I acknowledge the use of Google Scholar [https://scholar.google.com/] on [3rd November – 21st November] to research. I used the prompt(s):

1. Offender Profiling

2. Top down and bottom up profiling

3. Offender profiling and judical processes

I confirm that I have not presented any AI generated text as my own work. I confirm I have copies of my drafts, notes, and other resources I used before, and after the use of AI tools which I may be asked to provide in evidence.

Critically discuss the contribution of psychological theory and evidence in aiding our understanding of judical processes

A judical process is carried out by a legal professional called a judge, managing decisions in court proceedings and evaluating crime evidence (Tarr, 2019). Ensuring that all legal proceedings are made fairly and in accordance with all law rules (Frank & Bix, 2017). Judges listen to arguments and read the relevant paperwork to determine the correct legal considerations to conclude whether evidence is admissable (Ingram, 2021). There are many factors which can influence and help a judical decision, one of which is Offender profiling (Kocsis & Palermo, 2016) defined as a process of observation, reflection and construction, based on available data in a crime scene to predict the likely characteristics and actions of offenders (Crighton, 2021).

Offender profiling is done by criminal investigative analysts, also known as criminal investigators (Canter & Young, 2009) which are a team that attempt to identify a suspect (Kocsis & Palermo, 2016) by analysing crime scenes using available data, to predict the likely characteristics and methods of the offender (Mandalapu et al, 2023). Further comparing evidence to similar crimes or offenders in the area to create links (Fox & Farrington, 2018). Also working with eye witness reports and victim testimony (Farrington & Lambert, 2018). This type of profiling is an important investigative tool in which aids law enforcement agencies to gain a suspect, based on previous evidence (Garcia, 2018). Through this process Invstigators can eliminate other suspects who do not fit the profile and examine how serious the convict is (Fox et al, 2020). Offender profiling can also identify any certain motivations an offender has and can reveal the offender's modus operandi (Spytska, 2024) meaning their unique process/particular pattern of behaviour to commit a crime (James & Proulx, 2016). It is usually most useful when there is little information about the offender, particularily if they've left little physical trace (Godwin, 2018 & Fox et al, 2020). Profiling is also more likely to be used in serial offences or serious crimes, such as murder and rape (Farrington & Lambert, 2018).

Offender profiling has been dated back to as early as the 1880s (Crighton, 2021). The process was used in the most noterious cases, such as 'Jack the Ripper', who left women with pre and post mortem injuries (Sanchez, 2023). Dr Thomas Bond notoriously, was able to reconstruct the murder's and was able to provide an outline of a possible personality and behaviour of the offender using limited information, which infered a hatred for women (Acharya & Vyas, 2014). Bond was later able to predict how the offender lived and even reached a diagnosis of 'sexual promiscuity'. A later milestone in the development

of offender profiling, was done between the years of 1940 and 1956 in New York, where an offender planted explosives in public settings. In 1956, the police asked James Bussel (a state assistant commisioner) to complete a profile. Bussel was able to determine the offenders skills set, ethnicity, work ethic and personality (Crighton, 2021). When police went to find the offender by what Bussel had determined, they managed to identify a suspect which matched the profile significantly, which led his work to be largely popularised (Daniszewska, 2017, Fallon & Snook, 2019). Although argued to be less impressive then the earlier work by Bond, by analysis suggesting that the profiles Brussel developed showcased little understanding of the offender or internal motives (Turvey, 2012) and that the method was largely based upon predications (Acharya & Vyas, 2014).

However, even if it has helped notoriously in these cases, profiling has evidently been argued to be unreliable and can sometimes give limited accuracy of crime scene details (Choo & Choi, 2020). Sometimes only providing the basic information about an offender and a general description of the scene (Goodwill et al, 2016). It has also been argued to need more scientific research in order to establish it as a valuable forensic tool (Choo & Choi, 2020). Also facing implications through it's trustworthyness (Deslauriers-Varin & Fortin, 2021) regarding how the duduction of different suspects is done (Canter & Alison, 2018) and the consideration of individual's different perception of a crime scene (Dror & Kukucka, 2021) which is also dependent on the previous experience of the profiler (Garcia, 2018). if an offender has displayed unique behaviour which is not known to the profiler, the behaviour will be harder to determine, as there is no previous data to compare it to (Crighton, 2021). Nevertheless, there is largely popularied cases which offender profiling has helped significantly, and led to the development of geographical profiling (Rossmo & Rombouts, 2016) this aids investigators to focus their search by narrowing search areas, by determining the location of the crimes to the likely area the offender is living and that the location is not a random choice (Canter et al, 2017). Furthermore, profiling has benefitted a decsion being made about the prosecuition of an offender in court proceedings (Fox & Farringdon, 2018) by providing more examination into the life of the perpretrator and personality (Crighton, 2021). Further helping detectives open new lines of enquiry to other offenders (Gracia,2018). Officers and forensic teams have also stated it is a very helpful tool (Hobson & Payne, 2022).

The main psychological approaches towards offender profiling are the bottom up and top-down approach (Peršak, 2024). The bottom up approach was developed in the UK by british Professor David Canter (Canter, 2023). Involving analysing the specific details of a crime to predict behaviour, to slowly create a profile (Alison & Barrett, 2013). Predicting that an offender's behaviour reflects their personality traits and specific characteristics, by using statistical analysis to determine the process of the crime, with consideration of links to other crimes (Clarke & Cornish, 2017). Canter created a five factor model to sucessfully interpret a crime scene through the bottom-up approach (Rossmo & Rombouts, 2016). 1. Interpersonal coherence, investigating how the offender treated the victim and how likely this behaviour is to be played to other people, eg aggression or manipulation. 2, Time and place significance, this questions why the victim chose the location they did – it is likely to be a place that the offender knows well in order for them to escape if they need to or to easily hide. 3. Crminal Characteristics, the way the crime was committed can portray the perosnal charachteristics of the offender 4.Criminal Career, this applies for those who are more so serial offenders and questions how their crimes have changed, due to them becoming more experienced and knowing ways to out-think the law. Lastly 5. Forensic awareness, an offender is likely to have a good understanding of criminal justice or general forensics to hide evidence/get away with their crimes.

In 1985, Canter successfully profiled the 'Railway Rapist' known as John Duffy (Canter & Young, 2017). Canter was asked to investigate a pattern of rapes in London, only using evidence provided by the police, by applying psychological principles to this evidence, Canter was able to determine where the offender was living, job status , social life and history of offences. This narrowed the search for police to prioritise John Duffy, he was later arrested and charged, with the profile matching significantly (Canter & Young, 2017). During prosecution of an offender, the bottom up approach can positively help detectives narrow their search to convict an offender and can help supply the jury with detailed information of how the crime was commited and the severity (Williamson, 2012). It also takes into consideration the likely every day life of the offender and internal motives and knowledge (Vettor, 2012) which can further provide the jury with extra information about the offender. However, due to the implications of offender profiling, it cannot always be trusted, being dependent on the past experiences and knowledge of the analyst (Choo & Choi, 2020) if information is inturpretted wrongly, the offender could be wrongly convicted (Simon, 2012).

Combarably, the top-down approach is based in the United Sates, developed by the FBI in the 1970s (Barrow et al, 2013) involving starting with the crime scene and drawing conclusions about the offender (Taylor et al, 2017). The top-down approach aims to categorises criminals into two classifications, a profiler will look at a crime scene and assess whether the criminal was organised or disorganised (Woodworth & Porter, 2000). An organised offender is likely to have carefully planned their behaviour, took their own weapons, leaves little evidence behind, likely to move/hide the victim and usually has higher intelligence levels. Whereas, a disorganised offender is likely to commit an offence spontaneously with no planning, usually uses random weapons which are at hand and the body is usually left at the point of the offence (Kapardis, 2017). However, compared to the bottom-up approach, this is based upon personal experience and intuition of the profiler only (Taylor et al, 2017) which gives concern to how accurate the profile may be when prosecuting a criminal (Canter et al, 2004).

Compared the Canter's five factor model, it is stated by the FBI that offender profiling is made up of four stages (Douglas et al, 1986) beginning with 1. Data assimilation (gathering of the data through autopsy, witnesses, photos etc) and taking close consideration to the choice of victim and location 2. Crime scene classification – whether it is organised or disorganised. 3. Crime reconstruction, this is done to determine the sequence of behaviour (what happened before, during and after) based on available evidence and the profilers expertise/intution. 4. The creation of the profile, which entails the profiler making interfrences about the offender, involving their likely demographics and behaviour. A clear implication of this method is that it is based on only two classifications of criminal behaviour (organised and disorganised) and that it is based soley on the intuition of the profiler, no matter their experience or expertise of profiling. A list of organised and unorganised behaviours is given by the FBI for profilers to base their decision on, which further can imply a lack of knowledge and guess work for the profiler – placing a further concern when applying this method to prosecution.

Compared to the bottom up approach, top-down takes less information into consideration when creating a profile, which can make internal motives hard to determine. Research has also suggested that offenses of murders particularly, are hard to classify only into two categories of organised and disorganised due to their verse complexity (Taylor et al, 2017 & Choo & Choi, 2020). Taylor et al (2017) carried out a agglomerate hierachical cluster analysis through the bottom-up approach on North American and European male serial killers, although using the organised and disorganised classifications given by the FBI. Fifty two crime scene criteria were used to categorise the murders, however, there were difficulties classifying traits simply only as organised and disorganised which proposed a 'mixed offender'

classification. Comparably, Canter (2004) proposed that an offender will require a degree of an organisational trait. Evidently, in the study by Taylor et al (2017) there was a higher classification of a 'mixed offender' which meant, the murders had aspects of both being organised and disorganised and that it was hard to determine the offences into only two classifications.

This was first proposed by Douglas et al in 1992, to help classify those offenders with unexpected/mixed behaviours (Canter et al, 2004). Among European serial killings, 16 were organised and 14 was disorganised, which further made differences hard to navigate. However, in North America 23 were disorganised compared to a much lower 6 organised classifications, which proposes the question of cultural differences (Crighton, 2021) due to crime being observed differently in the UK compared to America, as explained with the methods proposed by Canter. But the higher prevalence of classifications in the UK may be evidently considered due to more of the crime scene being considered in the UK. Suggesting that the bottom-up approach allows a more in-depth approach to profiling, rather than only classifying offences into two categories. However, even with the faults to the top-down approach, it is still widly used for serial killer cases (Poovarasan & Jain, 2023).

Furthermore, Choo & Choi (2020) attempted to explain and define serial murders in America through the organised and disorganised typologys, one of the major criticisms also, is the lack of scientific foundation with questions regarding it's reliability. Similarly to the previous study by Taylor et al (2017). The extent to how criminal acts are exclussive to the classifications of organised and disorganised and whether this can be extended to determine underlying motives of these criminal behaviours was also an implication. Similarily to the previous study, the approach has been suggested to need a third classification of a 'mixed offender' especially if an act is particularly unusual and can help detectives using the top-down approach to narrow their search further and contribute to accurate prosecution in court. Without this, the prosecution of an offender could be inaccurate or largely dependent on intution (Taylor et al, 2017 & Choo & Choi, 2020) which could largely impact the decision of the jury and the overall outcome for the offender.

In contrast, the bottom up approach takes a much more thorough view to profiling (Fox & Farrington, 2018) taking more into consideration when trying to predict not only the offender's actions but internal motives and personality characteristics too (Clarke & Cornish, 2017). Which evidently can give us a much better view on offences and provide the jury with a better understanding of the offender (Littlejohn, 2020). However, inaccurate interpretations could be done, as it considers the expertise of the profiler also to provide accurate evidence to the jury. But it can be hard when behaviour is particularily unusual, like the cases of having a mixed classification offender (Canter et al, 2004)..

Fox and Farrington (2018) conducted a systematic review and meta analysis detailing 40 years of research investigating the benefits of offender profiling (OP). The review was done using 426 publications from 1976 to 2016, and was created due to a lack of evaluations to date about OP. Results suggested that in the past 40 years there has been verse improvements in the scientific validity for OP, with 33% of publications using advanced statistical analysis compared to the earlier 0%. However, few studies used strong emperical approaches to develop new profiles, with further few evaluations of the effectiveness and accuracy. Sixty two publications showcased considerable variations in characteristics and termonology used to describe different profiles, in contrast to the first proposed 'organised' and 'disorganised' offenders. Supporting Choo & Choi (2020) and Taylor et al (2017) regarding difficulties with only two classifications through the top-down approach. Suggesting that little has changed 2 years

later, by these statements still being raised with Choo & Choi in 2020. Due to the bottom-up approach being more highly reliant on statistical analysis, this supports Fox & Farrington (2018) encouragement for profilers to continue to use this method with strong emperical evidence and not only relying on the intuition of the profiler. Further stating that if profiles are implicated into police investigations they should then be evaluated in conjunction with arrest rates. Concluding that with continued use of qualitative data, experiemental evaluations and advanced statistics, the field of offender profiling can be improved and can become more effective in criminal investigations, to importantly be more accurate when prosecuting an offender.

In conclusion, it is evident that it is hard to determine the motives of an offender just from the FBI Top-down classifications of organised and disorganised. Although, it can narrow paths and help a profiler when investigating a crime. It is also encouraged by the relevant literature that a further classifiication of a ‘mixed offender’ would be appropiate and may help a profiler match further motives. The bottom up approach however, can provide a larger scope of investigations and can determine more then only the characteristics of an offender, it determines internal motives also. Although, this too is dependent on knowledge of the profiler and whether the crime scene is recognisable to previous crimes. As encouraged by Fox & Farrington (2018) OP still needs improvement in its effectiveness, however the bottom-up approach using statistical analysis seems to be the better, more accurate method. In regards to judical decision, offender profiling can be helpful in determining the process of a crime, although all methods of profiling have faults and could give an inaccurate representation.

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