going to parties, spending time with friends and an ease of access to teenage girls with whom group members could sexually exploit.
	Role Assignment	4	The female offender within the group had a clear role of recruiting the victims and normalising the abuse. The male offenders, however, were all involved in transporting the victims and sexually abusing them.
	Crime Specialisation	5	For this group there was no indication that the criminal behaviour was part of a larger criminal enterprise. This meant the group was highly specialised in CSE/ICST offending.
	Identity	1	Although all offenders were present during the abuse incident the members were not viewed as an offending group by the victims or by themselves.
	Group Fragmentation	1	All members of this offending group lived within a single city, with many living within the same neighbourhood or on the same street.
	Crime Capacity	1	Although high levels of harm were caused to a large number of victims, this harm was contained within a local area.