Chapter 1 summaries

Cybercrime

- Cybercrimes can be defined in two main ways.

- They can be 'property crimes' or 'crimes against the person'.

- They can also be 'internet-specific', 'internet-enabled' or a 'crime in a virtual world' (Power, 2010; Power and Kirwan, 2011).

- Laws regarding cybercrimes vary across jurisdictions.

Forensic psychology definitions

- Many different definitions for 'forensic psychology' have been suggested, varying widely in the scope involved.

- While many of the general public associate forensic psychology with offender profiling, in fact only a small minority of forensic psychologists engage in this activity.

- For the purposes of this book, a broad definition of forensic psychology will be used, to encompass any way in which psychology can aid in the criminal justice process.

Offender profiling

- There are three main approaches to offender profiling – crime scene analysis, diagnostic evaluation and investigative psychology (Alison and Kebbel, 2006).

- Most approaches to offender profiling are based on two main assumptions – the 'consistency assumption' and the 'homology assumption'. However, there are flaws with both of these assumptions, which may make profiles unreliable.

- While the potential benefits of offender profiling for cybercriminal cases have been noted by several authors, limited empirical research has been produced to date.

Psychological disorders and offender assessment

- Forensic psychologists are sometimes required to assess offenders or suspects in order to determine if they have any underlying psychological disorders, or if they meet the definition of insanity in their jurisdiction.

- Insanity is primarily a legal term, rather than a psychological one, and is commonly defined in terms of knowledge of right and wrong, or control of impulses.

- Abnormal psychological states are often defined in terms of dysfunction, discomfort and deviance.

- While some hackers have been diagnosed with Asperger's Syndrome, there is no conclusive evidence to date suggesting that there is a relationship between the disorder and hacking behaviours.

Punishment, rehabilitation and risk assessment

- Forensic psychologists may be required to develop and implement appropriate rehabilitation strategies for offenders.

- Punishment may involve deterrence, restitution, rehabilitation or incapacitation, or a combination of these devices.

- Appropriate punishment types vary according to the offender and the offence involved.

- Psychologists may be required to assess an offender's risk of recidivism (committing further crimes).

Police psychology

- Police psychology considers a number of topics, including police recruitment and training, offender profiling, eyewitness interviewing, suspect interrogation and dealing appropriately with stress.

- Post-traumatic stress disorder and acute stress disorder can occur after an event which caused fear, helplessness or horror. Symptoms include emotional numbing, heightened autonomic arousal, flashbacks and intrusive memories.

- Police officers who investigate cases involving child pornography may be at risk of secondary traumatic stress disorder (STSD) and burnout.

- Police psychologists can provide 'stress inoculation training' and/or counselling for police officers affected by cases.

Cybercrime juries

- Cybercriminial cases may require juries to familiarise themselves with both legal terminology and terminology relating to the cybercrime itself.
- It has been argued that expert juries may be more appropriate than juries comprised of lay people, although this suggestion is not without controversy.
- The 'Trojan defence' may be used by defendants, and may cause some confusion for juries.
- Hastie's (1993) cognitive story model of jury decision making suggests that if a criminal event does not match the juror's schema for that event, the juror may not convict the defendant. This model may be particularly appropriate for cybercrime cases.

Victims

- Victims of crimes can experience many consequences, including self-blaming, victim-blaming, acute stress disorder, post-traumatic stress disorder, and a need for retribution.
- Mendelsohn (1974) suggested a spectrum of shared responsibility between the victim and the offender.
- There is some anecdotal evidence of crimes in virtual worlds evoking distress and a need for retribution in victims.

Crime prevention

- Cybercrime prevention strategies can involve targeted interventions at potential offenders, victim education strategies and the use of technological protection measures.
- Psychologists can aid in prevention strategies by identifying methods of encouraging users to engage in safer online behaviours.

Levels of explanation of crime

- Theories of crime attempt to explain why crime exists, and who is most likely to become an offender.
- Howitt (2009) suggests that theories of crime can occur at several levels, including societal theories, community theories, socialisation influence theories and individual theories.
- Societal theories are macro-level theories of crime, and include strain theory and the social construction of crime.
- Community theories examine why certain communities or areas have higher crime rates than others.
- Socialisation influence theories examine how society influences the criminal behaviour of the person.
- Individual theories seek psychological or biological traits that might explain why some people become criminals, while others do not.

Theories of crime

- The social construction of crime suggests that society determines what is and what is not a criminal event, and this can change across cultures and history.
- Biological theories of crime include phrenology, neural activity levels, neural structures, genetics, neurochemicals, hormones and evolutionary theories.
- Learning theories of crime include operant conditioning (where an offender may consider the rewards and punishments associated with an action when deciding whether or not to complete it) and observational learning (where criminal behaviour is learned through observing others, such as parents, siblings or peers).
- Eysenck suggested a theory of crime which considered genetics, environmental variables and personality traits (extraversion, psychoticism and neuroticism), but it has been criticised due to a lack of support by research.
- Trait theories attempt to determine if certain cognitive or personality traits can be associated with criminality. Traits frequently examined include intelligence, moral development, empathy, self-control and impulsiveness. Because of the diversity of types of offenders, it is difficult to find traits that are indicative of criminality as a whole.

- Psychoanalytic theories suggest that criminality occurs because of an inadequately developed superego, but it is unlikely that they can be applied to most cybercriminal acts due to the conscious nature of many cybercrimes.

- Arousal theory suggests that criminal activity fills a need for a certain level of arousal in a person which may be met by extreme sports or other potentially risky behaviours in other individuals. McQuade (2006) proposed that it may be an explanation for cybercrime.

- It is also possible that criminal behaviour is addictive, and some studies have identified characteristics of addiction that are associated with offending.

- Neutralisation theory describes how individuals might offer explanations for their criminal behaviour in order to maintain a positive self-image.

- Labelling theory examines how individuals might engage in certain behaviours, or be treated a certain way by society, depending on the 'criminal' label which has been assigned to them.

- Geographical theories examine how crime is distributed at various levels. Some information about the international distribution of cybercrime is available.

- Routine activity theory was outlined by Clarke and Felson (1993). It suggests that criminal events require three variables to occur simultaneously: a motivated offender, a suitable target and an absence of guardians.