

The Role of the Internet in the Commission of Crime

John Carr looks at how new technology gives rise to new opportunities for some types of crime.

The Home Office is currently looking into possible changes in the way crimes are recorded in order to mandate the collection of information about any significant use of the internet in the commission of a crime. The US Department of Justice is also engaged in a similar study, and no doubt several other governments are as well. The obvious inference right now is that it is quite impossible for anyone to describe the impact or role of the internet on the commission of crime with the kind of certainty we would all prefer. However, there is a growing body of circumstantial but objective evidence which is all pointing in the same direction.

Advance fee frauds and identity theft, for example, are both as old as the hills, but the internet has given them a whole new lease of life. However the area of online criminal behaviour which has attracted perhaps the greatest amount of public

is the entire explanation. Chat rooms and other interactive features of the internet and mobile phones have made it possible for people to meet who would otherwise simply never have met e.g. Toby Studebaker, a 32 year old ex US Marine from North Carolina, and a 12 year old girl from Wigan whom he abducted from Manchester Airport, and took to Paris and Stuttgart. Over the past few years there have been around 30 known cases of this kind in the UK. We know about them because in each of them the adult males responsible were caught, convicted and sent to jail. What we do not know about, of course, are the unreported cases, or those where the police were unable to bring a prosecution for any of several reasons. In a study published in February 2004, Barnardos revealed that they, as a single agency, were 'currently treating' 83 children who had been sexually abused or victimised where the internet had played a significant part (see www.barnardos.org.uk).

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attention of late relates to crimes against or involving children. These fall under two broad headings: contact offences, which entail some kind of physical activity in the real world, generally hands-on sexual abuse or the incitement to such abuse, and content related offences, e.g. child pornography. There is also a vigorous debate going on about whether or to what extent these two types of offences might be symbiotically linked.

When discussing these crimes and the impact of the internet, one of the difficulties we have to confront immediately is that we have no reliable pre-internet data to use as a benchmark. We simply do not know how many children were being sexually abused before, say, 1995, which was roughly when the boom in consumer use of the internet in the UK started to happen. Some prevalence studies have suggested that as many as 1 in 10 of all children under the age of 16 have been the subject of an illegal sexual assault (see www.stopitnow.org), yet the number of arrests and prosecutions has never got anywhere close to that kind of level.

Could it be then that, far from causing any increase in this type of crime, the internet is merely shining a light into a hitherto murky corner? That certainly is possible, but it seems very unlikely that

There is no suggestion that all of these children's misfortunes were linked to chat rooms, but many were.

The growth in this kind of offending, which often involves a lengthy preparatory process of emotional manipulation, now commonly referred to as sexual grooming, led directly to the creation of a new offence under s.15 of the *Sex Offences Act, 2003*. Some commentators have suggested that children who get caught up in this type of situation were always heading for disaster, so it was only a question of when, not whether, they were likely to run into a wall, but this is ultimately an untenable position. We have no way of knowing what might have happened to a given child if he or she had not had the misfortune to meet that specific person at that particular time. This is not to say we should disregard the importance or significance of any potentially underlying personal issues the child might be struggling with, and the intervention of the criminal law ought to have little or no part to play in that vis-à-vis the child. But the same considerations ought not to apply to the adult perpetrator.

Turning to child pornography offences, again we have no reliable way of knowing how much of it was being produced or circulated in pre-internet

days. Thus it is again theoretically possible that the internet has changed nothing, or very little and all we are seeing now is the product of improved detection and reporting with only perhaps a marginal element of displacement from the real world into cyberspace. Once more this simply seems implausible as a complete explanation.

In 1995 the Greater Manchester Police seized the grand total of 12 indecent images of children, all of them on paper or on video. In 1999 the same squad seized 41,000, all but three of which were on computers and had come from the internet. Pre-internet a typical arrest for possession of child abuse images would generally involve only a handful of pictures, all printed on paper or on tape of some kind. A haul of hundreds would have been sensational. In 2003 a Lincolnshire man pleaded guilty to possessing over 450,000 images, easily beating the previous UK record of 250,000, set earlier that year. In the Wonderland case in 1999, police in 14 countries seized 750,000 images from around 100 men. In Canada, in a single raid of one address, police seized an estimated 1,000,000 images. All of these numbers are a very long way from the 12 seized in Manchester in 1995.

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The prosecutions for child pornography offences in England and Wales also map directly against the growth of the internet (Offending and Criminal Justice Group, Home Office ref: IOS 503-03). In 1988, when the possession offence was first created, only 35 people were proceeded against either for possession or for the longer established offence of making and taking. In 2001 the total had gone up to 549, an increase of 1500%. In the 13 year period altogether 3,022 people were proceeded against, however, in 2002, on a single day, the police in England and Wales were handed the names of 5,700 people who had bought child pornography from one US web site. Known as Operation Ore, this also heralded another important development. Whereas in the past the production, distribution and exchange of child abuse images was largely an 'amateur' business, organized crime had finally realised there was large amounts of money to be made here and they moved in on it. Now criminals who themselves may not be paedophiles are systematically arranging for children to be abused solely for the purpose of selling the images.

But what of the possible link between possession and hands on abuse? First it ought to be said that anyone who knowingly downloads or collects these images is, in any event, an abuser by proxy. However it seems clear that there is a class of perpetrator who, but for the ease of access afforded by the internet, would almost certainly never have got involved in

looking at or collecting the images in the first place. Also, while many men have never needed child pornography as a stimulus to the hands-on sexual abuse of children, evidence is starting to emerge from those who work therapeutically with convicted paedophiles which makes it clear that for some the images were indeed the vital trigger.

Several studies which have been published in North America also seem to show that there is a strong link between possession and involvement in hands-on abuse. The largest study was that of the US Postal Inspection Service which showed that around 35% of everyone arrested for possession was also involved in hands-on abuse, or had been, or intended to be (http://www.usps.com/postalinspectors/ar02/ar02_04.pdf). But knowing there is a link is not the same as knowing the cause, and unravelling that causal chain is one of the next great challenges facing the academic community and the internet industry.

The overall benefit of the internet to society in general and to children in particular is not in doubt. However it is also clear that the simultaneous emergence of cheap and easy to use computers with cheap and easy to use digital cameras and storage

devices, linked to the mass roll out of internet connectivity, has had a number of unintended and unforeseen consequences. It is these that we are all now struggling with. Progress has been unconscionably slow, but there are now signs of a greater sense of urgency. It is much needed.

John Carr is Internet Adviser for NCH and a member of the Home Secretary's Internet Task Force on Child Protection and the ACPO Committee on Combating Child Abuse on the Internet.

For a fuller version of this article see *Child abuse, child pornography and the internet*, John Carr, January, 2004, available at www.nch.org.uk