

# CR4001 Explaining Crime

## Four Crime Types

Dr Danna-Mechelle Lewis  
Lecture 2



# TRIGGER WARNING

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This session contains content that some people may find difficult.

If at any point you find the content too distressing and you feel you need to take a moment, please do so.

You can also contact the module tutor and/or personal tutor to discuss, in private, any issues or concerns you have.

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Stay safe.



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## **Office Hours:**

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# Lecture Outline

01

Part one -  
Crime type -  
Domestic  
Abuse

02

Part Two -  
Crime type -  
Rape

03

Part Three -  
Crime type -  
Cyberstalking

04

Part Four -  
Crime Type -  
Burglary



# Crime Type - Domestic Abuse

# Crime Type – Domestic Abuse

Home Office definition, 2013

“Any incident or pattern of incidents of **controlling, coercive or threatening behaviour**, violence or abuse between those **aged 16 or over** who are or have been intimate partners or family members\* regardless of gender or sexuality.”



# Coercive and Controlling Behaviour

**Legislated under s76 of the Serious Crime Act 2015 (SCA)**

The Home Office describes [controlling behaviour](#) as:

“... a range of acts designed to make a person subordinate and/or dependent by isolating them from sources of support, exploiting their resources and capacities for personal gain, depriving them of the means needed for independence, resistance and escape and regulating their everyday behaviour”

The Home Office definition of [coercive behaviour](#) is:

“... an act or a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten their victim”

# Domestic Abuse Act 2021

(<https://www.legislation.gov.uk/ukpga/2021/17/contents>)

## Domestic Abuse Act 2021

UK Public General Acts ▶ 2021 c. 17 ▶ PART 1 ▶ Section 1

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### What Version

[Latest available \(Revised\)](#)[Original \(As enacted\)](#)

### Advanced Features

☐ Show Explanatory Notes for Sections

### Opening Options

### More Resources

**Status:** Prospective version(s) available.

**Status:** This is the original version (as it was originally enacted).

### 1 Definition of “domestic abuse”

(1) This section defines “domestic abuse” for the purposes of this Act.

(2) Behaviour of a person (“A”) towards another person (“B”) is “domestic abuse” if—

- A and B are each aged 16 or over and are personally connected to each other, and
- the behaviour is abusive.

(3) Behaviour is “abusive” if it consists of any of the following—

- physical or sexual abuse;
- violent or threatening behaviour;
- controlling or coercive behaviour;
- economic abuse (see subsection (4));
- psychological, emotional or other abuse;

and it does not matter whether the behaviour consists of a single incident or a course of conduct.

(4) “Economic abuse” means any behaviour that has a substantial adverse effect on B’s ability to—

- acquire, use or maintain money or other property, or
- obtain goods or services.

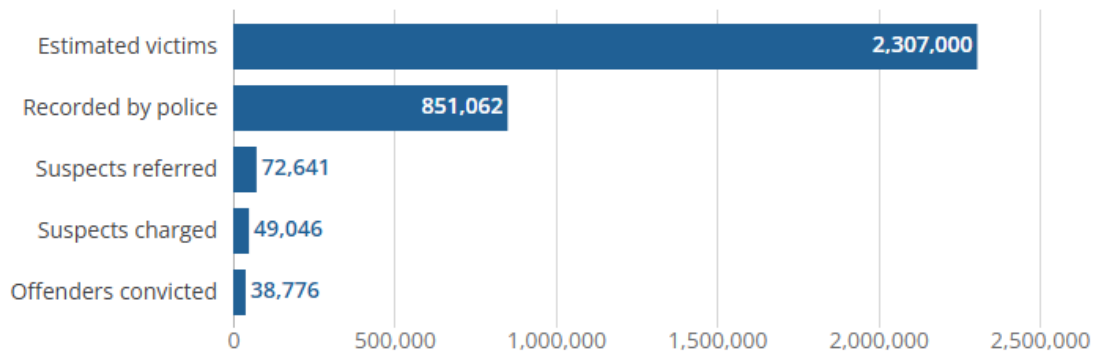
(5) For the purposes of this Act A’s behaviour may be behaviour “towards” B despite the fact that it consists of conduct directed at another person (for example, B’s child).

(6) References in this Act to being abusive towards another person are to be read in accordance with this section.

(7) For the meaning of “personally connected”, see section 2.

# Scale

**Figure 1: Domestic abuse data from incident to conviction, England and Wales, year ending March 2024**



Source: Crime Survey for England and Wales from the Office for National Statistics, Police recorded crime data from the Home Office, and Crown Prosecution Service (CPS)

- The Crime Survey for England and Wales estimated 2.3 million people aged 16 years and over experienced domestic abuse in year ending (YE) March 2024.
- 1.6 million were women who experienced domestic abuse in year ending (YE) March 2024.
- 712,000 were men who experienced domestic abuse in year ending (YE) March 2024.
- The police recorded 851,062 domestic abuse-related crimes in England and Wales in YE March 2024; (down from 911,248 in previous year - reflects recent changes in police recording practices).
- There were 51,183 domestic abuse-related prosecutions in England and Wales in YE March 2024, (down from previous year 51,288).

(Source : <https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/bulletins/domesticabuseinenglandandwalesoverview/november2024>)

# Why does domestic abuse go unreported?

- **Reasons to do with dynamics of Domestic Abuse:**
  - Threats and fear of exacerbating risk – coercive control
  - Financial dependence
  - Practical considerations – money, housing, children, where to go
  - Emotional connections – love, family, children
  - Shame and stigma
  - Reduced self-esteem, belief in oneself to manage and survive
  - Family disapproval
  - Language barriers
  - Concerns about immigration status & NRPF
  - Concerns about being ‘outed’

# Why does domestic abuse go unreported?

## •Reasons to do with police:

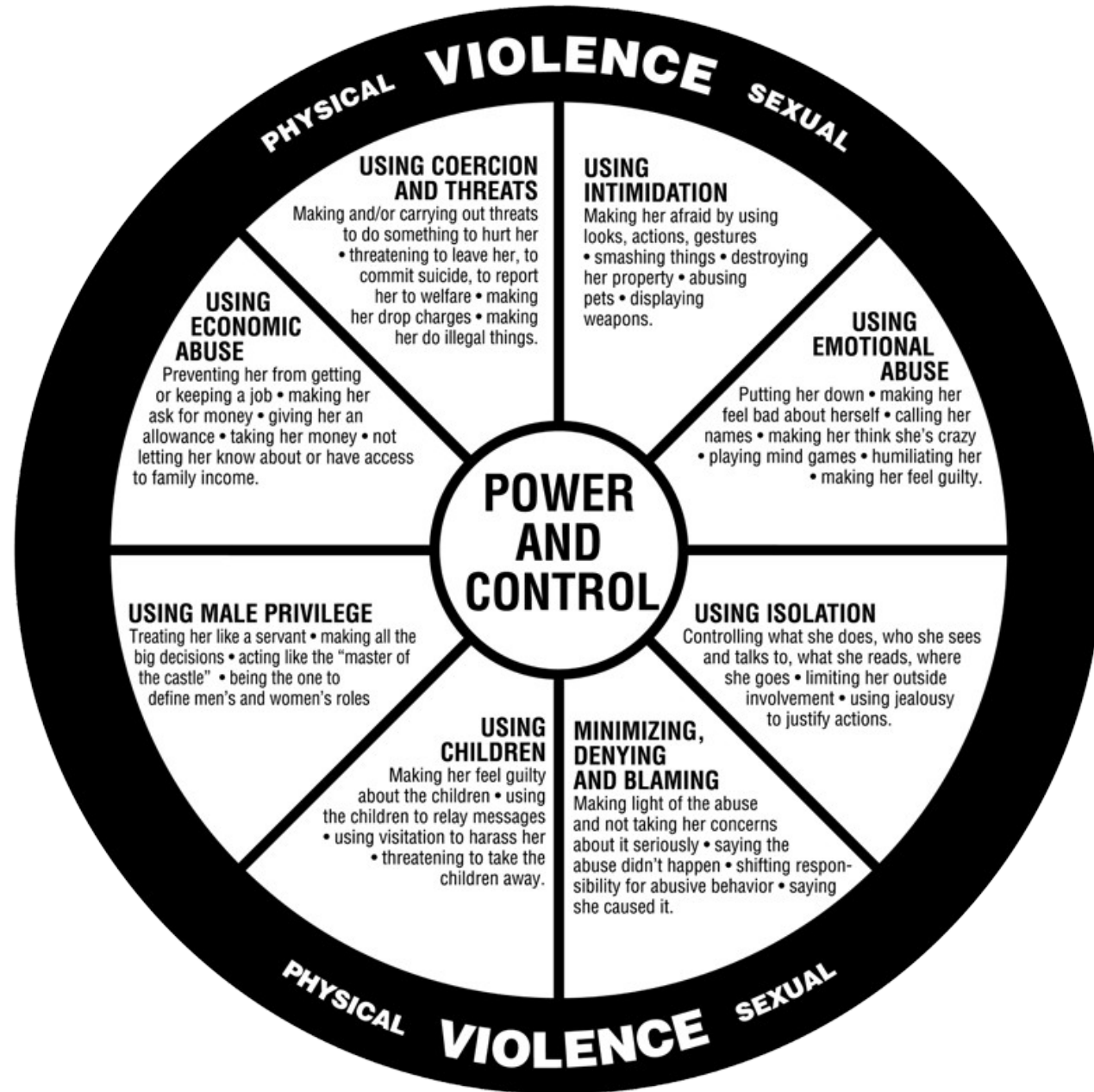
- History of police indifference to DA
- Lack of confidence in police – especially re. racism, sexism, homophobia
- Fear / distrust of authorities
- Fear of repercussions over insecure immigration status



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# The Duluth Power and Control Wheel

- <https://youtu.be/5OrAdC6ySiY>  
(2.18 mins)





## Examples of abusive behaviour

### Physical Abuse

Slapping/  
punching / biting /  
kicking /  
scratching /  
pushing / pulling  
hair

Burning

Strangulation and  
choking

Being physically  
restrained

Being drugged

Being denied sleep

Withholding of food  
or medical  
attention

Throwing objects

Using weapons

Drowning



## Examples of abusive behaviour

### Sexual Abuse

Rape or attempted rape / sexual assault / unwanted touching or kissing

Refusing to use condoms / not informing of STIs

Restricting use of birth control

Sexual contact with someone who is drugged, drunk or unconscious and cannot consent

Withholding sex or affection

Pressure to send explicit images or videos ('Sexting')

Forcing someone to watch pornography

Image based sexual abuse ('Revenge Porn')

Using sexual insults against someone

Unwanted rough or violent sexual activity

Enforced prostitution



## Examples of abusive behaviour

### Emotional / Psychological Abuse



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Isolation

Stalking

Humiliation /  
degradation

Damaging and  
vandalizing your  
home, vehicle or  
other property

Constant  
accusations of  
being unfaithful

Gaslighting –  
distorting reality

False  
imprisonment

Threatening to kill  
themselves or  
you if the  
relationship ends

Threatening to  
harm you,  
children or pets

Harming children  
or animals to  
punish you

Blaming your  
actions for their  
abusive  
behaviour



## Examples of abusive behaviour

### **Financial / Economic Abuse**

Withholding finances

Denying access to money  
or bank accounts

Taking out loans and  
credit cards in victims  
name

Preventing victim from  
going to work, limiting the  
hours they're allowed to  
work or making them lose  
their job through  
harassment

Destroying/vandalizing  
property

Coercing someone to  
commit fraud

Monitoring spending  
and/or forcing someone  
to live on an allowance

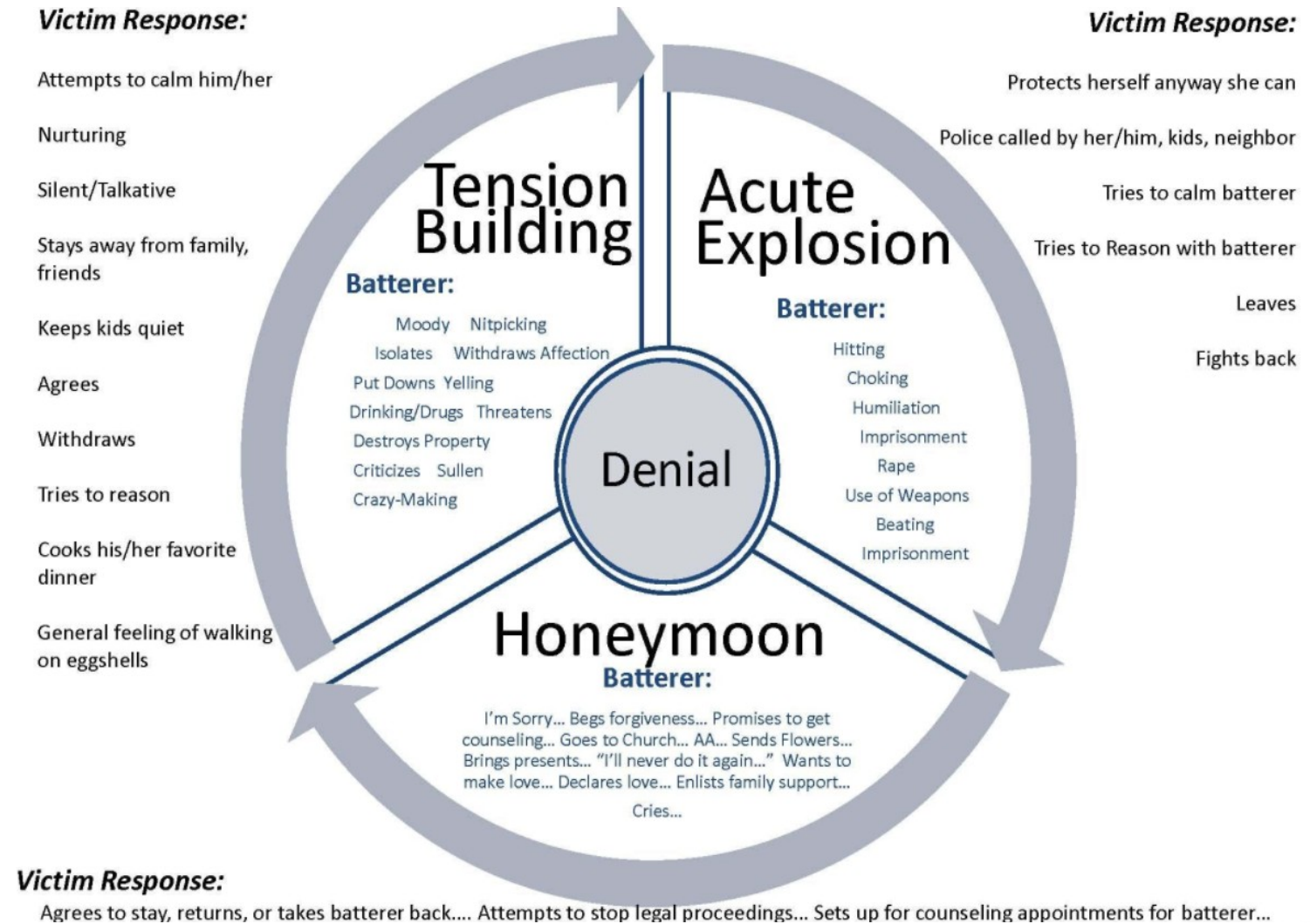
Refusing to pay bills

Ruining credit score

Refusing to pay child  
maintenance

# Cycle of Violence Theory

(Walker, 1979)





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# Domestic Abuse Victims

Regardless of age, gender, sexuality, ethnicity, religion, culture, level of education, economic status and profession, domestic abuse can affect  
**absolutely anyone!**

# DOMESTIC ABUSE AS A GENDERED CRIME



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## **Men's violence is more severe and injurious:**

- Men > likely than women to use physical violence, threats, and harassment, and to induce fear
- Men slightly > likely to be verbally abusive.
- Men > likely to damage the women's property; women > likely to damage their own
- Men > likely to perpetrate sexual violence
- Women > likely to be injured
- Women > likely to use weapons - often in self-defence
- Women > likely to be victims of repeated abuse
- Women > likely to experience fear
- Women > likely to be killed by a partner or ex-partner

Sources: Hester, M., (2013) Who does what to whom? Gender and domestic violence perpetrators in English police records. *European Journal of Criminology*, 10(5), pp.623-637. Walby and Towers, (2018) Untangling the concept of coercive control: Theorizing domestic violent crime. *Criminology and Criminal Justice*. 18(1). Pp7-28

# Why do perpetrators abuse their victims?



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**Psychopathology Theories:** i.e. Personality disorders, Narcissistic pathology

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**Social/Structural theories:** Environmental and socio-cultural factors, e.g. Drugs and Alcohol, Culture, Violence as a learned behaviour.

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**Bio-medical theories:** Head injuries, Childhood trauma, Hereditary factors

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**Feminist theories:** Patriarchy, Sexism, Power and Control

# DARVO – Deny, Attack, Reverse Victim and Offender

- Deny – denies the survivors account (may include gaslighting), minimises what has happened
- Attack – shifts the focus on the survivor's credibility – including mental health, or making accusations against the survivor (drug use etc)
- Reverse victim and offender – manipulated the situation to secure the title of victim and the actual survivor is named as the offender
- Considered a narcissist tactic to avoid accountability

# Interventions

- Aimed at victims, perpetrators, and through criminal justice agencies :
- Victim: Freedom Programme; Clare's Law (history of abuse), Sarah's Law (history of child sexual offences)
- Perpetrator: DAPPs (Domestic Abuse prevention programmes), DVPPs (domestic violence perpetrator programmes),
- Criminal justice : MARAC (Multi agency risk assessment conference), Domestic Abuse Matters change programme (aimed at police), IDVA (independent domestic violence advisor)





# Victims and Prisoners Act 2024

- Victims code outlines the rights of a victim for all criminal justice agencies
- It came into effect in 2006, and was revised in 2021
- It outlines 12 rights of the victim – including to be provided information about the investigation and prosecution, to be given information about the offender following a conviction
- For mor information see <https://www.legislation.gov.uk/ukpga/2024/21>)
- 2024 saw the Victims and Prisoners Act gained Royal Assent in Parliament. This means the victims code is no longer optional.

## Bill passage



A hand-drawn illustration on the left side of the slide. It shows a document with the word 'REF' in large, bold, black letters. Below the text are several horizontal lines representing text. At the bottom of the illustration is a pie chart divided into six colored segments: red, blue, purple, yellow, green, and orange. The entire illustration is drawn with thick black outlines.

# Assignment 1

- If you choose **Domestic Abuse** for your **Crime Report**
- Check the reading list and slides for pointers as to literature on examples of policy and practice evaluations
- Make sure you know where these interventions are being implemented and take into consideration the context
- Consider third sector organisations, such as charities,
- Rely on academic material; begin with [Reading list](#), continue with [Library Search](#)

Crime Type -  
Rape



# Legal definitions

- The Sexual Offences Act (2003) outlines four offences:
  - ▢ Rape (section 1)
  - ▢ Assault by penetration (section 2)
  - ▢ Sexual assault (section 3)
  - ▢ Causing a person to engage in sexual activity without consent (section 4)
- ▢ It distinguishes whether the victim is a child (under 13) or not
- The act can be found here:
  - <https://www.legislation.gov.uk/ukpga/2003/42/contents>

# Crime Type - Rape

## Legislation

- Rape is defined by the Sexual Offences Act 2003, Chapter 42, part 1
- (<https://www.legislation.gov.uk/ukpga/2003/42/section/1>)

## Legal Definition

- **Rape**
- (1)A person (A) commits an offence if—
  - (a)he intentionally penetrates the vagina, anus or mouth of another person (B) with his penis,
  - (b)B does not consent to the penetration, and
  - (c)A does not reasonably believe that B consents.
- (2)Whether a belief is reasonable is to be determined having regard to all the circumstances, including any steps A has taken to ascertain whether B consents.

## Sentencing provision:

- (4)A person guilty of an offence under this section is liable, on conviction on indictment, to imprisonment for life.

# Consent

- The Sexual Offences Act (2003) sought to clarify the law on consent
- Prosecution has to prove three things:
  - Intentional penetration
  - Absence of consent - (anyone under age of 13 can never legally consent to any form of sexual activity; between 16-18 (over the legal age of consent the law gives extra protection))
  - Absence of reasonable belief of consent by perpetrator

(Temkin and Ashworth (2004))



# Sentencing guidance

## Rape

- Sexual Offences Act 2003, s.1
- Guideline effective from: 1 April 2014
- Triable only on indictment

Maximum: Life imprisonment

Offence range: 4 – 19 years' custody

Source: <https://www.sentencingcouncil.org.uk/offences/crown-court/item/rape/>

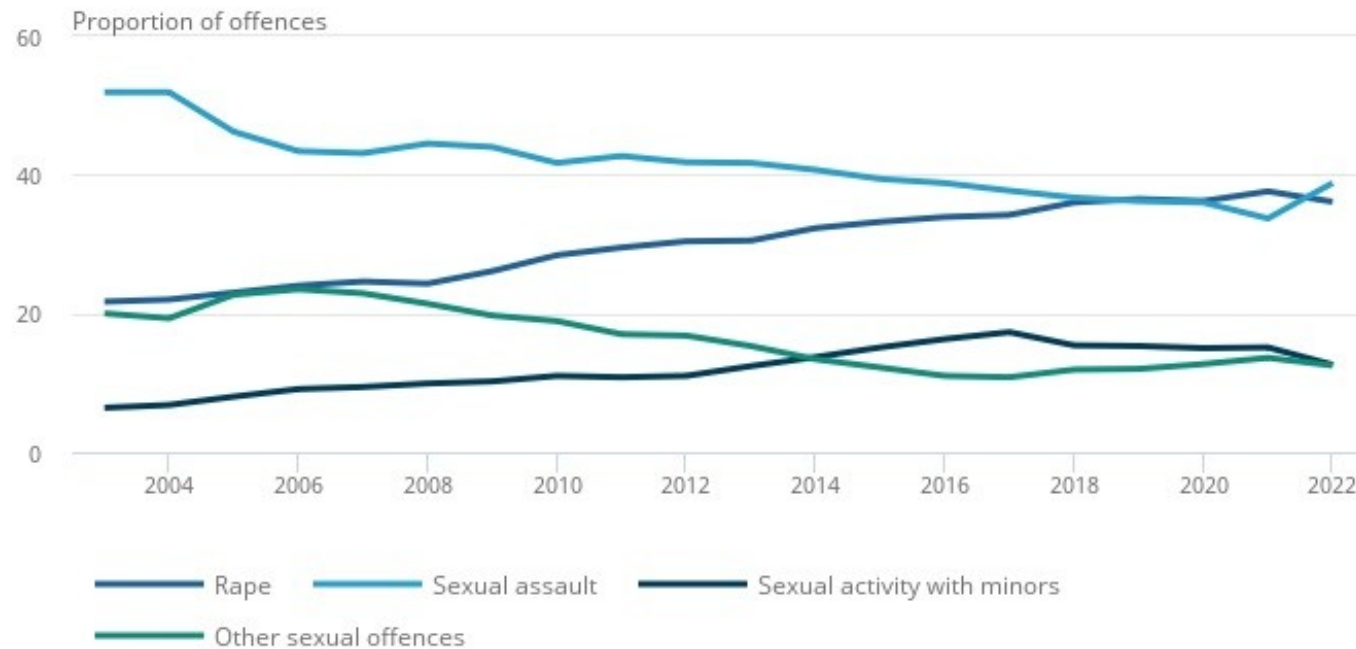
# Scale of Rape

- Of the 94,145 rape incidents and crimes recorded in the year ending March 2022 by the police in England and Wales, 18,029 (19%) remained as incidents. Source [here](#)
- April 2023 to March 2024 there were 67,928 cases of rape recorded by the police.
- According to the Crime Survey for England and Wales, in the year ending in March 2022, there were an estimated 150,000 victims of rape (including incidents) over 16 years of age of both genders. Source, table 7 [here](#)



Figure 5: The proportion of all sexual offences recorded as rape has increased over time

Percentage of total police recorded sexual offences by offence type, England and Wales, year ending March 2003 to year ending March 2022

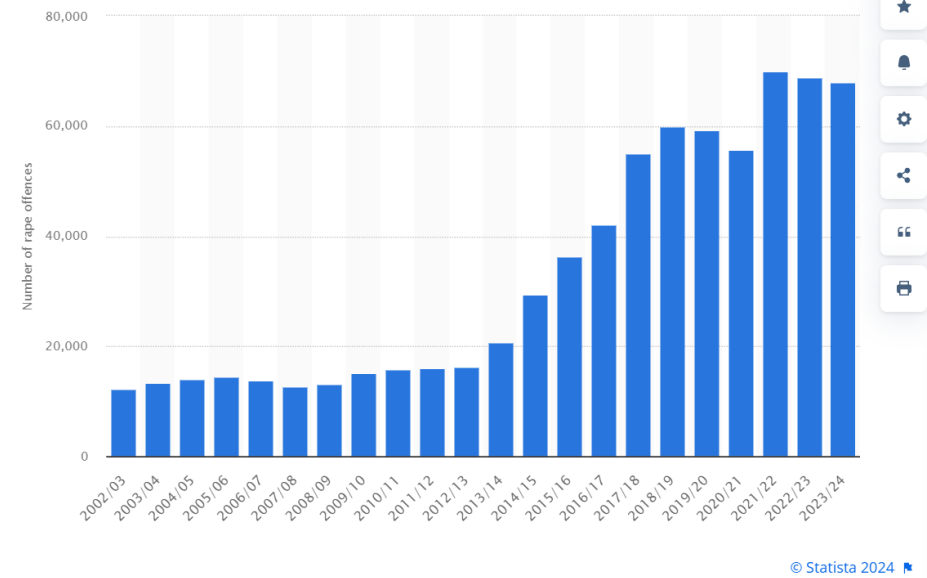


Source: Police recorded crime from the Home Office

Source:

<https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/articles/sexualoffencesprevalenceandtrendsenglandandwales/yearendingmarch2022#:~:text=Of%20the%2094%2C145%20rape%20incidents,or%20could%20not%20be%20traced>

Police recorded rape in England and Wales up to 2023/24



Source:

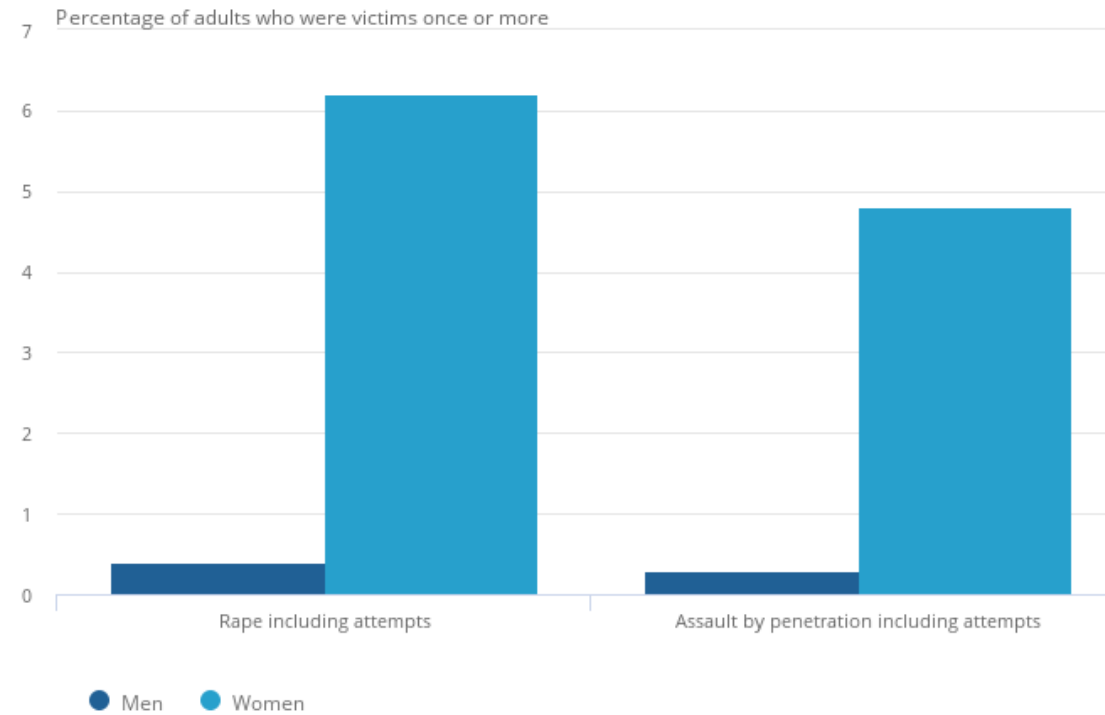
<https://www.statista.com/statistics/283100/recorded-rape-offences-in-england-and-wales/>

# A gendered crime

Source: [here](#)

Figure 1: Women were more likely than men to experience rape or assault by penetration (including attempts)

Prevalence of sexual assault since the age of 16 years among adults aged 16 to 74 years, by type of sexual assault and sex, England and Wales, year ending March 2020



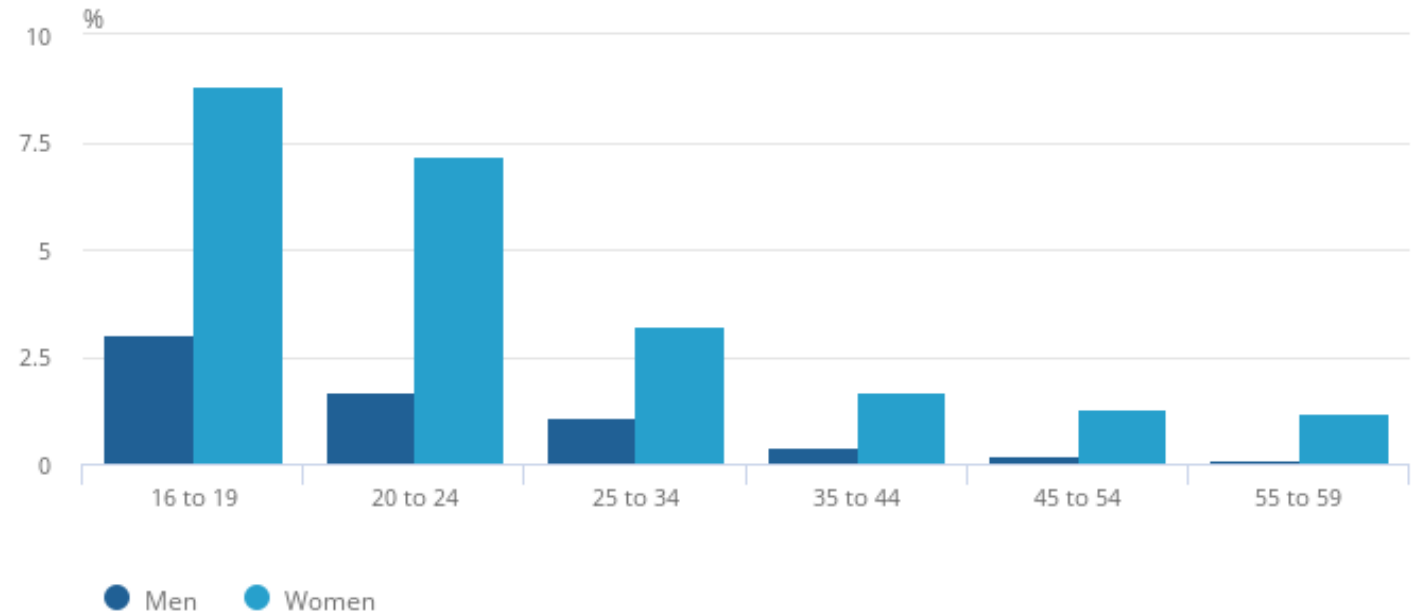
Source: Office for National Statistics – Crime Survey for England and Wales

# Age of victims

Source: [here](#)

Figure 6: Prevalence of sexual assault in the last year for adults aged 16 to 59, by age and sex

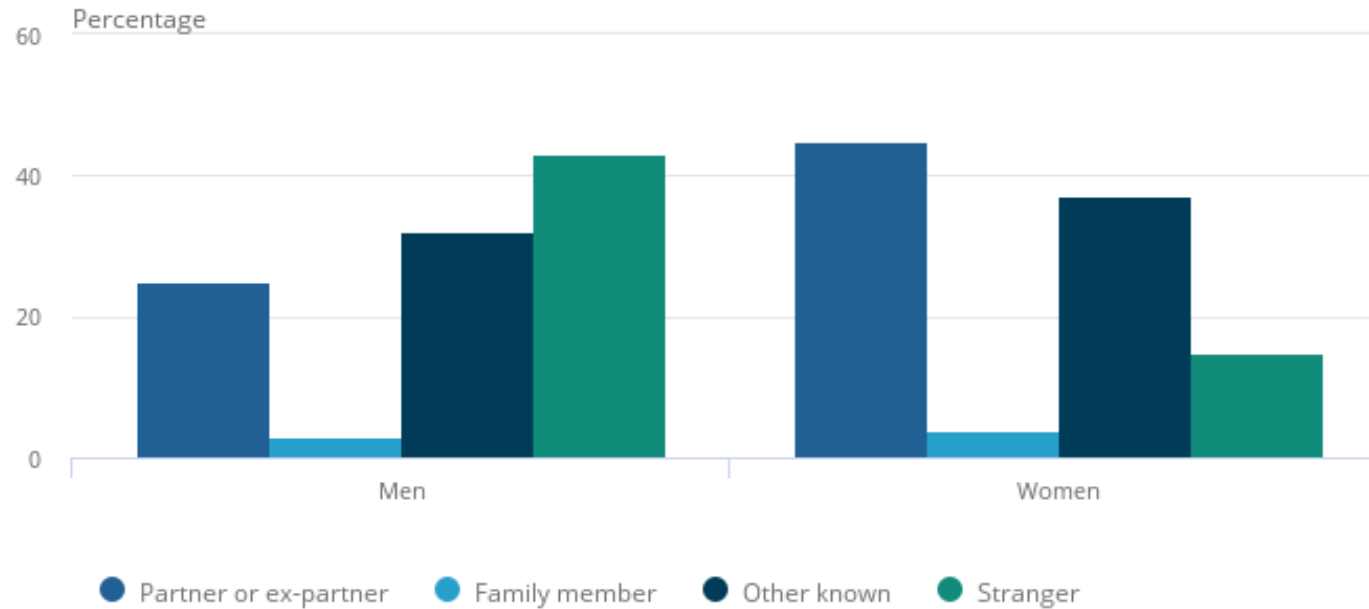
Year ending March 2017, Crime Survey for England and Wales



Source: Crime Survey for England and Wales, Office for National Statistics

## Figure 2: Women were more likely to know their perpetrator than men

Victim-perpetrator relationship for rape or assault by penetration (including attempts) experienced by adults aged 16 to 59 years since the age of 16 years, by sex of victim, England and Wales, year ending March 2017 and year ending March 2020

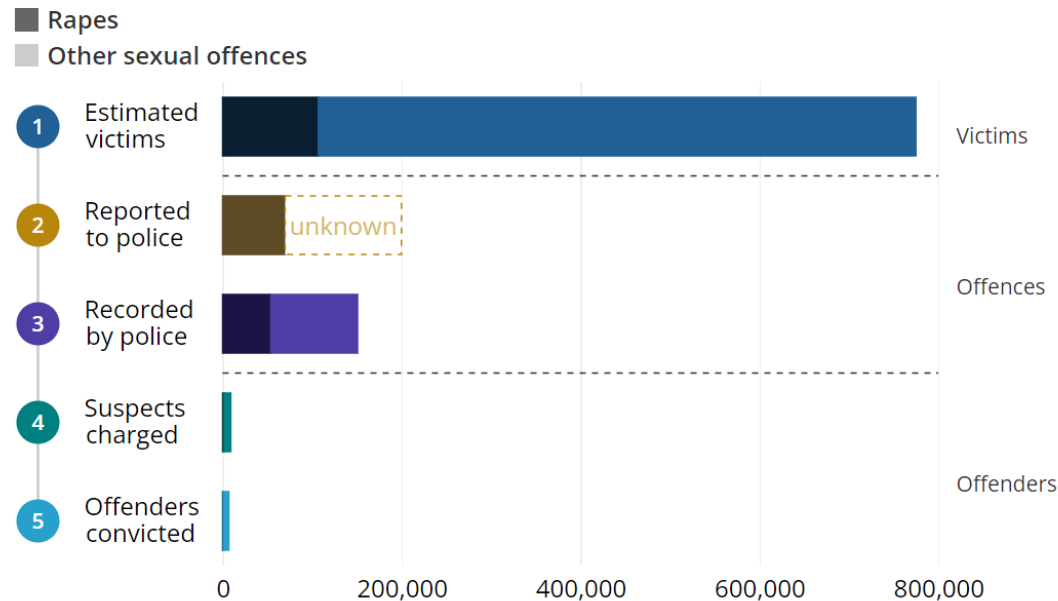


Source: Office for National Statistics – Crime Survey for England and Wales

Source: [here](#)

# Under reported crime with low prospect of prosecution

## Sexual offences through the criminal justice system

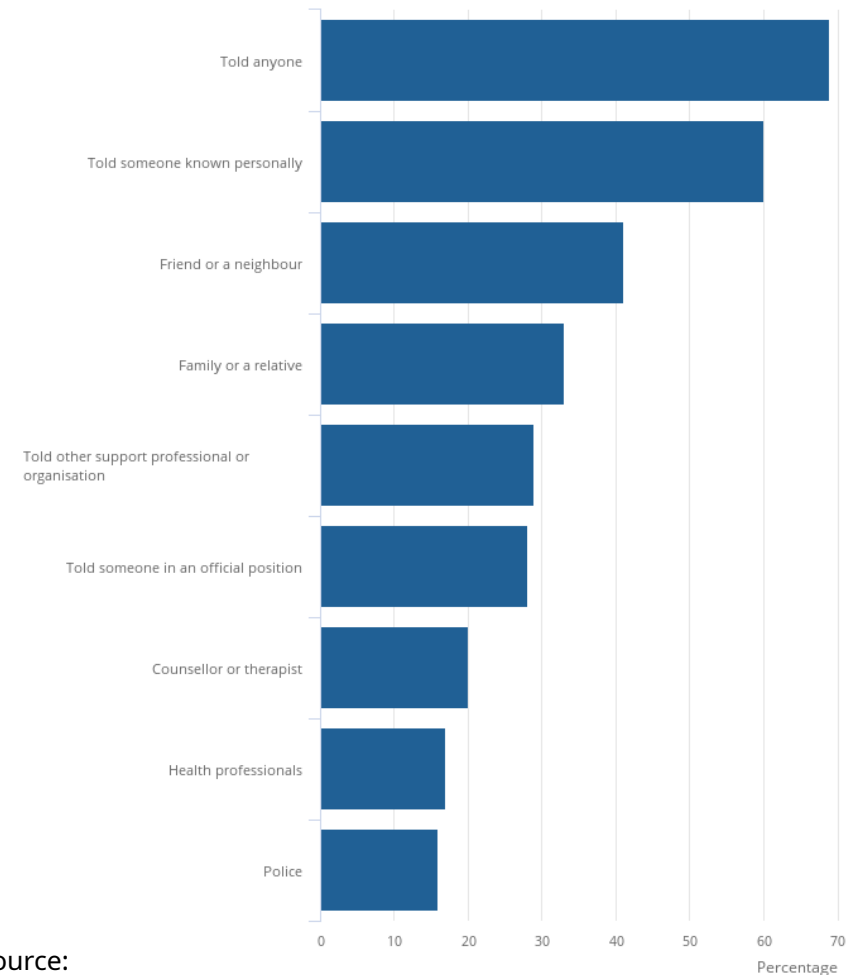


Source:

<https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/articles/sexualoffendingvictimisationandthepaththroughthecriminaljusticesystem/2018-12-13>

Figure 5: Most victims told someone about the assault, but rarely the police

Who victim told of rape or assault by penetration (including attempts) experienced by adults aged 16 to 59 years since the age of 16 years, by sex of victim, England and Wales, year ending March 2017 and year ending March 2020



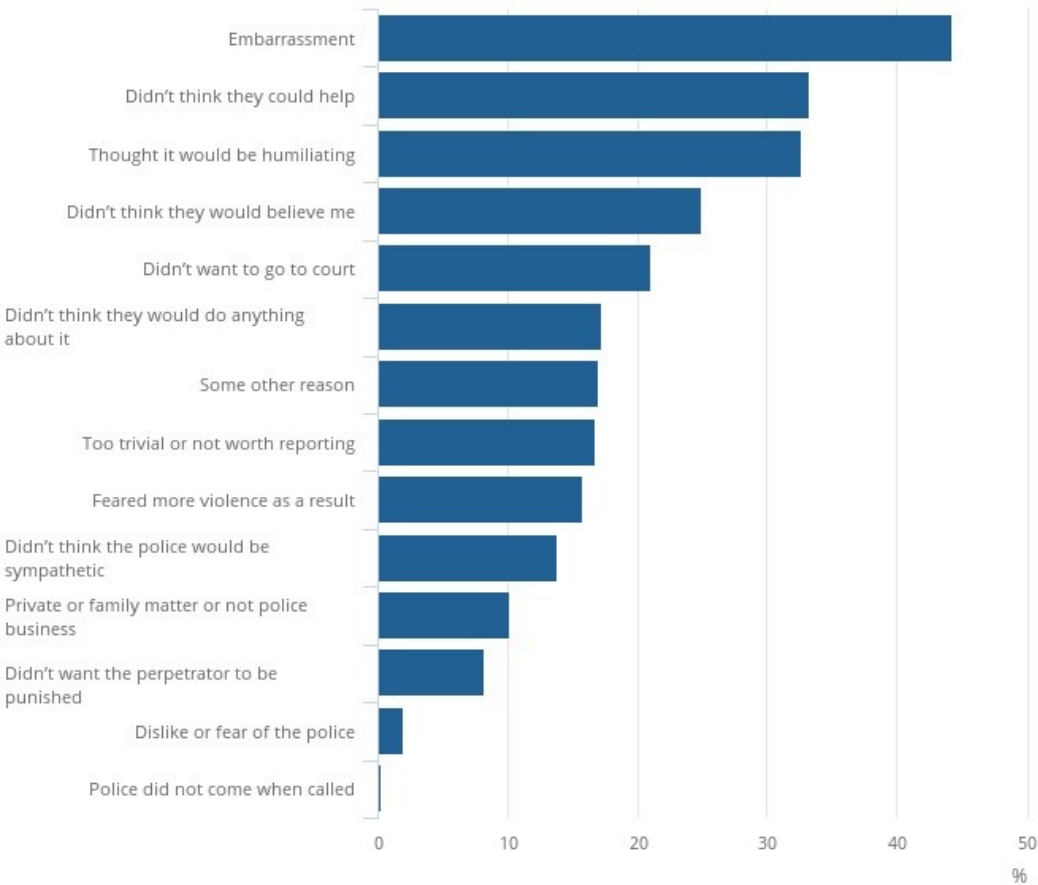
Source:

<https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/articles/natureofsexualassaultbyrapeorpenetrationenglandandwales/yearendingmarch2020#data-sources-and-quality>

Source: Office for National Statistics – Crime Survey for England and Wales

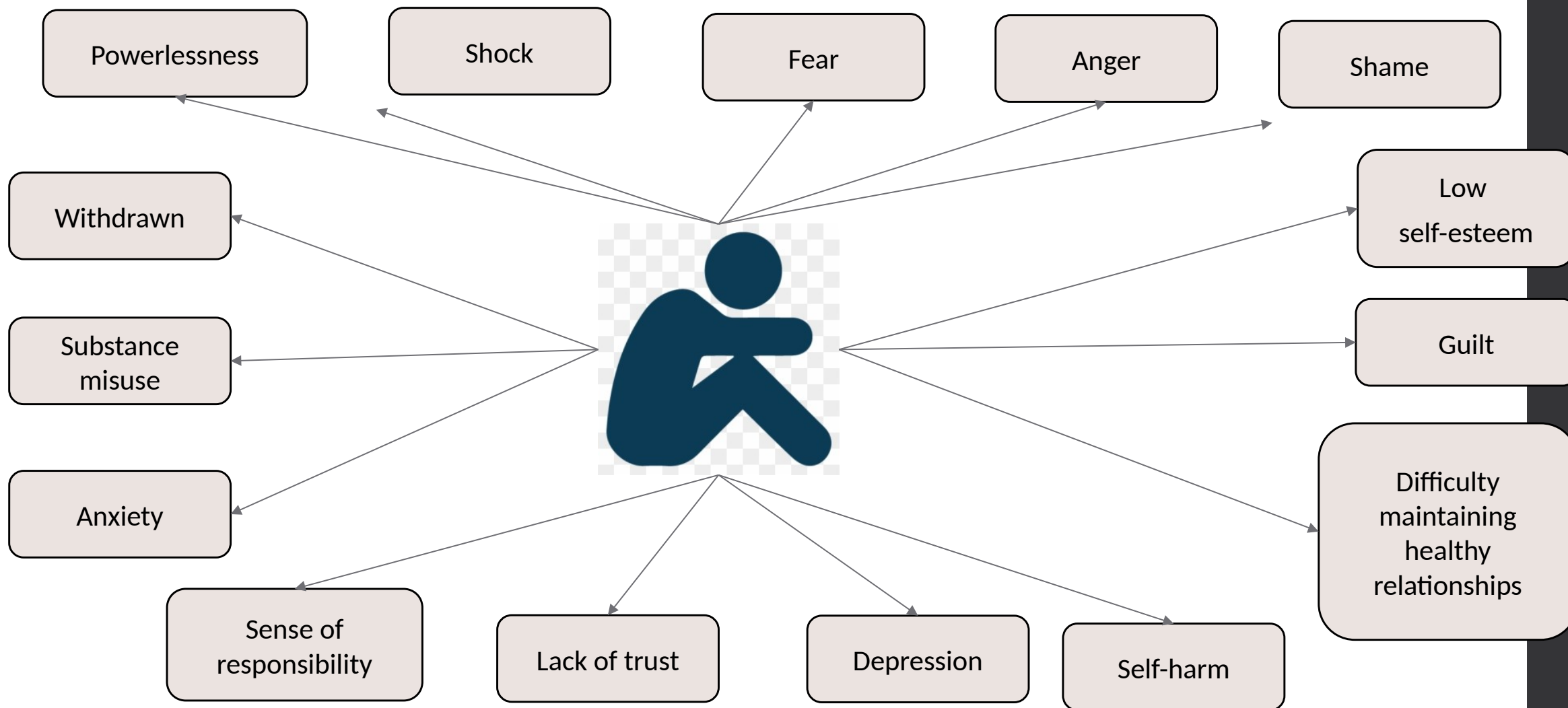
Figure 5: Embarrassment was the most common reason for victims not reporting to the police

Adults aged 16 to 59 years, England and Wales, year ending March 2014 and year ending March 2017



Source:  
<https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/articles/sexualoffendingvictimisationandthepaththroughthecriminaljusticesystem/2018-12-13>

# Impact on victims





# Support for victims

- Sexual Assault Referral Centres (SARC)
- [Rape Crisis Centres](#)
- [The Survivors Trust](#)
- Sex Offenders Register and the Disclosure & Barring Service ([McAlinden, 2012](#))
- Multi Agency Public Protection Arrangements (MAPPA)





# Perpetrator characteristics

- No two perpetrators are the same
- The majority of those committing these offences are male
- Research has indicated that those convicted for rapes tend to:
  - Accept rape myths
  - Get aroused by rape depiction and sexual violence
  - Often have criminal history, may have previous violent convictions (Bard et al 1987), or been a child victim of sexual abuse
  - Consume pornography
  - Desire to have power over women
  - Have gendered stereotyped attitudes towards women/misogyny
  - Older offender

# Policy and practice considerations

- “The distressing truth is that if you are raped in Britain today, your chances of seeing justice are slim” Dame Vera Baird 2022  
Source: Dame Vera Baird, Victims’ Commissioner for England and Wales / former police and crime commissioner Northumbria police. (2021/22 annual report of the victims’ commissioner  
<https://victimscommissioner.org.uk/document/annual-report-of-the-victims-commissioner-2021-to-2022/>)
- The Review on the Criminal Justice Response to rape main findings (2021):
  - Rape convictions remain low compared to rapes reported to the Police
  - From 2015-16 to 2019-20:
    - A 79% increase in adult rape offences recorded by the Police
    - Police referral of rape cases from the Police to the Crown Prosecution Service have declined by 37%
    - Prosecutions declined by 59%
    - Convictions declined by 47%
    - In 2019-20, 344 people were convicted of rape
- Further information: [End-to-end rape review](#) (2021)

# Assignment 1

- If you choose **Rape** for your **Crime Report**
- Check the reading list and slides for pointers as to literature on examples of policy and practice evaluations
  - Sexual Assault Referral Centres
  - Sex Offenders Registers and MAPPA
  - Police training schemes
  - Trauma-informed initiatives
  - Victims' commissioner annual report
- Make sure you know where these interventions are being implemented and take into consideration the context
- Rely on academic material; begin with [Reading list](#), continue with [Library Search](#)





# Crime Type - Burglary

# Crime Type - Burglary

- In the UK, the Theft Act (1968)
  - Provides the legal framework for understanding a range of offences related to theft, robbery, and burglary (including possession and handling, taking without authority (or TWOC, fraud and blackmail).
- The act can be found here:
  - <https://www.legislation.gov.uk/ukpga/1968/60/contents>

# Crime Type - Burglary

## Legislation

- Burglary is defined by the Theft Act 1968, Section 9
- (<https://www.legislation.gov.uk/ukpga/1968/60/section/9>)

## Legal Definition

- **Burglary.**
- (1)A person is guilty of burglary if —
- (a)he enters any building or part of a building as a trespasser and with intent to commit any such offence as is mentioned in subsection (2) below; or
- (b)having entered any building or part of a building as a trespasser he steals or attempts to steal anything in the building or that part of it or inflicts or attempts to inflict on any person therein any grievous bodily harm.
- (2)The offences referred to in subsection (1)(a) above are offences of stealing anything in the building or part of a building in question, of inflicting on any person therein any grievous bodily harm ... therein, and of doing unlawful damage to the building or anything therein.

## Sentencing provision:

- A person guilty of burglary shall on conviction on indictment be liable to imprisonment for a term not exceeding —
- (a)where the offence was committed in respect of a building or part of a building which is a dwelling, fourteen years;
- (b)in any other case, ten years.

# Crime Type - Burglary

## Legislation

- Aggravated Burglary is defined by the Theft Act 1968, Section 10
- (<https://www.legislation.gov.uk/ukpga/1968/60/section/10>)

## Legal Definition

- **Aggravated burglary.**
- (1)A person is guilty of aggravated burglary if he commits any burglary and at the time has with him any firearm or imitation firearm, any weapon of offence, or any explosive; and for this purpose—
- (a)“firearm” includes an airgun or air pistol, and “imitation firearm” means anything which has the appearance of being a firearm, whether capable of being discharged or not; and
- (b)“weapon of offence” means any article made or adapted for use for causing injury to or incapacitating a person, or intended by the person having it with him for such use; and
- (c)“explosive” means any article manufactured for the purpose of producing a practical effect by explosion, or intended by the person having it with him for that purpose.

## Sentencing provision

- (2)A person guilty of aggravated burglary shall on conviction on indictment be liable to imprisonment for life.

# Sentencing guidance

## Domestic Burglary

- Theft Act 1968. s.9
- Guideline effective from: 01 July 2022
- Triable either way (except as noted below)

Maximum: 14 years' custody

Offence range: Community order- 6 years' custody

## Aggravated burglary

- Theft Act 1968, s.10
- Guideline effective from: 01 July 2022
- Triable only on indictment

Maximum: Life imprisonment

Offence range: 1 – 13 years' custody

Source: <https://www.sentencingcouncil.org.uk/offences/magistrates-court/item/domestic-burglary/>

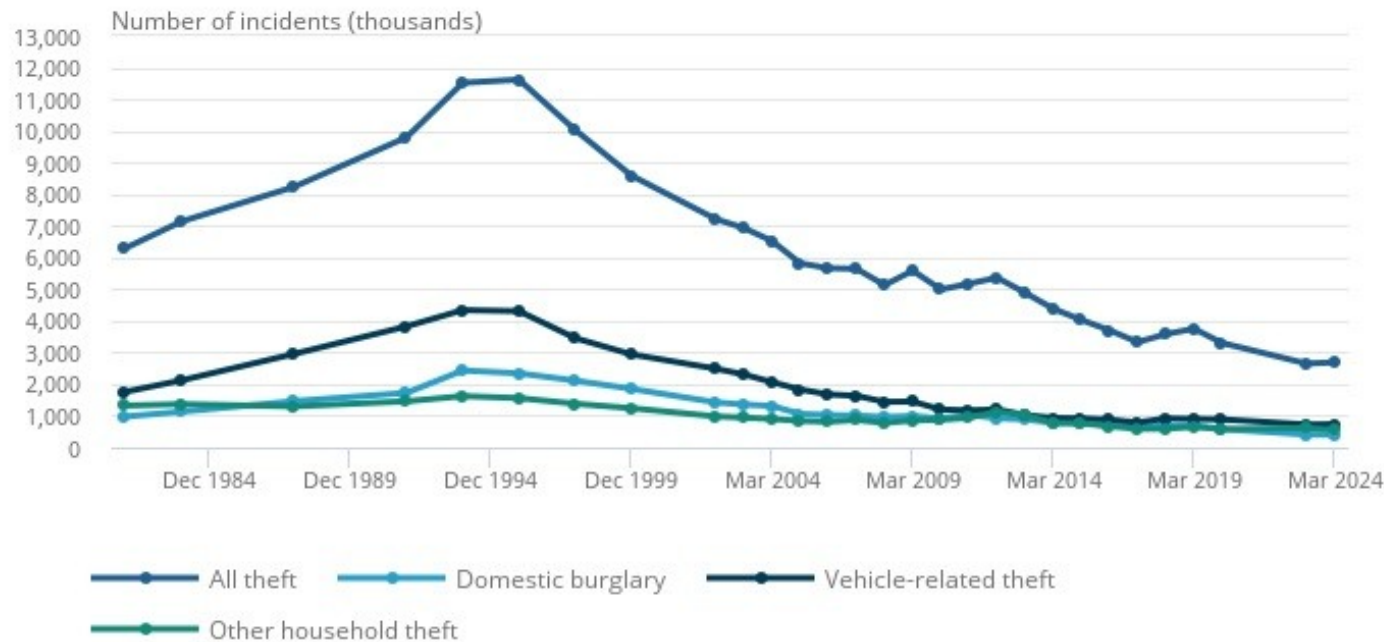
Source: <https://www.sentencingcouncil.org.uk/offences/crown-court/item/aggravated-burglary/>



# Scale/Volume

Figure 9: The CSEW shows long-term reductions in incidents of theft offences

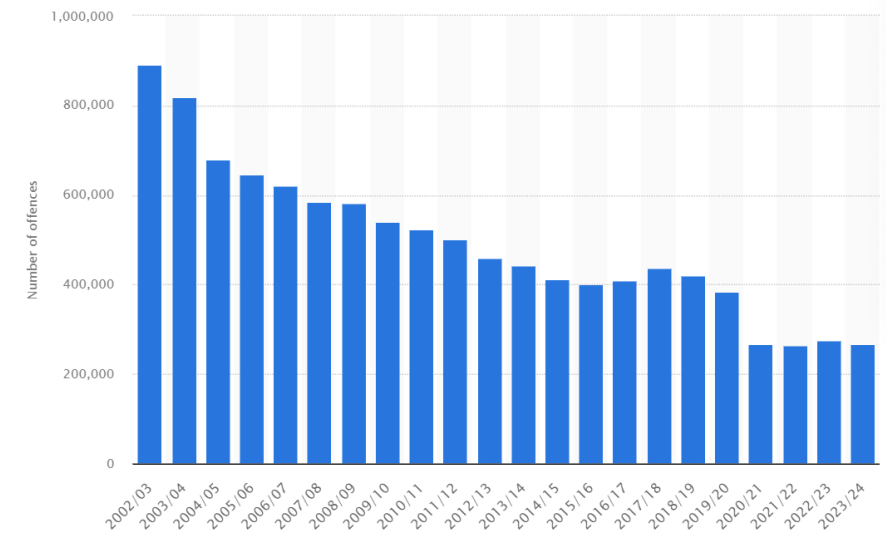
England and Wales, annual estimates



Source: Crime Survey for England and Wales (CSEW) from the Office for National Statistics

Source: <https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/bulletins/crimeinenglandandwales/yearendingmarch2024#theft-robbery-and-criminal-damage>

Police recorded burglary in England and Wales up to 2023/24



© Statista 2024

Source:

<https://www.statista.com/statistics/956906/burglaries-in-england-and-wales/>

# Risk of being a victim

- What are the variables that characterise this risk?
- Research says....
  - **Geographic Area** – Greater risk of burglary in socio-economically deprived areas and inner-city areas (Block, 1984; Braithwaite and Biles, 1984; Koppel, 1987; Mayhew, 1987). Some affluent areas at risk as other factors are at play.
  - **Household Characteristics** – Younger households, lone parent households, economically inactive, low-income households and student households are at greater risk (Hough and Mayhew, 1985; Kershaw et al. 2000; Phillips and Walker, 1997). Households in council and private rented accommodation also at increased risk (Evans, 1989; Evans and Oulds, 1984).
  - **Design & Planning Features** – Greater risk of burglary associated with living in a terraced house, flat or maisonette, living on a main road, living in a multi-unit dwelling with various entrances (Newman, 1973; Kershaw et al., 2000).
  - **Other aspects of lifestyle** – Time of year; austerity/prosperity; Leaving home unoccupied (e.g. due to work; Phillips and Walker, 1997; Rengert and Wasilchick, 2000).

# Impact of this crime

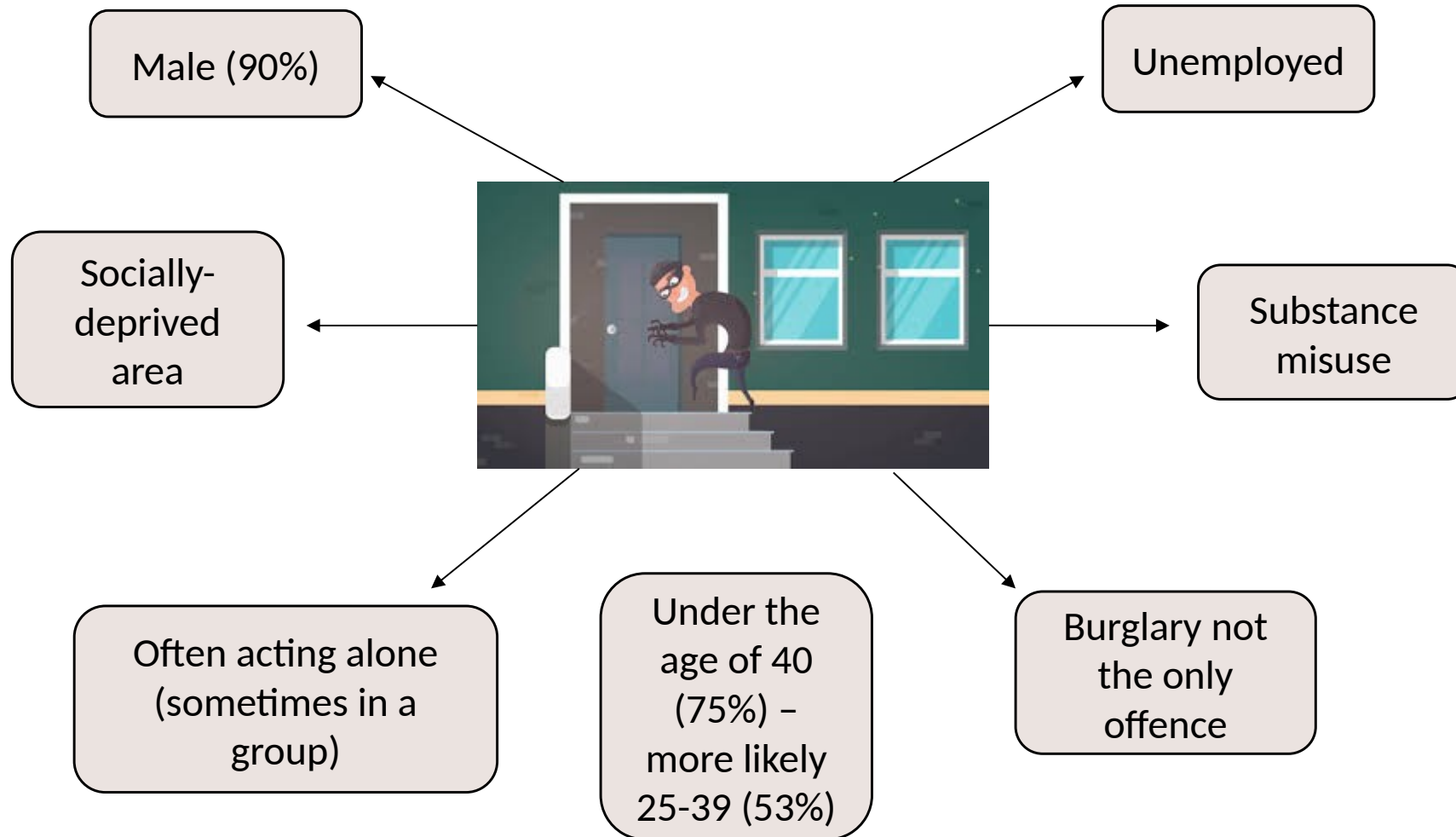
- Individual
  - Emotional
  - Shock
  - Anger
  - Suspicion
  - Fear
  - Sleeping difficulties
  - Changing behaviour
- Depend on
  - Age
  - Gender
  - Class/prosperity
  - Family structure

## Society

- Total costs of domestic burglary (including anticipation, consequence and response costs) approx. £4.1billion.
  - Average cost of a domestic burglary is £5,930.
- Total costs of commercial burglary (including anticipation, consequence and response costs) approx. £1.6 billion.
  - Average cost of commercial burglary is £15,460.

(Source: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/732110/the-economic-and-social-costs-of-crime-horr99.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/732110/the-economic-and-social-costs-of-crime-horr99.pdf)) (2018)

# Who are the offenders?







# Policy and Practice

Police detection rates in England & Wales have been historically low

- Changes to police response
- Specialist initiatives
- Targeting distribution of goods

Prevention and deterrence policies and interventions:

- Neighbourhood Watch Schemes – safer streets schemes (see <https://www.gov.uk/government/news/safer-streets-fund-to-tackle-burglary-and-theft>)
- Creating defensible spaces (symbolic barriers)
- Community Safety Partnerships - included burglary reduction initiatives
- Removal of prepayment cash operated gas and electricity meters
- Target Hardening – Locks, alarms, window and door bars, lighting, guard dogs.
- Safety by Design – police-led initiative that focused on design of housing developments to reduce burglary
- Home insurance schemes

# Evaluation of policy and practice

- Research indicates burglary reduction initiatives have been successful

BUT...

- Neighbourhood Watch initiatives have tended to develop in low crime and affluent areas
  - Research indicates impact has been limited or unclear
- Those least likely to be burgled are most likely to invest in target hardening interventions
- Crime could be displaced rather than reduced but research suggests displacement is minimal

# Assignment 1

- If you choose **Burglary** for your **Crime Report**
- Check reading list to identify examples of policy and practice development
- ‘Good practice’ or ‘Evaluations of interventions’
  - Combatting burglary – an evaluation of three strategies
  - Anti-burglary devices and target hardening
  - Initiative targeting older people
  - Initiatives to reduce the likelihood of repeat victimisation
  - Neighbourhood Watch Schemes evaluations





# Crime type - Cyberstalking







# Cyberstalking

Cybercrime falls into two domains:

- a) Cybercrime types that are cyber-dependent offences
- b) Cybercrime types that are cyber-enabled offences

Cyberstalking covered by protection from harassment Act 1997 (also see Malicious communications act 1988, communications act 2003)

(see CPS, [https://www.cps.gov.uk/legal-guidance/cybercrime-prosecution-guidance#\\_Toc25919512](https://www.cps.gov.uk/legal-guidance/cybercrime-prosecution-guidance#_Toc25919512))



CPS

# Cybercrime Definitions

Cybercrime types that are cyber-dependent offences – defined as

“crimes that can be committed only through the use of Information and Communications Technology (‘ICT’) devices, where the devices are both the tool for committing the crime, and the target of the crime”

Cybercrime types that are cyber-enabled offences

“traditional crimes which can be increased in scale or reach by the use of computers, computer networks or other forms of ICT”

(see National Cyber Security Report 2021 - <https://www.gov.uk/government/publications/national-cyber-security-strategy-2016-to-2021>)



## Cybercrime types that are cyber-dependent offences

- Hacking
- Manufacture and/or distribution of virus software, trojans, malware, and worms
- Manufacture and use of spyware

## Cybercrime types that are cyber-enabled offences

- Fraudulent sales through online auction/retail sites; scams and mass-marketing frauds; phishing scams
- Online romances / persuasive tactics with intent to deceive and defraud
- Intellectual property
- Forgery and counterfeiting
- Selling illegal goods online
- Purchasing illegal goods online
- Malicious communications
- Cyberbullying / trolling
- Disclosing private sexual images without consent
- Cyber-stalking and online harassment
- Coercion and control
- Child sexual offences and indecent images of children (IIOC)
- Prohibited and indecent images of children; sexual offences
- Extreme pornography
- Obscene pornography

## Cybercrime types that are cyber-dependent offences

- Computer Misuse Act 1990
- Serious crime act 2007
- Fraud act 2006
- Criminal law act 1977

## Cybercrime types that are cyber-enabled offences

- Fraud Act 2006
- Criminal law Act 1977
- Theft Act 1968/1978
- Forgery and counterfeiting Act 1981
- Copyright designs and patents Act 1988
- Trademarks Act 1994
- Video recordings Act 2010
- Identity document Act 2010
- Serious crime Act 2007
- Misuse of drugs Act 1971
- Firearms Act 1968
- Malicious communications Act 1988
- Protection from harassment Act 1997
- Sexual offences act 2003
- Obscene publications Act 1959
- Criminal Justice and Immigration Act 2008

# Computer misuse Act 1990

*Computer misuse offences:*

1.Unauthorised access to computer material.

2.Unauthorised access with intent to commit or facilitate commission of further offences.

3.Unauthorised acts with intent to impair, or with recklessness as to impairing, operation of computer, etc.

3ZA.Unauthorised acts causing, or creating risk of, serious damage

3A.Making, supplying or obtaining articles for use in offence under section 1, 3 or 3ZA



# Stalking and Harassment

“repeated and unwanted behaviour causes you **alarm or distress** or to fear that violence might be used against you. It includes behaviour that happens two or more times, directed at or towards you by another person.

**The Protection from Harassment Act 1997** gives both criminal and civil remedies. There are two criminal offences:

- (a) pursuing a course of conduct amounting to harassment;
- (b) a more serious offence where the conduct puts the victim in fear of violence



National  
Security

# Scale/Volume

- [Cyber Crime Trends 2020-21](#)
- 31,322 reports received – Top three:
  - Hacking of social media/email
  - Computer virus/malware/spyware
  - Hacking Personal accounts
- [Fraud Crime Trends 2020-21](#)
- 875,622 reports received including (80% cyber-enabled) – Top three:
  - Cheque, Plastic Card and Bank Account
  - Online Shopping and Auctions Fraud
  - Applications Fraud
- Source: [Action Fraud](#)

# More data

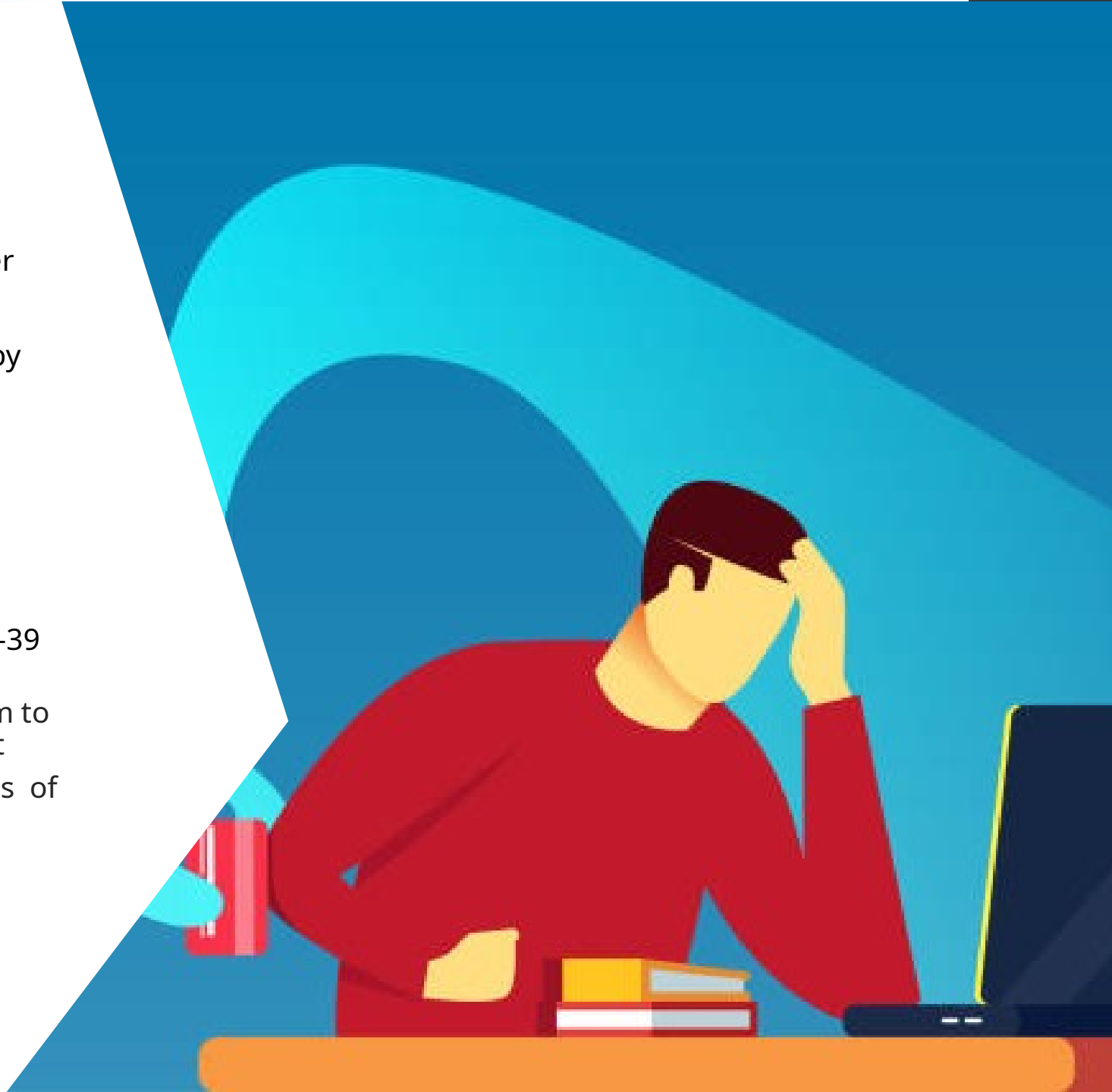
- [Cyber Security Breaches Survey 2023](#)
  - About 32% of businesses and 24% of charities overall recall any breaches or attacks from the last 12 months
  - The most common enabler by far is phishing emails (TV licensing most reported)
  - Cloned investment companies are also a threat to investment fraud
  - Social media and encrypted messaging is increasing enabler in all aspects of fraud
  - The most impactful malware is Ransomware
  - Covid was a key factor in the rise of cybercrime
  - Estimated that the single most disruptive breach from the last 12 months cost each business, of any size, an average of approximately £1,100. For medium and large businesses, this was approximately £4,960. For charities, it was approximately £530
- Cybercrime estimated to have cost UK businesses almost [£13 billion in 2019](#)
- [Home Office report published in 2018](#)



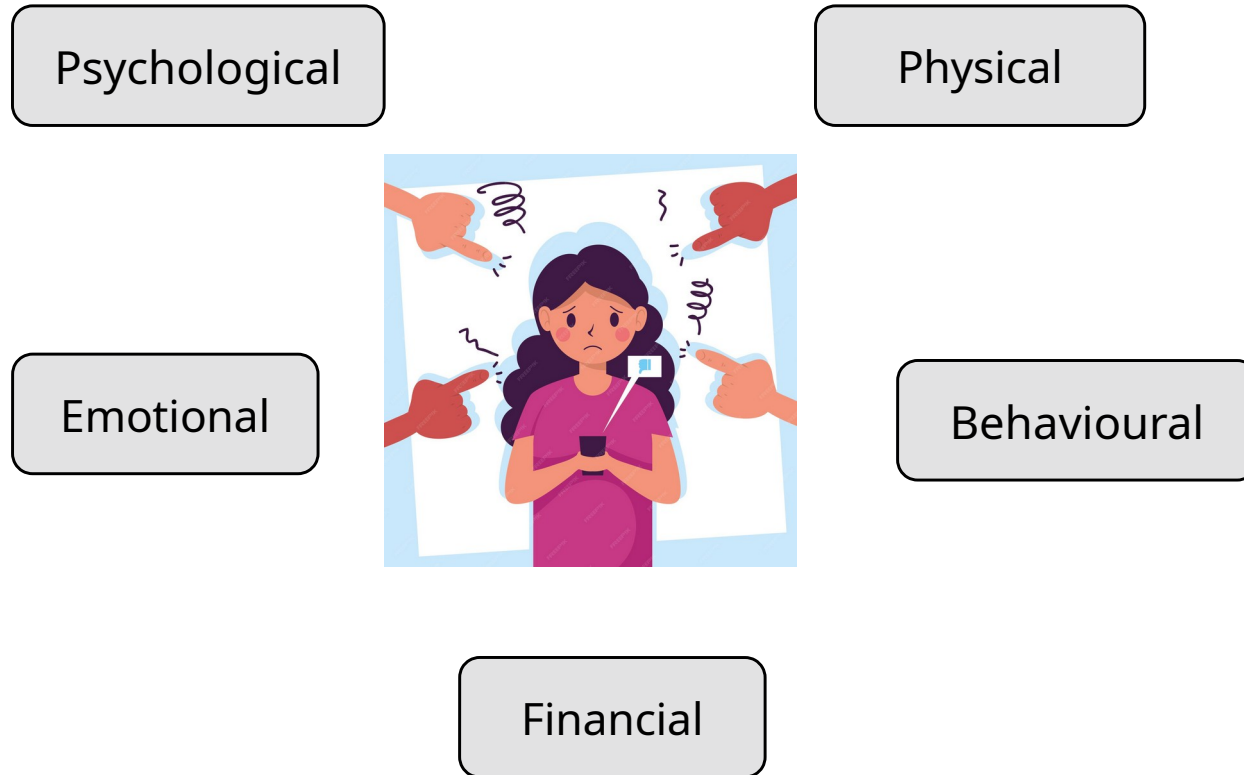


# Victim characteristics

- Victim profile depends on the type of crime under consideration
  - Groups with certain vulnerabilities are targeted by cybercriminals
  - Gendered and age-related victimisation
  - Fraud cyber crime victim trends – women (51%), largest loss age 50-69yrs, most volume 20-39 yrs (Action Fraud 2020-21)
  - Cyber crime victim trends – female (60%), age 20-39 years (Action Fraud 2020-21)
    - Consumer investment frauds require the victim to have spare funds that they are willing to invest
    - The 45-54 years age group had higher rates of victimisation in frauds
    - Victims tend to be in households with income levels over £50,000
- (Source: Button and Cross, 2017)



# Impact of cybercrime/stalking



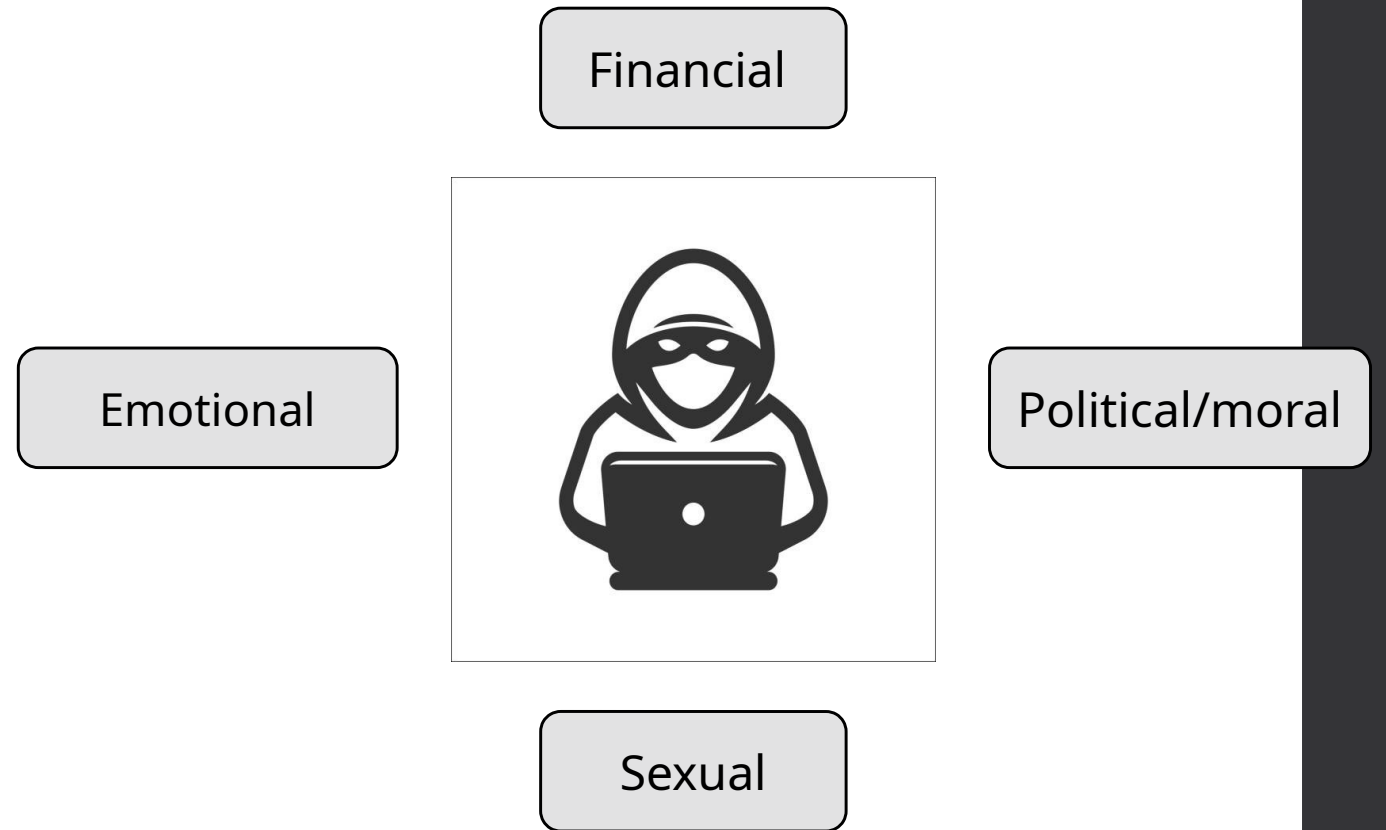
(Source: Button and Cross, 2017 )

# Perpetrators

- Profile

- ▮ Teenagers to white collar
- ▮ Can work alone or as part of wider networks
- ▮ Professional backgrounds and higher levels of education
- ▮ IT competency

# Motivations



# Policy and practice

- Question: what jurisdiction matters? Where does this crime take place? (Vincent, 2017)
- Evidence suggests that many organisations are not aware of policy and practice initiatives that could help them, though this has been improving since 2017
- [An example - Cyber Essentials \(2022/23\)](#)
  - Government-endorsed scheme which enables organisations to certify that they meet good practice standards in cyber security
  - It is for organisations and not for individuals
  - It is renewed every 12 months
- [National Cyber Security Strategy 2016-21](#)
- Ofcom as regulator



Government

**NATIONAL CYBER SECURITY  
STRATEGY 2016-2021**

A hand-drawn illustration of a document. At the top, the word 'REPORT' is written in large, bold, capital letters. Below it are several horizontal lines representing text. At the bottom of the document is a pie chart divided into six colored segments: red, blue, purple, yellow, green, and orange. The entire illustration is tilted slightly to the right.

# Assignment 1

- If you choose **Cyberstalking** for your **Crime Report**
- Check reading list and slides for pointers as to literature on examples of policy and practice, think about
  - National Cyber Strategies
  - National Cyber resilience Centre
  - Cyber aware
- Make sure you know where these interventions are being implemented and take into consideration the context
- Rely on academic material; begin with [Reading list](#), continue with [Library Search](#)



# Break