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Title Crime groups as criminal entrepreneurs. Stealing heritage and cultural property: A case study

Abstract

Crime groups are drawn to stealing heritage and cultural property because the thefts can be less dangerous than other illicit activities and there can be a lower chance of detection. In addition, there are financial opportunities such as selling the objects, using them as currency and collateral in illicit markets, and through rewards and ransoms. While these factors remain, crime groups operating as criminal entrepreneurs will continue to be attracted to the thefts, even if situational crime prevention strategies are implemented at locations. Unique and irreplaceable heritage and cultural property will be stolen and societies will lose in artistic, cultural, heritage, historical and financial terms. This article argues that while people tasked with the policing and security of heritage and cultural property should focus on the potential thefts, policing agencies also need to focus on the crime groups, especially as heritage and cultural property thefts can be crime groups' 'Achilles' heel'.

Key words

Heritage and cultural property theft, Crime groups, 'Organised crime', Situational Crime Prevention, Art crime

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Crime groups as criminal entrepreneurs. Stealing heritage and cultural property: A case study

<A> Introduction

<B> Heritage and cultural property theft

Thefts present significant threats to often irreplaceable heritage and cultural property, the locations in which the objects are kept, the owners or guardians, and the related cultural spheres and economies. Concerning the global scale of the threat, in many countries stolen heritage and cultural property objects are rarely recorded distinctly from other property by policing and government agencies and, therefore, the often proposed billion-dollar figures should be treated with scepticism[1]. Rather than terms such as 'art crime' or 'cultural heritage crime', this article uses 'heritage and cultural property crime' owing to its wide extent; for example, it includes antiquities and contemporary art.

Globally, there is a growing body of academic and non-academic literature on heritage and cultural property crimes. This is helping to increase our understanding about where, when, why and how the thefts happen and who is committing them. The literature also provides important knowledge about the protection, security, policing and recovery of objects. Also appearing in the literature is the involvement of 'organised criminals' or 'criminals who are organised' who can be involved in other criminal activities as well[2].

In this article, rather than use the term 'organised crime' because of its definitional issues[3], 'crime groups' is the term employed as it does not presuppose size or hierarchy or ethnic configuration. In addition, it is important to highlight that crime groups often operate as or within 'transnational crime networks'[4]. Regarding 'organised' crime groups in the EU, Vander

Beken et al. explain that: ‘Complex, fluid, and heterogenous organised crime group structures operate on a global scale and display highly innovative and varied criminal activities mainly built around opportunities in the cyber world’[5]. In our globalised, neoliberal world, in which the internet has further enabled illicit activities and opened up new opportunities for crime groups and networks[6], crime groups are taking advantage of opportunities to engage in diverse criminal entrepreneurial activities. Stealing heritage and cultural property is one of them.

Despite the existing literature, much of which focuses on antiquities in contrast to this article which takes a wider view to include more objects such as contemporary art, there remain significant empirical knowledge gaps about the thefts and who is committing them. This article increases the understanding about why and how crime groups are drawn to the thefts despite physical target hardening security measures and difficulties in selling on some objects. This all matters because, first, much of the stolen heritage and cultural property is valuable for artistic, cultural, heritage, historical and financial reasons; second, many of the objects are unique and irreplaceable, and third, the use of stolen objects in other criminal activities. Furthermore, the thefts provide a useful case study that sheds more light on how crime groups act as ‘criminal entrepreneurs’ and why they are attracted to specific activities. By focusing on criminal entrepreneurship, especially through work by McElwee and Smith[7], this article reframes how the thefts should be viewed as it argues for more emphasis on the offenders’ business style decisions in addition to a focus on the offences, rather than the too frequent overemphasis on the offences.

<B>Criminal entrepreneurs

With its roots in entrepreneurship studies, the term 'criminal entrepreneurship' is useful for investigating the people who commit the thefts and their motivations. This is because the term centres on looking for opportunities in the pursuit of profit. Building on the economist Baumol's[8] work, McElwee and Smith define criminal entrepreneurship as 'the imaginative pursuit of profit without regard to the means used'[9]. Gottschalk defines a criminal entrepreneur as 'a person who takes the risks involved in initiating and developing an illegal business enterprise'[10]. Both definitions are useful, the former especially so as it captures the imaginative nature of entrepreneurship. This article merges both to define criminal entrepreneurship as the imaginative pursuit of profit without regard to the means used to initiate and develop an illegal enterprise.

Baumol proposed three types of entrepreneurships: productive, unproductive and destructive[11]. He argued that the type of entrepreneurship is greatly influenced by 'the relative payoffs society offers to such activities'[12]. While Baumol chose three categories, McElwee and Smith produced a 'nuanced typology' that includes nine categories, ranging from 'Legal and productive' through to 'Illegal and destructive'[13], in order to capture the complexity of types of entrepreneurships. The typology's added depth is useful for this article, particularly as the crime groups involved operate with other entrepreneurs whose activities can also be extremely problematic. For example, the art, antiques and antiquities market has been labelled as criminogenic by researchers.[14]

In their study of a criminal family, Harvey and Hornsby highlight how the use of the term 'entrepreneurial' is helpful as it relates to the 'decision making conduct' based on skills and methods of making decisions often present in licit entrepreneurship[15]. Related to decision making, in their work on tobacco goods smuggling during the 1990s and early 2000s, Hornsby and Hobbs emphasise the 'high-profit-low-risk' nature of the activity at that time and how it became attractive for many criminal entrepreneurs[16]. Harvey and Hornsby's and Hornsby and Hobbs's[17] analyses are useful for examining the attraction of heritage and cultural property thefts to the offenders because of the decision making regarding possible significant payoffs for conducting the thefts and some of the thefts potentially being 'high-profit-low-risk'[18]. This also relates to Gundur's work on optimising criminal careers through enterprise and the importance of risk to reward for criminal entrepreneurs[19]. Highlighting the importance of 'efficiency' in trying to optimise a criminal career, he explains: 'Efficient activities are more likely to involve reduced visibility to both law enforcement and competitors, which is a mark of reduced risk'[20].

This article's focus on criminal entrepreneurship is important because advocates of crime prevention approaches focus predominately on environmental and situational factors, and on trying to understand 'how?' rather than 'why?'[21]. There needs to be more work that focuses on the 'why' as well as the 'how' in respect of crime groups' thefts of heritage and cultural property. This is crucial as it allows for more understanding about the business decisions and the entrepreneurial processes behind many of these thefts in a way that narrow foci on specific opportunities fail to do. It also highlights the need for more investigation into who could be drawn into carrying out the crimes, including crime groups currently not involved.

<A>Methodology

This article uses data collected in three research projects: the first, in England & Wales (with a particular focus on London) in 2008-12; the second, in England & Wales, France and Italy in 2015–16; and the third, in Brazil in 2019. The locations were chosen as they all experience significant amounts of heritage and cultural property crimes. The three projects employed qualitative mixed methods approaches: semi-structured interviews, observations, participant observations (in England) and Parliamentary presentations (in Brasilia and London).

In the first project, 33 interviews were conducted with people who worked in insurance companies and loss adjusting, private sector art detection and recovery, national galleries, a large national museum, a large public library, a commercial gallery, a midsized museum, a historic house, the public police (including the London Metropolitan Police's Art and Antiques Unit), private companies/databases, an installation company, government departments/agencies/bodies, Interpol, and artists. In the second project, 12 interviews were carried out with people who worked in London's Metropolitan Police Service's Art and Antiques Unit, the Central Office for the Fight against Trafficking in Cultural Goods (OCBC) in France, the Carabinieri Headquarters for the Protection of Cultural Heritage (Carabinieri TPC) in Italy, Historic England, insurance companies and loss adjusting, private sector art detection and recovery, and museums. In the third project, 10 interviews were conducted with Heads/Directors of museums, people who work for public sector cultural heritage organisations and people who work in the private cultural heritage sector in Brazil.

In addition, in the first project, observation fieldwork was conducted at 50 locations (all in London except for 6 galleries in France, the Netherlands and Spain, and 2 private residences in England outside of London). Participant observation research in an art installation company based in London was also conducted. In the second, observation fieldwork was carried out at

32 locations in London, Paris and Rome, and, in the third, 26 locations in Rio de Janeiro. All three projects included repeat visits.

Informed consent was obtained prior to the interviews. For ethical reasons, universal anonymity was employed for all interviewees, locations, and the art installation company.

A limitation to the research is that the only offender interviewed was a former forger. Offenders from crime groups were not interviewed owing to access issues. Despite not interviewing crime groups, many interviewees had a wealth of knowledge and experience regarding heritage and cultural property thefts, professional experience of cases involving crime groups and, in some instances, of the crime groups themselves. Nevertheless, the implications of this were that, although the research strived for triangulation through a mixed methods approach[22], the findings would ultimately provide a one-sided perspective however 'valid' or 'reliable' they were. Overall, the research followed Mackenzie's approach that looks for the 'underlying narrative' rather than the 'underlying truth'[23].

<A>Findings

This section of the article begins by using the empirical data to examine who are the criminal entrepreneurs involved in the thefts. It then investigates why a specific type of criminal entrepreneur, members of crime groups, are drawn to the thefts as well as exploring why they can commit them. It considers, first, the potential financial opportunities; second, the reduced chance for detection and lower level of danger compared with some other illicit activities; and, last, the potential kudos in stealing the objects.

<B>**Who are the criminal entrepreneurs?**

The research data show that there are different types of criminal entrepreneurs involved in the thefts. The significant types are crime groups; insiders who work at heritage and cultural property locations; 'receivers' or 'fences'; people who work in the art, antiques and antiquities market; and buyers of heritage and cultural property. Although this article focuses on people in crime groups, it is important to briefly consider the other criminal entrepreneurs because they help to create opportunities and conditions for successful enterprise activities for the crime groups.

Insiders who steal heritage and cultural property are often criminal entrepreneurs as they can be seeking 'high-profit-low-risk'[24] opportunities within the locations they work. Interview data from the four study regions highlighted that insiders can pose a significant threat and are involved in many thefts, especially at locations with fewer resources spent on security. In Brazil, England & Wales, France and Italy, insider thefts particularly happen at museums, country houses, churches, outdoor locations with heritage and cultural property, and cultural sites. Smaller locations with fewer resources to monitor staff are particularly targeted. In Brazil, this has also been the case with some large locations such as a national museum. With access and low visibility to policing agencies and competitors, insider thefts can be extremely 'efficient'[25] and, depending on the location and objects, profitable.

'Receivers' or 'fences' play a role as they can help to move on stolen objects and provide an important step between the thieves and the market. Interviewees such as loss adjusters and private detectives explained how in England & Wales there were many opportunities to dispose of objects to receivers, particularly as there was little policing attention on them. These receivers can operate within parts of the market. Interviewees including loss adjusters, Heads/Directors of museums and private detectives from the study regions spoke about how the market enables the movement of illicit heritage and cultural property items. This will be examined in more detail later in the article.

Related to the market, some buyers of heritage and cultural property can also be labelled as criminal entrepreneurs owing to either their awareness that they are buying stolen objects or the lack of checks into the provenance of objects they are acquiring. The market itself can also assist in ways that relate closely to McElwee and Smith's idea of 'blurring' boundaries in criminal entrepreneurship in which 'The opaqueness prevents us from seeing the light, because of a lack of transparency, murkiness and perhaps even deliberate obfuscation'[26]. Although they are not writing about the market, the description fits well.

<B>Why are crime groups drawn to stealing heritage and cultural property?

<C>Financial opportunities

The most significant motive for criminal entrepreneurs being drawn to the crime is the financial opportunities that the thefts can provide. The data highlight that there are three crucial reasons behind this motive.

To sell on the stolen heritage and cultural property

Crime groups steal heritage and cultural property, or are involved at different stages of the thefts, to sell on the objects. They also adapt to potential opportunities to enable this to happen. As a loss adjuster in England and Wales pointed out in relation to the offenders drawn to stealing heritage and cultural property: 'Criminals are highly adaptable'. This may seem obvious but it is important to highlight as they can be people with little or no knowledge of the objects but are drawn to steal them owing to the potential opportunities for enterprise. An example to illustrate this comes from Brazil where a crime group from the state of São Paulo specialised in the thefts of religious items across different states to sell on the objects. With churches being among the most vulnerable locations in Brazil, as is also the case in England & Wales, France and Italy, this group were taking advantage of opportunities. These thefts in Brazil were far from isolated cases. According to a public prosecutor in the state of Minas Gerais, crime groups had been stealing sacred objects from the state's churches and museums for collectors and antique dealers. The scale was so large that by 2012 an estimated 60% of the state's sacred heritage and cultural property was no longer in its original location[27].

Furthermore, in addition to targeting specific locations, crime groups target objects with particular financial values. For instance, interviews with private detectives and loss adjusters highlighted that in thefts in London low to mid value objects were being targeted as they could be moved on quicker for cash than high value stolen heritage and cultural property because the high value objects can be identified more easily. This highlights crime groups' desire for successful, efficient illegal enterprise that involves reduced visibility, and sensible decision making to maintain and potentially grow the enterprise.

Crime groups also target specific objects. For example, while the data show that the disposal of objects is becoming harder owing to the digitisation of images and the use of databases, crime groups have targeted certain types of objects such as those made of jade and porcelain in spates of thefts because there is an international market for these objects. In England & Wales, a senior police officer and a policing advisor to a national body spoke of their concerns regarding a particular spate of thefts in 2012 of Chinese objects. Similar thefts also happened in northern France in 2015 and 2018. These thefts highlight the opportunities and the ‘decision making conduct’[28] undertaken by crime groups, in addition to the significance for the offenders of the international nature of the crime and the importance of ‘transnational crime networks’[29]. Moreover, they emphasise the challenge the international flows pose for agencies trying to combat the thefts and movement of the stolen objects. In Brazil, an interviewee who works in a public sector cultural heritage organisation highlighted the international nature of the threat: ‘We warn of the illicit trafficking in cultural goods, which has shown its scope worldwide’. It is worth noting, though, that a Director of a museum and an interviewee who works in a public sector cultural heritage organisation both made the point that that while a lot of stolen cultural heritage is moved abroad, many objects are trafficked across states and remain in Brazil. Keeping the objects in Brazil can be a decision that results in still making considerable amounts of money whilst potentially lowering the risk of detection from national and international policing. Regarding Europe, a private art detective explained how stolen objects can be ‘whipped across’ European borders. This was supported by other people who work in insurance and policing in England & Wales and Italy who spoke about the significant movement of stolen items abroad, with Switzerland being one notable location into which (and through which) stolen objects are consistently moved. According to interviewees, in Europe this trafficking can be because of the openness of some borders, and in Brazil owing to the country having the third longest border in the world (16,886 Km) and agencies’ foci on other illicit activities. An officer from the Carabinieri TPC highlighted that offenders are very adaptable in how they move objects across borders: ‘The systems used to pass through borders’ controls are many and hard to classify for their continuous evolution’. This highlights crime groups’ ability and need to keep imaginatively developing the ‘illegal and destructive’[30] enterprise.

The data highlighted how the internet has opened up more opportunities, especially to sell on lower value items. In England & Wales, in relation to heritage and cultural property, a loss adjuster called the internet 'A tool for thieves' and a private art detective spoke about victims of thefts seeing their objects being sold online. In France, an officer from the OCBC gave an example of antiquities from Iraq that had been sold illegally online to France and another officer spoke about illegally excavated objects in France being sold online. The reduced visibility provided by the internet clearly benefits the enterprise.

The theft of metal objects is another good example of criminal entrepreneurs adapting to an opportunity and their 'decision making conduct'[31]. In contrast to paintings produced on canvases, metal objects have a material value as well as value in artistic, cultural, heritage and historical terms. Although the object might be worth significantly more if it is sold on as the intended object, money can be made from selling the object for scrap metal. Examples include more than 6700 churches and 42 commercial heritage properties in England known to have been victims of metal thefts between 2009 and 2014[32], and people in Brazil removing metal from monuments and selling it to scrap dealers. In Brazil, an interviewee who works for a public sector cultural heritage organisation spoke about the ease with which people could sell on stolen metal from historical assets and public monuments in Rio de Janeiro to scrap dealers and how the thefts were systematic. Data collected in Rio de Janeiro from observation research supported his claim about the systematic nature of these thefts. According to a loss adjuster in England & Wales, crime groups might not melt down the object at the time of the theft but wait in anticipation of a rise in the price of the metal. This potential attempt to gain as high a profit as possible shows the extent of entrepreneurship involved in the activity and is an example of an 'imaginative pursuit of profit'[33]. Potentially, the Scrap Metal Dealers Act 2013 in England & Wales has helped combat the thefts to an extent as it prevents the legal sale of scrap for cash and introduced the need for identity and address verification of the seller. An interviewee who works for a non-department governing body in the UK said that: 'It is better than what we had before'. However, the thefts are continuing, especially at churches, and are often carried out by crime groups. In comparison to stealing paintings, arguably stealing metal objects can be more 'efficient'[34] as it can involve less risk in the processes of the actual theft and in gaining a profit afterwards. This is another example of the decision making involved in the enterprise.

Even when crime groups might struggle to sell on a stolen object, many interviewees pointed out that the groups can try to use the stolen object as collateral or currency in other activities.

To use as currency and collateral in illicit markets

Although interviewees in all four study areas highlighted that it can be hard to sell on some stolen heritage and cultural property, particularly high value objects owing to these items being identified more easily now owing to the digitisation of images and the use of databases, interviewees pointed out that stolen objects can be used as currency and collateral within illicit markets and are used in relation to other criminal enterprises such as illicit drugs and weapons. For example, a private art detective explained: 'It's found that art is being used as a currency to fund other forms of criminal behaviour'. A loss adjuster said: 'It can be put to use as collateral which is…the theory that quite a lot of art work is used as collateral for drugs and guns etc…..operations'. Interviewees such as loss adjusters, public police and private detectives highlighted that the stolen objects' usefulness increases when operating across national borders owing to the ease with which they can be transported in comparison with other items such as arms, cash and illicit drugs. The Carabinieri TPC gave an example of works of art stolen from Italy discovered in Jamaica, where a politician had been keeping them in relation to a payment for illicit drugs. The use as collateral and currency is another example of 'imaginative pursuit of profit'[35] as well as 'developing an illegal business enterprise'[36] and 'efficiency'[37] because cash and other illicit goods are targeted more by Customs and other policing agencies. It also helps to explain why crime groups with no links to heritage and cultural property crime can be drawn to it. This is important because while crime prevention approaches can be useful in highlighting this type of opportunity, examining it through a criminal entrepreneurship lens allows for more understanding about the enterprise and business style decisions involved, and the focus on not only seeing an opportunity in an area about which they aware, but actively looking for business opportunities across different areas.

To use for ransoms and rewards

The data also draw attention to the use of stolen heritage and cultural property in trying to acquire financial gains through ransoms and rewards. Interviewees who work with insurance said that while criminal entrepreneurs can try to gain a ransom, it is more likely that instead of an outright ransom demand, the objects are used in attempts to gain the rewards that might be offered by an insurance company or the owner of the object. Rewards can play a significant part in the recovery of stolen art and are viewed as a useful inducement. Interviewees who work for insurance companies in England & Wales were very clear that they do not pay ransoms and that any reward payment needs to go through the Chief Constable or Assistant Chief Constable of the county police force. Nevertheless, another interviewee who works in insurance highlighted that offering rewards is potentially very contentious. There can be grey lines between ransoms and rewards, and it is important to highlight that globally there is a long history of ransom attempts[38]. In short, the payment of rewards and ransoms can result in the return of the object but can also encourage the thefts. There is also the issue highlighted by interviewees who work with insurance that some thefts of uninsured items are not reported to the public police for reasons such as fear of negative publicity and, therefore, it is very hard to know if the owners have paid a ransom for the return of an object. This desire for low visibility can be attractive to crime groups seeking low visibility themselves in ‘high-profit-low-risk’ activities[39].

<C>Reduced chances for detection and less danger than with other illicit activities

Other important motives for criminal entrepreneurs choosing to steal heritage and cultural property are that they can face less danger when carrying out the thefts compared with some other illicit activities and there can also be less chance of being detected.

Less dangerous than other illicit activities

In line with criminal entrepreneurs looking for ‘high-profit-low-risk’ activities[40], the data illustrate how stealing heritage and cultural property can be less dangerous than stealing from other locations and, therefore, the activity becomes attractive for crime groups. For example, in England & Wales, as some activities such as bank robberies became more dangerous in the 1980s and 1990s to the extent that those carrying them out could be shot, offenders sought activities that posed less danger for them such as stealing heritage and cultural property. A private art detective in England & Wales explained:

> ‘So, there was a very heavy likelihood that when a bank job went down the police had inside information…people would be shot…criminals would be shot…they actually then looked for other soft targets and they picked on art and antiques...’

Bank robbers in England & Wales also moved into the less dangerous activities of tobacco goods smuggling in the 1990s and early 2000s[41] and VAT gold frauds from 1980 to the early 1990s[42]. It can be argued that the offenders were being 'efficient'[43] in switching activities, especially as there was initially less public policing attention. While the danger they faced lessened with the move into the different illicit activity of stealing heritage and cultural property, it is important to note that, according to interviewees, some of these offenders are prepared to use significant violence in the thefts, particularly at private houses.

Crime groups assess and then target locations which they think will potentially pose less danger for them. For instance, the data consistently show that in all four study regions, the most targeted locations are churches, small museums, locations with outdoor heritage and cultural property, and private houses. A key reason for this is the lower level of danger to the thieves owing to there being less of a security presence and the nature of this presence. For example, interviewees who work in museums in Brazil and England highlighted how small museums and country houses open to the public often rely on volunteers, some of whom are of retirement age. Expectations on what these people can do must be managed. Particular examples of lower danger locations being targeted include specific spates of thefts from country houses and churches in England & Wales; rural locations in France; churches in Italy; and churches, old palaces and farm estates in Brazil. Other examples are the theft of metal objects and illegal excavations of objects from outdoor spaces. The type of risk assessments that crime groups make in looking for less dangerous activities overlap with their risk assessments regarding seeking less chance of detection.

Less chance of detection of the offender

In search of 'high-profit-low-risk' activities[44], targeting locations with less security makes obvious sense for lowering the chances of detection. In Brazil, disused palaces and farm estates are an example. Another example is the targeting of churches in all the study regions, many of which have high, mid and low value items and limited security.

To avoid detection after carrying out a theft, in Italy there have been examples of offenders cutting out sections of stolen paintings and selling these sections separately, according to an officer from the Carabinieri TPC. While this is highly destructive for the artistic, cultural, heritage and historic value of the original painting, it demonstrates the adaptability of the offenders in seeking opportunities to avoid detection. Although clearly a 'destructive' form of entrepreneurship[45] that will also result in a lower profit, it is an 'imaginative pursuit of profit'[46] as it lowers the chance of detection and can still result in a profit. Even when the thefts from some of these lower security locations might be of objects of lower value, the potential profit can still make undertaking the theft worthwhile if the risk of detection is low.

In addition, the chance of detection in Brazil and Europe is potentially lowered because of the aforementioned reason that it can be easier to move stolen heritage and cultural property across national borders than other illicit goods which are being targeted by Customs and other policing agencies. This also partly relates to it being less of a priority than other illicit goods. For example, a senior Customs official in Brazil spoke about illicit cigarettes, drugs, and weapons being more of a priority. An OCBC officer in France said that they had prevented the trafficking of 250 chalices but this would be viewed as nothing compared to a haul of cocaine at a harbour. Interviewees who work in insurance and private detection also highlighted the issue that within some countries, for example England & Wales and the US, public police forces and policing agencies can be reluctant or slow to work with each other across county or state lines.

The chance of detection for offenders is further lowered by the fact that the private sector is more focused on the recovery and return of the objects than the offender. A private art detective said: ‘recovery of the masterpiece is the important thing’. A public police art detective in England & Wales reiterated this when they said that while their focus was on the ‘criminals not recovery’, with private recovery companies it was ‘first recovery, then, second, criminals’. With the private sector doing a lot of the policing in countries such as England & Wales, this can be a significant factor. While this is less the case in Italy with its large public policing presence and to a lesser extent France, both are exceptions globally. The data support the point made by Fincham that: ‘So long as we are just concerned about recoveries and returning art, the criminals who are stealing our collective cultural heritage are going to continue’[47]. While recoveries are crucial, so is a focus on the offenders.

Furthermore, if a crime group is unsuccessful in gaining a profit through attempts to sell on a stolen object or in using it for a ransom or reward or for collateral or currency in an illicit deal, then the object can be destroyed, left somewhere to be found, or it can be hidden to be used in the future for the reasons stated or for other motives such as attempted plea bargains and reduced sentences.

Opportunity to do reconnaissance of potential targets

A huge array of indoor and outdoor locations have heritage and cultural property on display to the public. In England & Wales, some private houses also have it on public display on specific days for tax purposes. The openness of these sites provides offenders with opportunities to do reconnaissance of the security of the locations and assess aspects such as the potential value, inertia (weight), visibility and access- VIVA from Routine Activity Theory[48] - and whether objects are concealable, removable, available, valuable, enjoyable, and disposable- CRAVED from Routine Activity Theory[49] - and make their own risk assessments as to whether the activity is 'high-profit-low-risk'[50] or even moderate/low-profit-low-risk. Interviewees explained how in Italy, the scale of outdoor heritage and cultural property creates many opportunities for thieves. An interviewee who works in a public sector cultural heritage organisation in Brazil said that although some disused palaces and farm estates might not be open to reconnaissance, there can be minimal security at the premises which then makes reconnaissance low risk. A private art detective spoke about how reconnaissance in England & Wales can even be as simple as knocking on doors of private houses to look inside the houses on the subterfuge of selling products or offering services. Routine Activity Theory is useful for analysing opportunities at the locations, but it does not capture sufficiently why the crime groups are attracted to investigate the opportunities in the first place.

Lack of regulation in the market

The fact that the market can be labelled as 'criminal' and a 'wild west' market[51] and lacks sufficient regulation, to the extent that a private art detective called it 'dangerously lax', can draw crime groups to operating with people within it. It can also encourage them to steal heritage and cultural property owing to the potential disposal opportunities that still exist. A private art detective summed it up: 'You have to understand with the art market that it's the last, great unpoliced financial market'. In Brazil, an employee of a public sector cultural heritage organisation explained: 'The characteristics of the market in cultural heritage and antiquities facilitate the trafficking of illicit goods.' This statement fits with research which has highlighted that Brazil could be a significant intermediate marketplace for Colonial-period art stolen from countries such as Bolivia and Peru[52]. This is a reminder that, first, although it can be difficult to sell on stolen high value objects, there are still opportunities owing to the national and international demand for some objects, second, that lower value stolen objects can be moved on because there are likely to be fewer checks on these objects despite databases and digitisation of images, and last, that there are other criminal entrepreneurs aside from crime groups operating and profiting in the market. Furthermore, as pointed out by a private detective and interviewees who work in private detection and for insurance companies, not all thefts are reported. This point is supported by data specifically on heritage crimes which highlighted that in 2012 one in three heritage crimes in England were not reported[53]. While stealing heritage and cultural property fits in McElwee and Smith's Neo-Baumolian typology as 'Illegal and destructive', it is hard to categorise the market within the nine categories that range from 'Legal and productive' to 'Illegal and Destructive', as it is an entrepreneurial entity that is legal but criminogenic[54]. 'Legal but destructive', 'Legal but unproductive', 'Illicit and unproductive', and 'Illicit and destructive' are all categories in which the market could be placed. However, even if categorisation is difficult, it is clear that the market's criminogenic and opaque configuration and practices attract crime groups to steal heritage and cultural property and make it part of their wider enterprises.

A lack of public policing attention makes it an attractive criminal activity

Although there are examples of heritage and cultural property being a public policing focus, globally it is more common for there to be a lack of focus. One obvious example of it being a public policing focus is Italy which has its large Carabinieri TPC Unit of 250+ staff, a Command Office, an Operational department, regional units across Italy, its Leonardo database, and operations and training abroad. In France, there is some public policing focus but to a lesser extent than Italy. It has its national OCBC Unit with about 25 staff (including civil and military police officers), its Treima database, operations and training groups, and liaison officers. In Brazil, there is a national unit that covers crimes related to heritage and cultural property objects and locations that are registered as being in the Brazilian public interest for cultural heritage reasons. If an object is not registered, then the Civil Police will deal with the case. As well as a central office, the Unit has representatives in every state. There could be more public police involvement but this would rely on an increase in resources. In England & Wales, there is no national Unit, and the only public police force that has a unit is London's Metropolitan Police, although a growing number of other forces have liaison officers. There are also training courses for police officers available from Historic England. There could be more public police involvement but heritage and cultural property are low priorities in government and in police forces, as evidenced by the county forces' slowness in working with each other.

An interviewee who works in insurance highlighted that when offenders believe that a specific type of crime is not being looked at with any particular interest then they will carry on with it. Similarly, concerning England & Wales specifically, a private art detective said that the offenders 'know there are no art and antique squads now' and another private art detective highlighted the lack of public policing focus. Both private detectives argued that this made the thefts more attractive for offenders. This is in line with Gundur's argument about offenders optimising criminal careers by choosing 'efficient activities' that involve reduced visibility to law enforcement[55]. Regarding offenders' perceptions of public policing activity, in France an OCBC officer spoke of the importance of public police presence and used the looting of archaeological sites in France as an example: 'When you show up with the blue lights – it has an impact'. The Carabinieri TPC is very aware about this. As well as putting on wellpublicised exhibitions across Italy to promote its activities and show its successes, it appears in national and international documentaries, and uses national and international media in its investigations and to highlight its successes. This can help deter crime groups looking imaginatively for 'high-profit-low-risk'[56] activities.

In Brazil, the Head of a national museum and an interviewee who works in a public sector cultural heritage organisation spoke about improvements in the public policing. However, an interviewee who works in a public sector cultural heritage organisation highlighted that issues remained such as some Federal Police officers not acting even when they had information about thefts. Interviewees in Brazil consistently spoke about the lack of resources spent in the sector and an interviewee who works in a public sector cultural heritage organisation highlighted the effect of the lack of spending on the policing of the well organised crime groups:

> 'We are aware that the major challenge is the instrumentalization of more modern mechanisms or technologies for information exchange, compatible with the level of organisation of groups that commit illicit trafficking in cultural goods.'

An interviewee who works in a public sector cultural heritage organisation in Brazil highlighted the scale of the challenge: 'in Brazil the thefts are systematic'. The frustration for people who work for public sector organisations in Brazil is that parts of the protection and policing of heritage and cultural property exist already and there are many good proposals to improve them but they all require investment.

<C>Kudos

Despite crime groups being drawn to the thefts for the motive of profit at low risk, the self-identity of criminal entrepreneurs within crime groups can be a factor in the thefts. A loss adjuster claimed that there was kudos in the criminal world in carrying out this type of theft. He emphasised that it could help offenders make a name for themselves. The media portrayal of the thefts can feed this. One interviewee who works for a database spoke of the media not reporting facts but 'imposing a narrative'. He spoke about elements of glamour in the narrative despite the activity not being glamorous at all. An OCBC officer spoke of his frustrations with some of the French media not including key information; for example, not mentioning the law regarding metal detecting in a documentary. A loss adjuster said that, despite some of the thefts including violence, there can be a 'Robin Hood' narrative proposed. The crime groups can play on this too. For example, a leading member of a crime group in England & Wales has said:

> 'I really feel I've got the fucking right to rob the Lords out there. I feel I've got the right to rob the Sirs, Lords and the Ladies'… 'If I feel the need where I've got to rob a country manor, stately home I will do so'[57].

This also relates to the lack of an 'ideal victim'. Concerning public antipathy towards victims of art fraud victims, Mazurek uses Christie's work on the ideal victim and argues that potentially the victims are very low in the 'hierarchy of victims' owing to their involvement in a market that 'leaves openings for fraud' and 'perceived personal shortcomings'[58]. Arguably, some victims of heritage and cultural property thefts can receive a similar response, especially if they are wealthy and/or insured.

<B>Relevance of the motivations of crime groups on the protection of heritage and cultural property

As crime groups act as criminal entrepreneurs in their search for opportunities for 'high-profit-low-risk'[59], it is understandable why opportunity-based approaches to preventing crime such as Rational Choice Theory, Routine Activity Theory and Situational Crime Prevention (SCP) should be a focus in trying to combat these crime groups from stealing heritage and cultural property. These approaches' emphasis on target hardening and reducing crime opportunities in the physical environment provide useful practical assistance for combatting certain thefts in locations that have heritage and cultural property. For instance, Grove and Pease's SCP techniques, based on Cornish and Clarke's 25 techniques of SCP, for preventing different kinds of heritage crime have useful practical ideas to combat the crimes[60]. In addition, acronyms such as CRAVED (concealable, removable, available, valuable, enjoyable, and disposable) and VIVA (value, inertia (weight), visibility and access) are helpful for assessing whether objects are potential suitable targets[61]. Furthermore, it is worth highlighting that some rational choice and situational crime approaches in criminology also consider 'bounded rationality' in which offenders might be motivated by factors such as status, kudos, and power[62].

The data from the four study regions provide much evidence about the importance of focusing on the potential crime and preventing it through target hardening measures, and how this benefits the heritage and cultural property locations. However, a lack of focus on the offenders means that it is easier for them to continue to operate as criminal entrepreneurs seeking opportunities and for other crime groups to be drawn to this area. In effect, specific thefts might be prevented; for example, some large museums and private residences in Brazil, England & Wales, France and Italy have such good security that there is very little opportunity to steal objects from these locations, but the offenders can seek and imaginatively pursue other opportunities at different locations.

There is debate over whether offenders will be displaced to other locations. For example, a loss adjuster said:

> 'There are people constantly drifting around, whether it's the West End or comparable areas in New York, Paris etc., just waiting for….to see a weakness and they'll be in there…'

In contrast, the Head of Security at a national art museum in London said that it was unlikely that his site's excellent security made other locations a target as there was 'not a natural deferment'. However, the targeting in the study regions of specific locations such as private houses, country houses, churches, small museums, disused palaces and farm estates, outdoor locations, and archaeological sites points to some displacement from highly securitized locations to these often more vulnerable locations.

Regarding displacement to other criminal activities, Cornish and Clarke in their work on rational choice theory argue that the difference between types of crimes and their uniqueness in terms of benefits, challenges and costs means offenders will not go to another type of crime if one type of crime is prevented[63]. However, other proponents of SCP approaches are aware that crime groups might be less easily deterred than some other offenders from committing crime if a specific type of crime is prevented and these researchers accept that the crime groups might seek alternatives[64]. The data used for this article show that some crime groups involved in the thefts are engaged in a range of criminal activities including heritage and cultural property thefts and, therefore, the idea that they will not seek other opportunities within heritage and cultural property fields or, if these opportunities are closed, in other areas of crime does not hold ground. This is why the data from all the study regions illustrating the importance of focusing on the offenders as well as the thefts owing to crime groups being able to target other opportunities if prevention of the acts is the key focus, is important as it contradicts some crime science proponents such as Felson who has argued that to understand and reduce 'organised crime', people should: 'Focus on the acts, not the group engaging in it'[65]. The research conducted in the four study regions shows the need to focus on the crime groups and their diverse activities across different areas of crime and investigate how their 'imaginative pursuit of profit'[66] in 'high-profit-low-risk'[67] activities has drawn them, and could attract other crime groups, to steal heritage and cultural property. In addition, using the term 'criminal entrepreneurs' pushes the emphasis more onto looking at the crime groups and their imaginative pursuit of profit for their illegal enterprises, as well as the acts.

Writing about heritage specifically, Grove and Pease argue that, owing to the unique value of heritage items, if displacement were actually to occur to other targets, it would be 'regrettable but not without residual merit'[68]. This viewpoint has its merits as replaceable objects of no heritage, cultural or artistic value might be stolen instead and therefore the loss might not be as great. However, if crime groups cannot be successful with the thefts and move to another non-heritage and cultural property target or activity that they hope to be 'high-profit-low-risk'[69], the effects of the other activity can also be severe. For example, interviewees who work in public and private policing and government organisations highlighted that other activities engaged in by groups who have stolen heritage and cultural property include the trafficking of illicit drugs and weapons, fraud, money laundering, and armed and unarmed robberies of other items (including rhino horns and cash dispensers).

The data has shown that there can also be a diffusion of security and policing benefits from successfully focusing on crime groups involved in the thefts. For example, the reason why members of a well-known crime group in England were convicted in 2008 was because of their heritage and cultural property thefts rather than their other activities. A private art detective said: 'It took so long for police to do anything. Drugs, armed robberies, thefts, violent crimes. Achilles' heel was art. Police should have realised this long ago.' Similarly, members of a well-known crime group from Ireland which operates globally were convicted in 2016 because of a spate of museum thefts that targeted Chinese objects and rhino horns rather than for the array of other activities in which they have been involved.

<A>Conclusion

Although it can be difficult to sell on high value stolen objects, the theft of heritage and cultural property is an attractive criminal activity for crime groups because it offers potential financial opportunities such as selling on the stolen objects, using it as currency and collateral in illicit markets, or for ransoms and rewards. In addition, it can be less dangerous than other illicit activities, there can be less chance of detection and there are opportunities to do reconnaissance at many potential targets. Furthermore, there is a lack of regulation in the market and, indeed, the market itself is criminogenic. There can also be kudos in stealing the objects. Owing to these factors, the thefts offer crime groups operating as criminal entrepreneurs 'high-profit-low-risk'[70] and moderate/low-profit-low-risk illicit activities that are 'efficient' as they often involve reduced visibility to policing and competitors[71]. While this remains, even if crime prevention strategies are implemented at locations, crime groups will continue to be drawn to the thefts, especially as they can focus on the more vulnerable locations that do not have the capacity for extensive target hardening measures. If this is the case, then unique and irreplaceable will carry on being stolen and societies will lose in artistic, cultural, heritage, historical and financial terms.

Specific arrests and convictions of members of crime groups in Brazil and England & Wales demonstrate that the thefts can be the 'Achilles' heel' of crime groups who carry out a range of activities. Public policing agencies need to have this awareness, whether they are working independently or as part of a policing matrix or co-production, especially as private policing's focus is more on recovery of the objects rather than the offender. Changes to Sentencing guidelines and legislation such as the Scrap Metal Dealers Act 2013 in England & Wales can also help. However, a critical aspect is the supply-demand feature in entrepreneurial activities and the 'imaginative pursuit of profit'[72]. While crime groups stealing heritage and cultural property need to be targeted, it is also essential that other criminal entrepreneurs operating within the heritage and cultural property worlds, especially in the market, are targeted as well. The research from the four study regions makes clear that the market plays a role in attracting crime groups to seeking to profit in this area as it engenders criminal entrepreneurship. This supports previous research that has highlighted that it is imperative to focus on the demand for stolen heritage and cultural property as well as the market that benefits from this demand[73]. This article reiterates this call. If demand were significantly lowered for the stolen objects and there were more regulations in the market, the thefts would be far less attractive for crime groups as they are drawn to them largely for the entrepreneurial reason of potential profit at low risk, and this opportunity could be reduced significantly.

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Footnotes

[1] Kerr 2020
[2] Campbell 2013; ICOM 2021; Interpol 2020; Kerr 2015, 2018; Knauss 2007; Mackenzie 2011, 2019; Miranda 2012; Runhovde 2021
[3] e.g Chappell and Polk 2011, Gottschalk 2009, Paoli and Vander Beken 2014
[4] Van Dijk and Spapens 2013, 2
[5] Vander Beken et al 2015, 269
[6] Van Dijk and Spapens 2014, Wall 2018
[7] McElwee and Smith 2015
[8] Baumol 1990
[9] McElwee and Smith 2015, 5
[10] Gottschalk 2009, 1
[11] Baumol 1990
[12] Baumol 1990, 893
[13] McElwee and Smith 2015, 13
[14] Brodie 2019; Mackenzie 2011; Oosterman et al 2021; Tsirogiannis 2016
[15] Harvey and Hornsby 2016, 168
[16] Hornsby and Hobbs 2007, 553
[17] Harvey and Hornsby 2016; Hornsby and Hobbs 2007
[18] Hornsby and Hobbs 2007, 553
[19] Gundur 2019
[20] Gundur 2019, 387
[21] e.g Clarke and Newman 2006, Cornish and Clarke 1986, Farrell 2010, Felson and Clarke 1998
[22] Bryman 2012
[23] Mackenzie 2019, 844
[24] Hornsby and Hobbs 2007, 553
[25] Gundur 2019, 387
[26] McElwee and Smith 2015, 7
[27] Miranda 2012
[28] Harvey and Hornsby 2016, 168
[29] Van Dijk and Spapens 2014, 2
[30] McElwee and Smith 2015, 14
[31] Harvey and Hornsby 2016, 168
[32] Historic England 2015
[33] McElwee and Smith 2015, 5
[34] Gundur 2019, 378
[35] McElwee and Smith 2015, 5
[36] Gottschalk 2009, 1
[37] Gundur 2019, 378
[38] Conklin 1994, Mackenzie 2005, Tijhuis 2006
[39] Hornsby and Hobbs 2007, 553
[40] Hornsby and Hobbs 2007, 553
[41] Hornsby and Hobbs 2007
[42] Lashmar and Hobbs 2018
[43] Gundur 2019, 387
[44] Hornsby and Hobbs 2007, 553
[45] Baumol 1990
[46] McElwee and Smith 2015, 5
[47] Fincham 2013, 86
[48] Felson and Clarke 1998
[49] Clarke 1999
[50] Hornsby and Hobbs 2007, 553
[51] Brodie 2019, Mackenzie 2011, Oosterman et al 2021, Tsirogiannis 2016

[52] Oosterman and Yates 2020
[53] Bradley et al 2012
[54] McElwee and Smith 2015, 13, 14
[55] Gundur 2019
[56] Hornsby and Hobbs 2007, 553
[57] BBC 2005
[58] Mazurek 2019, 413
[59] Hornsby and Hobbs 2007, 553
[60] Grove and Pease 2014
[61] Cornish and Clarke 1986, Grove and Pease 2014, Kerr 2015
[62] Cornish and Clarke 1986, Farrell 2010
[63] Cornish and Clarke 1986
[64] Bullock et al 2010
[65] Felson 2006, 16
[66] McElwee and Smith 2015, 5
[67] Hornsby and Hobbs 2007, 553
[68] Grove and Pease 2014, 108
[69] Hornsby and Hobbs 2007, 553
[70] Hornsby and Hobbs 2007, 553
[71] Gundur 2019, 387
[72] McElwee and Smith 2015, 5
[73] Brodie 2019, Mackenzie 2011, Oosterman et al 2021, Tsirogiannis 2016, Yates 2019

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