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Terrorists, affordance and the over-estimation of offence homogeneity

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Introduction

Indeed, a cat doesn't simply assess a mouse, it assesses it as a prospective meal. But the cat doesn't assess all animals as prospective meals, only mice (Martinez, 2005:53).

This short quotation taken from the Guillermo Martinez novel, *The Oxford Murders*, wonderfully illustrates 'affordance', the central concept of this book. The cat's perception of the mouse as a meal, 'affords' the cat a behavioural option of killing and eating it, presumably because the mouse is not likely to fight back where other animals might. One can assume that the 'affordance' for the cat would undoubtedly be different if the mouse was two meters tall and wielding a baseball bat. If the popular myth propagated by children's stories is to be believed, then may be this explains why elephants are scared of mice. It is they who perceive mice in such an intimidating way!

As what affordance constitutes is dealt with better by others in this book, it suffices here just to say that in its broadest sense, the concept of affordance is taken to be how one's perceived actions are constrained (or in some cases widened) by what one infers others might do in particular situations (Pease, 2006). For example, if one perceives a dog to be hostile, then the consequent range of possible actions available (i.e. affordance) is likely to be more constrained than if it is perceived as friendly or harmless.

By now the reader is hopefully of the mind that although the word affordance itself may 'afford' slightly different meaning for writers of the other chapters, sufficient consensus exists to make it a concept worth considering when one is trying to understand terrorist behaviour. A common thread throughout this book is how different situations and settings can affect the range of actions perceived available to those seeking to commit acts of terrorism, an observation that is inherently important in the wider objective of preventing them.

How specific situations and settings might afford the terrorist a certain range of actions is well covered elsewhere in this book and is not repeated here. The point of departure for this chapter

is instead to focus on the broader issue of how estimations of the offence homogeneity of criminals and terrorists might affect the range of afforded actions available, not only for those tasked with preventing and countering terrorism, but also for the terrorist. Offence homogeneity is where the individual offender 'specialises' by committing offences of a same type. For example, where a bank robber just 'robs banks' and a burglar only burgles (Roach, 2009).

The chapter begins with a brief exploration of what affordance might mean in the criminal setting and why it should be considered important to understanding and preventing crime, before moving to suggest that it should be given equal consideration to the task of understanding, preventing and countering terrorism.

The chapter concludes with the suggestion that, like those seeking to prevent crime, those tasked with preventing and countering terrorism will have a common tendency to over-estimate the offence homogeneity of offenders, whereas research on criminal careers and recidivism suggests the contrary (i.e. offence versatility). How over-estimation of offence homogeneity can work to constrain the range of actions afforded to prevent and counter terrorism, whilst at the same time expanding the range of actions afforded to the terrorist in a kind of 'second-order affordance' is briefly introduced here, where those involved in terrorism can commit other types of offences safe in the knowledge it is highly unlikely that being caught will unmask them as terrorists.

It is suggested here that by widening the perceptual frame of terrorist offending currently held by those charged with countering and preventing such acts, the range of actions afforded will be increased as a consequence. It is important, on the other hand, that terrorists continue to think that those trying to counter them continue to see them as offence homogenous. Such a second-order belief (e.g. Cartwright, 2000) broadens the range of actions afforded to counter-terrorism by making additional methods of identifying terrorists a more attractive proposition. For example, if one takes the premise that those engaged in terrorism only consider vulnerability of their exposure when planning and committing acts of terrorism, then, consequently, they are unlikely to commit other terrorism unrelated crimes with the same degree of 'carefulness'. Being careless with the commission of their 'non-terrorist' crimes makes them vulnerable to identification as terrorists by more mainstream policing methods. Suggestions are made at the

end of this chapter, whereby other offences committed by terrorists might be best used against them in order to 'flag up' further scrutiny which might in turn uncover their terrorist activities.

Affordance and 'mind-reading'

When the French philosopher René Descartes (1642) decided to doubt his own existence all he found was the opposite. He concluded instead that as somebody was doing the doubting (i.e. him) then he must exist, leading to the famous proclamation attributed to him, '*I think therefore I am*'. Although he might have failed spectacularly in his mission, he did unintentionally illustrate what is called 'second-order intentionality'. This involves self-awareness and the realisation that others are similarly aware (Cartwright, 2000). To illustrate the following is borrowed from Roach and Pease (currently in press);

- 'I think I'm innocent', is first-order.
- 'I think that you think I'm innocent', is second-order
- 'I think that you think that I think I'm innocent', is third-order, and,
- 'I think that you think that I think that you think I'm innocent', is fourth-order

We usually lose the plot around fifth or six-level intentionality. The ability to think beyond first-level intentionality is an alternative name for Theory of Mind (Premack and Woodruff, 1978)

Humphrey (1976) claimed famously that humans do not make complex social world calculations merely based on 'external behaviour'. That is, how we behave is as much a reflection of how we *perceive* others to think and feel as it is based on their 'outward (visible) behaviour'. Take, for example, concern for a friend who has recently split from a long-term partner of whom they are still very fond. If they respond to the question 'how do you feel?' with 'never better', you probably would not believe them. You are more likely perhaps to interpret their reply as, 'I'm not too good thank you, in fact I'm a bit of an emotional wreck if truth be known' (Roach and Pease in press). So how do we 'read minds' in this way? How are we capable of putting ourselves in the place of others and reflecting on how we might think? Because we are blessed with what termed as *Theory of Mind* (Premack and Woodruff, 1978) and described by Barrett et al. (2002) as;

This rather awkward term is meant to suggest that the individual has a belief (a theory) about the content of (another person's) mind – in other words, he/she understands that other people have mental states (thoughts, desires, beliefs) and that these mental states drive their behaviour. More importantly, perhaps, the individual can appreciate that, at any one time, the actual content of these mental states can differ considerably from our own and from the objective reality of a situation (296-7).

Put simply, affordance rests on having a Theory of Mind, whereby the individual is able to infer or recognise the thoughts and actions of others, which influences the range of actions they perceive available to them and consequently their eventual choice of action. For example, without Theory of Mind, we would only act according to our own thoughts and feelings and not in partial response to those of others. Behaviour would be utterly selfish and altruism would not exist

Ken Pease suggests that affordance is therefore best perhaps understood here as a kind of psychology of what actions come to mind in a certain setting (Pease, 2006), rather than in the more narrow 'Gibsonian sense' of perception per se. Pease (2006) also suggests affordance is preferred to opportunity because an opportunity implicitly exists outside people. For example, we all have a chance of winning the national lottery providing we buy a ticket.

Affordance is a perception of what actions come to mind in a particular setting, and is a concept well known to designers. The psychologist and designer Donald Norman (1998) gives the example of door handles by way of illustration. A plate on a door affords pushing where a handle affords pulling (Norman, 1998).

Affordance, crime and the criminal setting

In this chapter affordance in a criminal context is taken to be to be simply the range of behaviours that an individual might consider if they perceive situations in particular ways. For example, with the classic 'broken window' (Wilson and Kelling, 1982; Kelling and Coles, 1995) where run down, vandalized and generally uncared for environments afford better opportunities to engage in crime and disorder without much risk of reproach, for some at least. The gist of the thinking being that if people do not care for a particular area then they are a) not likely to spend much time in it (so little risk of observing our individual up to no good) and b) even less likely to waste breath bothering to complain and challenge what goes on within it. The *broken windows* hypothesis is founded on the notion that a rundown damaged building (or area) will afford damage in a way that an undamaged one does not (Kelling and Coles, 1995).

Similarly, the social psychologist Philip Zimbardo found in an experiment that the perception of a vehicle with a missing wheel afforded vandalism and theft opportunities that a complete vehicle did not (1973; 2007). Nee and Meenaghan (2006) in their study of decision making in burglars found that those more experienced processed faster cognitively relevant stimuli and cues available from settings when searching for targets, suggesting expertise. These examples lead Pease to suggest,

‘Affordance is, one may speculate, the psychology which links predisposition to setting’ (2006: 59).

Situational Crime Prevention (Clarke 1997) is about preventing crime by effective environmental manipulation. Usually, where the risk for the offender is increased and the rewards from the crime reduced, the crime can be prevented. Crime affordances, however, will differ according to whether an open first storey window is perceived as an opportunity to burgle, or simply as evidence of a hot day. Other considerations will influence affordance here such as whether the individual is thinking about crime and/or whether they are agile enough to get up to (and through) the open window. If not, then it is unlikely that the open window will afford the possibility of committing burglary for the individual. The point being affordances are not homogenous. Indeed affordances vary across people and must be acquired and refined by personal or vicarious experience (Pease, 2006).

We now move to explore how different perceptions of offenders and offending can affect affordance. Specifically, how the range of actions available to those charged with identifying and investigating them, can be constrained if the common misperception that offenders are offence homogenous is adopted.

Serious offenders: Offence homogenous or heterogeneous?

To view serious offenders as offence homogenous is superficially at least an attractive one. Logically, if rapists only rape and terrorists only commit terrorism related offences, then it makes the understanding of specific crimes more comprehensive and presumably their perpetrators more readily identifiable. For example, if rapists are motivated by a different set of identifiable reasons and employ different *modi operandi* to terrorists, then the investigation of each will demand different knowledge and skill. Likewise, crime prevention, criminal

investigation and offender rehabilitation can then be tailored specifically to the type of crime committed and not to the individual circumstances of the offence (Roach, 2009).

In theory the fight against crime would be easier in a world where individuals displayed only homogeneous offending. Easier it might be, but does the research literature on criminal careers support such a perception of serious offenders and their offences?

Criminal careers research

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

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

As will be discussed, whether offenders specialize (or not) in their offending holds no little importance for broader criminological explanations and crime control, including preventing and countering acts of terrorism (addressed more comprehensively in the final section of this chapter). If, overall, studies of criminal careers point to a high degree of offence specialisation, then crime should be responded to in ways which target specific motivations and behaviours of particular criminal types. Criminal careers can be then used to predict future offending (Armstrong, 2008). Such as, what makes robbers rob, what makes violent criminals violent, or even what makes a terrorist. Evidence of high offence specialisation makes emergent methods of identifying serious offenders such as self-selection policing a much less attractive prospect (Roach, 2007a, 2007b).

The self-selection policing approach rests on the premise that ‘those that do big bad things also do little bad things’, and often more frequently (Roach, 2007a). Specific minor offences are identified as being useful flag offences of more concurrent serious¹ criminality, such as illegal parking in disabled bays (Chenery, Henshaw and Pease, 1999), and non-compliance with the Home Office Road Transport 1 form (Roach, 2007b). However, if bank robbers balk at extortion or parking on double-yellow lines, then such an approach based on offence heterogeneity falls down. Some suggestions for how self-selection policing might be best employed to uncover terrorists are made in the final section of the chapter.

To revisit, if a high degree of offence versatility is found (i.e. no specialisation) then crime appears a more generalizable phenomenon resting on classicist ideas such as rational choice (Cornish and Clarke, 1986), general explanations for crime (Hirschi and Gottfredson, 1988) and Routine Activity Theory (Cohen and Felson, 1979). Here it is the presence of crime opportunities that are the preferred explanation, rather than, for example, offenders having specialist knowledge or skill.

The criminal careers literature, with its central focus on identifying whether offenders are more offence versatile than specialist, may be equally crucial when looking at perceptions of terrorists and their offending. If those charged with preventing and countering terrorist acts do generally perceive terrorists to be offence homogenous when they are not, then as a consequence, this affords them a narrower range of possible actions than if they perceive them offence versatile. For the terrorist, of course, the opposite might be true, with more actions seemingly available to them when they perceive those trying to counter them as believing them to be offence homogenous. To risk repetition, why should they worry about being caught speeding if police and Security Service personnel think that they only commit acts of terrorism and not other types of crime?

¹ In England and Wales, if, when stopped by police, the driver of a vehicle cannot produce required documents (i.e. certificate of insurance and the Ministry of Transport certificate (vehicle safety check) then they are issued with a Home Office Road Transport form 1 (HORT1). This compels them to present the necessary documents at a police station within 7 days. Roach (2007b) found ‘non-compliance’ to be indicative of active concurrent criminality.

Dedicated research probing counter-terrorism agency and terrorist perceptions of offence homogeneity is both called for and outlined at the end of this chapter. We move first to explore whether the criminal careers literature favours offence specialiazion over versatility, or whether this should itself be considered a false dichotomy.

Leonore Simon, in *'Do criminal offenders specialize in crime types?'*, considers offence specialisation not only to be a 'myth' but one "perpetuated by researchers and legal actors who emphasise the heinous homicides perpetrated by the offender while playing down other forms of criminality" (Simon, 1997, p.35). As an example, he cites the varied and extensive criminal career of US serial killer, Henry Lee Lucas, at the expense of Lucas' most heinous crimes (Simon, 1997, p.35). By 'researchers' one trusts he means those investigating criminal careers, and there is merit in his appraisal as arguably such researchers have tended to neglect minor offences and those which do not readily fit into neat crime categories (Roach, 2007a, 2007b).

Traditionally criminologists have expended a lot of energy trying to distinguish whether career criminals are specialists' or 'generalists' (e.g. Blumstein et al., 1986; Tarling 1993) because it has important implications. Armstrong (2008), for example, suggests that if offenders specialise, then knowledge of past offences can be used to predict later offence types, and that treatment policies can be 'type specific' (Armstrong, 2008). Some have gone so far as to say that this has plagued criminology, consistently leading to disappointing results (Simon, 1997; Soothill et al.; 2000; Soothill, Fitzpatrick and Francis, 2009). Others suggest instead that criminologists must abandon their insistence on the false dichotomy that offenders are *either* specialists *or* generalists (versatile in their offences), in the face of overwhelming evidence that says they can be and indeed are both (Soothill et al., 2000, p. 57).

Soothill et al. (2000) focused on the criminal careers of over 7000 sex offenders (who are thought generally to be the most 'specialized' of serious criminals) and found evidence of differences in offence specialisation and versatility between different groups of sex offender. For example, males convicted of underage sexual intercourse (statutory rape) had a versatility that took in the full spectrum of criminality. Whereas, those convicted of indecency between males were more infrequent re-offenders, and if reconvicted this tended to be for the same

offence (i.e. indecency between males). The point being that 'sex offender' is perhaps more of an 'umbrella term' than a description of a homogenous group.

Soothill et al. (2000) concluded from their study of sex offenders that with regard to criminal careers, criminologists need to recognise that offending specialisation and generalisation (versatility) exist at two levels, sex offenders may be specialists, generalists or both (Soothill, Fitzpatrick and Francis, 2009). They sum this up by way of a wonderful analogy (for those of us who follow sport anyway).

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

Crime categories used can have a big effect on whether a criminal career is considered offence homogenous. For example, the criminal career of an individual with previous offences for shop-theft but who's next offence is to steal a car, can equally be considered offence homogenous (as all his crimes are related to the theft of property), or as offence heterogeneous (the taking of a vehicle without consent of the owner being a different category of crime). For the sake of brevity we will not expand here; it suffices to say that how crimes are recorded will have a dramatic affect on perceptions of offence homogeneity and heterogeneity in a criminal career.

Another important aspect of a criminal career concerns offending escalation, that is, do career criminals move from minor to serious criminality as their career progresses - sometimes termed the 'graduation hypothesis'. It has been suggested "a belief in escalation is probably the most widely held view of the patterns of criminal careers" (Blumstein et al., 1986, p.84). One commonly accepted description suggests escalation is "the tendency for offenders to move to more serious offence types as offending continues" (Blumstein et al. 1986, p. 8). Loeber and Le Blanc (1990) suggest that there are many ways in which quantitative changes (e.g. degree, direction and velocity) as well as qualitative changes (e.g. conservation and paths) in offending can be shown above and beyond mere escalation. They criticise the 'offending cycle' as being too narrowly pre-occupied with the increasing seriousness of the offence and the tendency for offenders to modify their offending both quantitatively and qualitatively as they continue to offend throughout their career. Offenders can and do 'de-escalate' their offending, for example,

by choice, lack of opportunity or incarceration, both in frequency and/or in seriousness. This lends support to the premise that serious offenders commit a wide range of offences, including more routine minor ones. The alternative being that those offenders who 'graduate' to serious offending then only commit serious offences thereafter. This is difficult to imagine. Escalation, therefore, should not be considered the only way of characterising an offending cycle. It is more instructive to think of a triangular distribution, with high seriousness offences more often being associated with a range of offences of lesser seriousness (Roach, 2009).

Our brief foray into the criminal careers literature strongly suggests that offenders (particularly those that commit crimes of a serious nature) tend to be offence heterogeneous (e.g. Wolfgang et al., 1972; Piquero, 2000). That is, they display versatility with regard to the types of offences they commit. David Farrington, the main proponent of criminal careers research in the UK rather pragmatically concludes,

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

The research evidence from criminal career studies, therefore, strongly suggests that although offenders do sometimes specialize, they are generally far more offence versatile than perceived.

An important further and related point with regard to affordance and serious criminals is therefore, whether this perception is shared by those charged with preventing and countering their actions, and equally by the criminals themselves. Before exploring whether the perception of terrorists by counter-terrorism agencies is one which favours terrorists as offence homogeneous (specialists) over offence heterogeneous, a study of police perceptions of offence homogeneity is presented. The last section of this chapter explores how counter-terrorism agency perceptions of terrorist offence homogeneity might be considered analogous to perceptions of offence homogeneity held by police.

Police perceptions of offence homogeneity

In an as yet unpublished study of police perceptions of offending patterns, Roach (2009) asked police officers of various rank, to predict the likelihood of offence homogeneity for a second

offence type from a given first offence. Put simply, they were asked to express, as a percentage, how likely an offender was to commit a second offence of the same type as their first. A repeated-measures ANOVA test was carried out in order to identify any differences in participant predictions of homogenous re-offending. Results showed that the differences in predicted likelihood of re-offending was unlikely to have arisen by chance $F(9,369) = 7.47$, $p = 0.001$, $\eta^2 = 0.56$) with 56% of the variation in error scores accounted for by the differences in predictions of homogenous re-offending according to first offence type. On the whole, police tended to grossly over-estimate the offence homogeneity of offenders, irrespective of type of offender and offence given.

Tarling (1993) used reconviction data and found that the offences of violence, burglary and theft, showed the highest degree of specialisation. Although when taken as a whole the findings of Roach (2009) echoed this, police predictions were much higher across all the crime types asked. For example, Tarling (1993) found that about half the crime types had a probability of 0.25 or less. In the Roach (2009) study, no police predictions of offence homogeneity (specialisation) were below a probability of 0.4, suggesting that police tended to over-estimate offence homogeneity across all crime types. Put simply, police in this study considered all offences to be specialized, whereby the offender was more likely to commit a next offence of the same type irrespective of the crime committed. The implications of this finding are addressed later in the chapter.

While there was on average an overestimation of specialization demonstrated by police, the measures of dispersion showed that there was huge variation in officer judgements, with some officers considering certain crimes far more specialized than others (Roach, 2009). For example, the range went from an officer who believed that any second offence would be the same as the first in 24% of cases where there was a second offence, to another who believed that any second offence would be of the same type as the first in every single case. Perhaps this incidental finding, that officers have widely different assumptions about the progression of the criminal career, is at least as important as the overestimation of homogeneity. Whether by overestimating homogeneity or simply having widely dispersed views, the use of prior criminality to inform risk of future criminality appears limited. Indeed, Tarling (1993) found what he terms 'stationarity' in criminal careers in that the offender was no more likely to commit the same next offence type whether it was early in a career (e.g. offences two to three)

or later (e.g. offences six to seven). This is of no little importance where a common perception is that offenders increase in specialisation.

In the Roach (2009) study police participants were also asked to predict the likely next offence type for 20 different offence history scenarios. Correlational analysis of the prediction scores across all offence history scenarios indicated, in all cases, that the most likely next offence coincided with the offence history given. Where, for example, the offence history scenario detailed violence and burglary, then violence and burglary were consistently predicted to be the most likely next offences. Burglary was the highest predicted next offence in both scenarios where burglary was listed, suggesting that in making predictions of next offences participants were using a common offending schema based, probably based on their experience and knowledge of past offenders.

This interpretation is supported further when, for example, it was noted that violence was the second highest prediction in a scenario where it was included in the offence history, but dropped considerably to only the fifth highest prediction in a scenario where the offence history was comprised of only burglary offences. This was also the case for robbery and public order offences probably because of their links in officers' minds with violent crime. Prediction of burglary as next offence, in contrast, increased in the burglary only scenario, as did predictions of theft and fraud, offences not usually associated with violence but associated with illegally acquiring the property of another. Police predictions remained unchanged across the two scenarios for drink driving, drugs, sexual and motoring offences, suggesting that the specific offence histories given had little (or no) influence on predictions. It is interesting that sexual and drug offences predictions did not appear to correlate with violence when research on reconviction patterns suggests that they often do (Cunliffe and Shepherd, 2007).

Now to summarise the important implications of these studies. The Roach (2009) study found that all police next offence predictions consistently favoured offence homogeneity across all offence history scenarios. This strongly suggests that an individual's type of previous offence was considered the best predictor of their future types of offending, irrespective of the type of offence history presented. Comparison with reconviction data shows this to be a gross over-estimation of offence homogeneity by police in this study at least. For example, reconviction data shows that those convicted for violent offences are found to be the least likely to be

reconvicted for any type of offence (Cunliffe and Shepherd, 2007). Put another way, Roach (2009) suggests that police generally appear to have a grossly over-estimated perception of offence homogeneity and although not tested for directly in this study, there is no reason to suggest that police perceptions of terrorists is likely not to be one of offence homogeneity. Some supporting evidence may be found when one looks at the organisation of operational policing.

It is common for police facing the challenges posed by serious offenders to organise along categories of serious crime, by creating dedicated teams of officers charged with combatting specific types of serious crime and serious offender, for example drugs, robbery, vice and terrorism squads (Schneider, 2005; Roach, 2009). This suggests a collective police perception of serious offenders as offence homogeneous, as for example, those with a history of robbery demand the attention of the robbery squad as 'robbers', with potential for other offence types overlooked. Overestimation of offence homogeneity will result in the crime versatile robber not being identified as a candidate for the burglaries, drugs and motoring offences he commits – or the burglary or drug offender escaping attention as a possible suspect for the robbery.

The logical and analogous question to ask here is if the police, counter-terrorism agencies and the general public's perceptions (and so affordance) of terrorists are equally likely to be one of over-estimation of offence homogeneity, as was found with police officers and more mainstream offending. In the last section it is suggested why dedicated research along the lines of Roach (2009) is necessary in order to explore perceptions of terrorists as offence homogenous, and how self-selection might be employed against the terrorist.

Terrorists, counter-terrorism and an over-estimation of offence-homogeneity?

The following extract is taken from a review of the intelligence on the London terrorist attacks on the 7th July 2005, by the Intelligence and Security Committee (ISC);

MI5 have told the Committee that they could easily have verified the information that they had and formally identified who UDM E was, but there was no reason to take this formal step because of what they thought he was. There was nothing at the time to suggest that UDMs D or E were no more than small time fraudsters who had some minor contact with the CREVICE plotters. MI5 did not, therefore, verify the details they had on the men or open "personal files" for them. There was nothing, at the time, to suggest that MI5 should divert resources away from investigations of known terrorist plots in order to investigate someone whom they believed was a minor criminal

(Intelligence and Security Committee report, 2009, *Could 7/7 have been prevented?* paragraph 84).

The review report concluded that at the time, the Security Service was correct in its assessment of UDMs D and E as simply 'minor criminals' and 'small time fraudsters'. As such, the perception was that they did not pose any significant threat and therefore did not warrant the more security resource intensive categories 'essential' or 'desirable' targets. Essentially it seems that in the terms used in this paper these people were perceived as being offence homogenous, small time common criminals. The individuals (UDMs) in question were Mohammed Siddique Khan and Shazad Tanweer, two of the four bombers that took the 52 lives in the terrorist attacks on London in 2005.

The point being made here is not that suspect prioritization decisions are made solely on perceptions of offence specialization, but that assumptions of terrorist criminal careers (such as specialisation) are likely to play some part in the process. Dedicated criminal career research (perhaps analogous to Roach, 2009) is urgently needed which tests and, where necessary challenges, such assumptions.

A suggestion that terrorists are perhaps more offence heterogenous in their criminality, was made in a recent report on the *Coroner's Inquests into the London Bombings of 7 July 2005*, where the report author, the Rt. Hon. Lady Justice Hallett, was more skeptical about the assessment of Khan and Tanweer as 'common criminals'. While acknowledging the possible confounding influence that hindsight affords, she raises doubt over whether the Security Service assessment of the two men at the time and was indeed correct, thereby questioning the ISC review finding;

There is considerable force in Mr Patrick O'Connor's submission that if they were dismissed as common criminals that would have been a mistake. (Rt. Hon Lady Justice Hallett, 2011:18)

There is also evidence that some terrorists commit more mainstream criminal offences preceding, during and after acts of terrorism. A powerful example is that of Jamal Ahmidan who

was stopped for speeding en route to Madrid on the morning of March 11th, 2004². Had the details he gave police been properly checked and the trunk of his stolen car been searched by the officer, they would not only have become suspicious, but would have found a large quantity of explosives destined to be used as part of an attack on the Spanish railway system which killed 191 people and injured 1800 others, a few hours later.

Although the Madrid bomber example maybe considered over-dramatic it serves to illustrate the importance of understanding perceptions of terrorist offending and in turn terrorist perceptions of those perceptions. Which as affordance, will affect his/her decision making. If as, hypothesised, perceptions of terrorist offending over-estimate homogeneity, then it is equally likley that terrorists also perceive this to be the case and their thinking and behaviour is affected accordingly. For example, if the general perception of terrorists is that they only engage in acts of terrorism, then it is possible that some will not balk at committing other types of crimes. Why? Because if there exisits a percpetion of an over-estimation of their offence homogeneity then it unlikely that other crime will uncover them as terrorists. So what am I suggesting exactly?

What is needed is a dedicated criminal career research programme for terrorist suspects which focuses on;

1. Counter-terrorist agencies' perceptions of terrorist offence homogeneity and compares them with the criminal records of known or suspected terrorists - perhaps research comparable with that conducted with police perceptions by Roach (2009). It is likley that counter-terrorism agencies and personnel are analogous to police in that they are not homogenous in their perceptions of terrorist offence homogeneity. This needs to be explored as the implication follows that if the case then counter-terrorism practice will differ across agencies and individuals and therefore so will practice and policy.
2. Identifying minor offences committed frequently by terrorist suspects. That is the identification of those more mainstream criminal offences found most indicative of those engagng in terrorism. Police and counter-terrorism agencies could then

² EL MUNDO (MADRID), 8/23/2004 FOUND AT [HTTP://DOCUMENTA.ELMUNDO.ORBYT.ES/](http://documenta.elmundo.orbyt.es/) (ACCESSED 10/6/2011)

legitimately place more scrutiny on those individuals as they have self-selected by virtue of committing a 'trigger-offence'. Self-selection policing can only be employed when trigger offences have been identified (see Roach, 2007a, 2007b). Some offences will be directly related to the planning and execution of acts, for example, stealing cars to be used as bombs, and some will be less directly obvious, for example, parking illegally outside a possible target in order to assess the security response. In the same way that it is incumbent on horticultural suppliers to inform the necessary agencies when individuals try to purchase a tonne of fertiliser (when they only have a window box at their flat), or the suppliers of hairdressing products that an individual is trying to purchase a large amount of hydrogen peroxide (but they do not cut hair or own a salon), the identification of those 'trigger offences' for those engaging in terrorism will make it incumbent on police more frequently to thoroughly scrutinise those who commit them. This could be as easy as looking in the trunk of cars of those caught speeding. This is the essence of the self-selection policing approach (Roach, 2007a, 2007b) and it promises to be equally useful when employed to help uncover and identify those planning and executing acts of terrorism (Roach 2009).

An important distinction must be made between the use of minor offences as legitimate means by which known suspects are targeted, and self-selection policing. Self-selection policing is concerned with identifying minor trigger offences most indicative of active concurrent serious offending. That is, those minor offences which if targeted will yield a significant number of active serious offenders (Roach, 2007a, 2007b, 2009). For example, those who park illegally in disabled bays (Chenery et al, 1999). Using minor offences committed by known criminals (or terrorist suspects) as a legitimate means by which police attention is focused on them is wholly different. Al Capone was imprisoned for tax evasion not because his tax evasion uncovered him as a gangster, but because it was all the authorities could pin on him even though he was a well known gangster (Roach, 2009).

As long as terrorists perceive the perception of them to be one of offence homogeneity, then methods such as self-selection policing should become more attractive propositions for those charged with identifying and countering them. Equally important for counter-terrorists agencies is determining the extent to which terrorist suspect prioritisation (risk) assessments are influenced

by an over-estimation of offence homogeneity. One hopes that the discounting of two of the London Bombers as priority suspects was an both an isolated incident and one not simply driven by their perceived status as just 'minor offenders'. Again, dedicated research on terrorist criminal careers and counter-terrorism perceptions is necessary to test such hypotheses. Indeed, the first hurdle to overcome is of course finding out whether counter-terrorism agencies and personnel do indeed perceive terrorists as offence homogenous and, as a consequence, whether such an affordance is acting to constrain their actions. Until a dedicated research programme focused on the actual and perceived criminal careers of terrorists is conducted then we shall never know. And the possible utility of self-selection policing to counter-terrorism never realised.

- Armstrong, T.A. (2008) Exploring the impact of changes in group composition on trends in specialisation. *Crime and Delinquency*, 54, 366-89.
- Barrett, L., Dunbar, R. and Lycett, J. (2002) *Human Evolutionary Psychology*. Basingstoke, Hampshire. Palgrave.
- Blumstein, A., Cohen, J., Roth, J. A. and Visher, C.A. (1986). *Criminal Careers and Career Criminals*, Washington DC: National Academy Press.
- Cartwright, J. (2000) *Evolution and Human Behaviour* Basingstoke, Hampshire, Macmillan Press.
- Clarke, R.V. (1997) (Ed.). *Situational Crime Prevention: Successful Case Studies* (2nd ed), Albany, NY: Harrow and Heston.
- Cohen, L. and Felson, M. (1979). Social change and crime rate trends: a routine activity approach, *American Sociological Review*, 44, 588-608.
- Cornish, D.B. and Clarke, R.V. (eds.) (1986). *The Reasoning Criminal: Rational Choice Perspectives on Offending*. New York, NY: Springer-Verlag.
- Cunliffe, J. and Shepherd, A. (2007) *Re-offending of adults: results from the 2004 cohort*. Home Office Statistical Bulletin 06/04, London: Home office.
- Descartes, R.; Laurence J. Lafleur (trans.) (1960). *Discourse on Method and Meditations*. New York: The Liberal Arts Press.
- Farrington, D.P., Snyder, H.N., and Finnegan, T.A. (1988) Specialisation in juvenile court careers, *Criminology* 26, 461-87.
- Fisher, G. and Ross, S. (2006). Beggarman or thief: Methodological issues in offender specialisation research. *The Australian and New Zealand Journal of Criminology*, Vol. 39 (2)151-170.
- Hallett, Rt.Hon Lady Justice (May 2011). *Coroner's Inquests into the London Bombings of 7 July 2005*. Found at http://www.julyseventh.co.uk/j7-inquest-transcripts/2011-02-28-03-04-week-19/7_july_inquests_2011-03-03_am-session.pdf (accessed 7/6/2011)
- Hirschi, T. and Gottfredson, M. (1988). Towards a general theory of crime. In W. Buikhuisen, and S.A. Mednick, (eds), *Explaining Criminal Behaviour*. Leiden: E.J.Brill.
- Humphrey, N.K. (1976) The social function of intellect in Bateson, P.P.G. and Hinde, R.A. (eds) *Growing Points in Ethology*, Cambridge, Cambridge University Press.
- Intelligence and Security Committee report, 2009. *Could 7/7 have been prevented?* Found at <http://www.official-documents.gov.uk/document/cm76/7617/7617.pdf> (accessed 6/6/2011)
- Irwin, J. (1970). *The Felon*. Englewood Cliffs, NJ: Prentice Hall.

- Kelling, G. and Coles, C. (1995) *Fixing Broken Windows*. New York: Free Press.
- Le Blanc, M. (2002). The offending cycle, escalation and de-escalation in delinquent behaviour: A challenge for criminology, *International Journal of Comparative and Applied Criminal Justice*, Vol. 26 (1) (53-83)
- Loeber, R. and Le Blanc, M. (1990). Toward a developmental criminology in M. Tonry, M. and N. Morris (eds.) *Crime and Justice: A Review of Research*, Vol.12, Chicago: University of Chicago Press, 375-473.
- Martinez, G. (2005). *The Oxford Murders*. London: Abacus.
- Norman, D. (1998). *The Design of Everyday Things*, London: MIT Press.
- Pease, K. (2006). No through road: closing pathways to crime. In Moss, K. and Stephens, M. (Eds) *Crime Reduction and the Law*. Abingdon: Oxon. Routledge.
- Piquero, A.R. (2000). Frequency, specialisation, and violence in offending careers. *Journal of Research in Crime and Delinquency*, 37 (4), 392-418.
- Premack, D. and Woodruff, G. (1978) Does the chimpanzee have a theory of mind? *The Behavioural and Brain Sciences*, vol.1, pp5-15-26.
- Roach, J. (2007a). Those who do big bad things also usually do little bad things: identifying active serious offenders using offender self-selection. *International Journal of Police Science and Management*, vol.9 (1) 66-79.
- Roach, J. (2007b) HO/RT1culture: Cultivating Police Use of Home Office Road Traffic Form 1 to Identify Active Serious Offenders (*International Journal of Police Science and Management*, Vol. 9 (4) 357-370
- Roach, J. (2009). Unusual Suspects: Identifying Active Serious Offenders by Self-Selection Policing. Unpublished PhD. Thesis, University College London.
- Roach and Pease (in press) *Evolution and Crime*. Cullompton: Willan Publishing
- Schneider, J. L. (2005). The link between shoplifting and burglary: The booster burglar. *British Journal of Criminology*. 45, 395-401.
- Simon, L.M. (1997). Do criminal offenders specialize in crime types? *Applied and Preventive Psychology*, 6, 35-53.
- Soothill, K., Francis, B., Sanderson, B., and Ackerley, E. (2000). Sex offenders: Specialists, generalists – or both? *British Journal of Criminology* 40, 56-67.
- Soothill, K., Fitzpatrick, C., and Francis, B. (2009). *Understanding Criminal Careers* Cullompton: Willan Publishing.
- Tarling, R. (1993). *Analysing Offending: Data, Models and Interpretations*. London: HMSO.

Wilson, J.Q. and Kelling, G.L. (1982). Broken windows: the police and neighbourhood safety, *Atlantic Monthly*, March, 29-38

Wolfgang, M.E., Figlio, R.F., and Sellin, T. (1972). *Delinquency in a Birth Cohort*. Chicago: University of Chicago Press.

Zimbardo, P. G. (1973). *A Field Experiment in Auto-shaping*. In Ward, C. (Ed) *Vandalism*, London: Architectural Press.

Zimbardo, P. G. (2007). *The Lucifer Effect: Understanding How Good People Turn Evil*, New York: Random House.