Consuming Counterfeits
Exploring assumptions about fashion counterfeiting

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Abstract

The introduction of the 2004 National Intellectual Property Strategy reflects a growing concern of the need for increased resources to 'tackle counterfeiting'. Alongside increased enforcement activities, the importance of the consumer's role in reducing counterfeiting has also been emphasised. Starting from the assumption that fashion counterfeiting has to be considered separately from other types of 'safety critical' counterfeits, this paper aims to contextualise fashion counterfeiting within wider debates surrounding fashion, consumption and culture. Drawing upon preliminary findings of a current empirical project, I argue that the assumptions that underpin the knowledge about fashion counterfeiting are problematic; in particular anti-counterfeiting policies which tend to approach the problem by attempting to change consumer attitudes toward counterfeit fashion goods. An assumption is built upon the deduction that reducing consumer demand will reduce market supply. Not only does this ignore economic theory debates but also wider issues surrounding consumption, culture and fashion.

Key Words: counterfeiting, fashion, consumption, crime

Introduction

The 'problem' of counterfeiting has allegedly increased substantially during recent years, with estimations of the counterfeit market at five to seven percent of all world trade (OECD, 1998: 23). Counterfeiting is no longer seen as a 'cottage industry' (Vagg and Harris, 1998: 189), but one which is linked to organised crime, other forms of economic crime and even terrorism (ACG, 2007; AAIPT, undated). Counterfeiting is seen as detrimental to legitimate businesses, but also to national economies and

society in general. However, even though counterfeiting is increasingly recognised by many as a serious crime problem, it remains a "relatively neglected research area in academic sociology and criminology" (Yar, 2005: 23).

This paper presents early indications from an empirical project in progress, taking the approach that it is essential to consider fashion counterfeiting separately from other forms of counterfeiting. Indeed, the paper argues that fashion counterfeiting has to be understood in terms of wider debates about fashion, consumption and culture. Further, the paper argues that assumptions that underpin our knowledge about fashion counterfeiting are problematic - particularly, since anti-counterfeiting policies tend to approach the problem by attempting to change consumer attitudes towards counterfeit fashion goods.

Background

'Harm' is the main argument against counterfeiting (see OECD, 1998). This may be particularly obvious in terms of some forms of counterfeiting - notably products which have been termed 'safety critical' counterfeits (Yar, 2005). These goods, such as 'toxic' toothpaste (see Rose, 2007) and defective automotive parts (see Yar, 2005), are of concern due to their potential dangers. Consequences of these entering the market can be devastating to both consumers and legitimate enterprises. Therefore the evidence documenting the harms associated with counterfeiting seemingly makes the issue quite straight forward - the dangers far outweigh potential benefits, justifying attention towards counterfeiting by public law enforcement agencies.

Much anti-counterfeiting discourse, however, does not distinguish between 'safety critical' and 'non-safety critical' counterfeits and merely applies arguments about harmful effects to all types of counterfeits. The starting assumption of this paper is that this position is problematic. When non-safety critical counterfeits are examined independently (e.g. fashion counterfeits) the clear cut public interest argument does not necessarily exist (Wall and Large, forthcoming).

Defining counterfeit fashion goods
The focus here is on counterfeit fashion, specifically, only items of clothing and accessories - referring only to trademarked goods. Design and copyright issues, although relevant, are not discussed here as these have further issues which warrant their own examination. Further, the definition is not limited to 'luxury' products. Whilst luxury goods are commonly thought of as the main goods which are counterfeited - "this is one of the most highly publicised sectors where counterfeiting is rife" (Hilton et al., 2004: 346) - there are problems holding this assumption, not least consumers and enforcement agencies own differing definitions of 'luxury'. Further, previous empirical research suggests that sportswear and other

branded goods also form a large part of the counterfeit industry (Wall and Large, 2007).

Tackling fashion counterfeiting through consumers
The related concept of deception is also key to the debate about counterfeiting. For example, the criminal prosecution of trademark offences partly relies on the principle that a consumer would be, or has been, confused between the counterfeit good and the genuine product. However, research has found that many people knowingly buy counterfeits (see Ledbury Research, 2006; 2007). Once you remove the possible damage to private businesses from the debate this raises important questions about where harm, in terms of public interest, lies.

Alongside increased 'policing' enforcement activities in the UK, following the introduction of the National Intellectual Property Crime Strategy (NIPCS) 2004, to attempt to 'tackle counterfeiting', a consumer based initiative has also been developed. This approach attempts to 'educate' consumers about the "dangers of buying fakes" (AIM, 2005: 4). It is loosely based on the premise that if consumers are educated about the 'harms' of counterfeiting then they will cease to (knowingly) purchase counterfeit products - a reduction in demand will mean a reduction in supply. The importance of the consumer role is emphasised in the UK Intellectual Property Crime Report (Intellectual Property Crime Group, 2007) which, after claiming the NIPCS is starting to provide improved outcomes in dealing with counterfeiting, states that "the biggest hurdle to overcome is to educate the general public" (p5).

The idea of 'educating' consumers - with the ultimate aim of changing their behaviour - is far from unproblematic. Considering concerns about the evidence base for the anti-counterfeiting argument, will the consumer be satisfied enough by these arguments if all they can see is the positives (for themselves)? And what are the 'dangers of [fashion] fakes' from an objective standpoint? Incidentally, do we really know enough about consumer perceptions in this field to assume, perhaps arrogantly, that it is possible to change consumer behaviour through this means? Further, does such an approach take on board a comprehensive view of consumption, and fashion? This paper also seeks to raise concern with the implications of having a criminal justice enforcement policy which emphasises the role of the *non-criminal* participant.

Therefore, when considering counterfeiting, it is necessary to critically examine the assumptions and evidence of which it is based. This is important because this forms the basis of the anti-counterfeiting movement, and further because fashion counterfeiting has its own complexities. A critical approach to counterfeiting literature needs to be taken which incorporates discussions surrounding the concepts of risk (see Beck, 1992) and harm (Young, 2002: 268[1]). Further, it is argued that a

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[1] The argument that harm needs to be placed within its social context

broader theoretical framework needs to be in place which draws upon knowledge about consumption, culture and fashion.

Theoretical influences
This paper positions itself within a wider theoretical framework to consider some of the issues related to fashion counterfeiting. In particular, by arguing that failing to situate fashion counterfeiting within a broader context misses the fundamentally essential point of why people do (or do not) buy fashion products in the first place.

The research draws upon a broad review of literature which spans across disciplines. As well research on counterfeiting, and in particular consumer demand for counterfeits (from a mostly marketing and brand management perspective), more general ideas about fashion, consumption and culture have been drawn upon.

Economic theories about consumer demand have developed over time, moving away from rational choice theories based on the notion of supply and demand, to work known as 'the new consumer behaviour' (see Belk, 1995). Veblen ([1899]1998) argued that consumer goods can be used to express social status (pecuniary standing). Veblen talks about 'conspicuous consumption' - the importance of showing that one owns expensive goods - especially clothing. Leibenstein (1950: 189) developed the idea that individuals consume goods for reasons beyond their utility value providing a typology of consumer demand:

- the bandwagon effect (demand increases for a product because others are consuming it – a desire to conform);
- the snob effect (demand decreases for a product because others are consuming it – desire to be exclusive); and
- the Veblen effect (demand is increased because the product is expensive).

Baudrillard ([1970]1998) rejects many of the traditional views of consumption, arguing that the symbolic meaning of the consumer object is the reason it is consumed rather than the purpose of the actual good itself. Similarly to other sociologists, Baudrillard's arguments centre on the notion of class differentiation and the role of consumer goods as communicators of meaning. Thus, consumption of branded goods has added meaning in society: "status becomes visible through consumption" (Morrison, 1995: 314).

Simmel's ([1904]1957) influential 'trickle-down theory' sees fashion as a class-based process, where the upper class lead, by differentiating themselves with the latest fashion, and the lower classes attempt to follow. Despite its outdated approach to class (Davies, 1992), it remains important within fashion theory. Bourdieu ([1984]1993) however, acknowledges the importance of designers in the fashion process - who are argued to have the power to create the value of fashion. Contemporary analyses, such as

Sweetman (2001), disagree that fashion is - as often suggested - a personal manipulation to communicate ones appearance, but part of a much wider structural process. Sweetman's understanding of fashion draws upon the concept of neo-tribalism from work by Maffesoli (Sweetman, 2001), about fashion as a part of – albeit basic – form of community, and how a sense of 'togetherness' can be created through "a small scale social group" (Sweetman, 2001: 68).

Cultural criminologists - and notably Hayward (2004: 161) - argue that people have a "constant sense of unfulfilment" as consuming material products has moved from being something that is "culturally desirable" to being "fundamentally expected"; a "basic right". Further, Hayward maintains that consumption of branded goods provides an essential opportunity for socially and economically disadvantaged young people to find a way of expressing their identity, and regaining some form of control (2004: 155). Thus "brand names and designer labels" have an incredible value placed upon them (2004: 182) by socially excluded young people who "over identify with consumer goods in an attempt to create a sense of identity" (2004: 181). These ideas about the importance of consumer fashion goods as a means of social status - but within a social group rather than over another group - provide an interesting development.

Archer et al. (2007) also discuss the role of sportswear goods for young people, in terms of their "collective classed identities" (p223), again highlighting the social value which branded fashion can play. Their study found that, for young people, creating their appearance was a path of identity formation which they "invested heavily in" (p224). Further, the importance of consuming (the correct) branded goods is highlighted by the labels which are applied to those who did not consume them: "those who cannot afford to buy the appropriate symbolic goods are disparaged as worthless and labelled a 'tramp'", and frequently were "bullied, taunted and ostracised" (p226).

Methodology: Issues and Limitations

This project sought to critically explore assumptions which underpin knowledge about counterfeiting and deconstruct counterfeiting in terms of the cultural, legal, social and economic conceptualisations of it that currently exist. The lack of existing knowledge had implications for the empirical design of the project.

There is a significant body of knowledge which considers the debates around mixed methods research (see Bryman, 2008; Noaks and Wincup, 2004). This project followed the presumption that different methods are capable of exploring 'different layers of social reality' (Walklate, 2008) and together provide complimentary insights.

Taking a multi-method approach, the project identified different uses for each method. First, an online survey (self-completion questionnaire) was used to develop insights into people's views and

consumption habits, to shape the qualitative framework and identify interviewees. Second, semi-structured interviews were used to take up issues identified by the survey, (and those which might have been missed). Third, follow-up focus groups are planned to explore the overall research findings.

As we know relatively little about counterfeit and non-counterfeit consumers, the project sought a range of views from a relatively large range of consumers. This is by no means to claim that a large sample makes up for sampling bias issues (Fricker, 2008), but to identify themes and issues which can then be explored in more depth in the latter qualitative work. While important for the purpose of the project, online surveys are fraught with difficulties (Vehovar and Manfreda, 2008). There are two primary issues: the nature of researching online, and the problems of using a questionnaire methodology[2]. A questionnaire traditionally relies upon its data being generalisable, reliable and representative (May, 2001). The lack of identifiable sampling populations meant that a structured probability sampling frame was not realistic.

The survey relied on a non-probability sample, following DeVaus' (2002: 90) proposition that this is "appropriate when sampling frames are unavailable or the population is so widely dispersed that cluster sampling would be inefficient". The aim of this method was to generate exploratory, initial data to create a framework and context for the later qualitative work, as opposed to discovering measurable representative outcomes. It is important to acknowledge how these problems "can significantly impact [upon] data quality" (AAPOR, 2006 *cited in* Vehovar and Manfreda, 2008: 181). The data analysis does not purport to be generalisable or statistically representative of the population at large. In particular, this means that no level of statistical inference or significance can be given.

Online surveys are limited in the sense they only access online populations (Fricker, 2008). Despite this, an effort was made to access a number of different types of internet users to reduce bias. The survey was posted on social networking sites and fashion forums. It was also sent, despite well documented disadvantages (see DeVaus, 2002; Vehovar and Manfreda, 2008) via various mailing lists (both personal and organisations) and by contacting 'gatekeepers' and asking permission for it to be forwarded on. Thus, a 'snowball effect' sampling method was developed - where respondents were asked to forward the survey email on to their own contacts. Other methods were also used - such as an article about the project with a link to the survey was placed in a student newsletter. Despite a significant range of distribution methods used, and even though specific attempts were made to access the non-student population through non-university contacts, there was a large proportion of student respondents to the survey.

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[2] It is acknowledged that there are many other limitations with this method, but due to space constraints those particularly relevant to this project have only been considered here.

As with all types of survey, online surveys are far from being exempt from problems of non-response. Although procedures were put in place to try and minimise such problems, the invitation could have been missed or interpreted as 'spam'. Even if the potential respondent did see the invitation, they still might have decided not to open the link to the survey or complete it (Vehovar and Manfreda, 2008).

The Survey: Demographics

A preliminary analysis of the survey, using statistical analysis software (SPSS) was conducted. The results discussed in this paper are based on a sample of 573 respondents from the UK (see Table 1).

Table 1. Respondents by employment status

Status	%	Status	%	Status	%
Student full-time	52.0	Student part-time	3.4	Parent/carer full-time	0.6
Employed full-time	29.0	Unemployed	1.5	Other	0.2
Employed part-time	12.3	Self-employed	0.8	Voluntary sector	0.2

(N = 573)

Approximately two thirds of the sample was female. The ages of respondents ranged between 18 and 62 with over half of the sample being between 18 and 24 (58 percent). The sample was primarily White (89 percent) and, as such, ethnic group comparisons are not discussed here (see Table 2).

Table 2. Respondents by ethnicity

Ethnicity	%	Ethnicity	%	Ethnicity	%
White	89.0	Asian/ Asian British	3.0	Chinese	1.8
Mixed	3.2	Black/ Black British	1.9	Other Ethnic Group	1.1

(N = 566)

The nature of distribution of the survey meant that it was possible non-UK residents could respond, but this was anticipated, and by asking for postcode/country data it was possible to identify and remove from analysis. While it was decided not to ask about occupation and levels of personal and/or household income, respondents were asked to select their monthly average spend on fashion goods (see Table 3).

Table 3. Respondents by average spend per month on fashion goods

Average spend per month on fashion goods	%
Nothing	5.1
£1 - £50	47.7
£50 - £100	31.1
£100 - £200	12.5
£200 - £300	2.6
£300 - £500	0.5
£500 +	0.5

(N = 570)

Discussion of Findings: Some Early Indications

The preliminary indications are organised around three themes; (i) who buys counterfeit fashion products; (ii) why do people buy, or do not buy, fashion counterfeits and (iii) how is fashion counterfeiting perceived in terms of crime?

Who buys counterfeit fashion products?
Approximately 50 percent of the sample had bought a counterfeit fashion item. Almost no differences in age, sex and employment status or monthly spend[3] were found (see Table 4).

Existing research on who buys counterfeit fashion products has generated mixed results, with Tom et al. (1998) finding that 39 percent of their sample had knowingly bought a counterfeit, and were most likely to be under 30. However, the current survey seems to follow Ledbury Research's (2007: 9) finding that, despite common presumptions, "there is very little to distinguish demographically between those who do and do not buy fakes".

Of course it is important to note that not everyone who buys a counterfeit product does so knowingly at the time. Therefore the survey also asked people to differentiate whether at the time of purchase they: knowingly bought the counterfeit (77 percent); unknowingly bought the counterfeit (5 percent); or were unsure at the time (18 percent). However, some people who have bought a counterfeit may never be aware that they have done so. This reinforces the importance of deception in the anti-counterfeiting argument (see Bosworth, 2006; Grossman and Shapiro, 1988; Hopkins et al., 2003).

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[3] Those categories with under 10 respondents were excluded from analysis.

Table 4. Previously bought counterfeit: Demographic breakdown

Age

	Yes (%)	No (%)	Total Count
24 and Under	52	48	332
25 and Over	48	52	233
			N=565

Sex

	Yes (%)	No (%)	Total Count
Male	53	47	169
Female	49	51	398
			N=567

Employment status

	Yes (%)	No (%)	Total Count
Student Full Time	53	47	334
Student Part Time	64	36	22
Full Time Employed	46	54	187
Part Time Employed	47	53	78
Unemployed	40	60	10
			N=573*

Average monthly spend on fashion

	Yes (%)	No (%)	Total Count
£0	34	66	29
£1 - £50	50	50	272
£50 - £100	54	46	173
£100 - £200	49	51	71
£200 - £300	50	50	14
			N=559

Note:
* Respondents were able to select more than one employment status.

Why do people buy, or do not buy, fashion counterfeits?
The top reason for buying a counterfeit was because 'it was cheap' (32 percent). This remained true when considered by age and employment status breakdown. This follows the common presumption that many people buy counterfeits because of their lower price point. However, it became apparent in the interviews that not everybody associated counterfeits as being 'cheap', *per se*, but sometimes 'cheap' in the sense that it costs less than the real thing - with a couple of respondents pointing out that often

counterfeits are not actually that cheap at all, especially some high end counterfeits which can be sold for several hundred pounds.

The second most popular reason for buying a counterfeit fashion product was 'I was abroad' (29 percent). This remained the case when age and employment status were analysed which suggests it is not simply a reflection of the large sample of students. Ledbury Research (2007) found it was becoming more common for people to buy their counterfeits at home in the UK. However, when exploring this further in the interviews, some counterfeit buyers thought it unlikely that they would have bought the product had they not been abroad when doing so. One respondent explained that, despite thinking that buying a counterfeit was in some sense criminal, it was alright to do so because they were in a different country – in a sense displacing their concerns.

The main reasons given by those who claimed not to buy fashion counterfeits was 'I am not interested in branded fashion goods' (33 percent) and 'I only want to buy authentic fashion goods' (24 percent). This highlights the importance of viewing fashion counterfeiting in terms of the broader context. Some people simply claimed 'it has never occurred to me to buy a fake' (15 percent).

Interestingly, in interviews with some of the people who had previously bought fashion counterfeits, buying fashion counterfeits was something that they associated with age and especially being 'young'. Their changes in the consumption of counterfeit goods as they grew older were reflected in their changes in their overall buying habits - i.e. they no longer wear or buy branded fashion goods and therefore no longer have any need or likelihood of buying a counterfeit as it is outside their usual consumption patterns. Additionally, some interview respondents associated these changes with changes in how they perceive the social acceptability of certain fashion goods, in particular, designer and sports brands. Some respondents sought to actively distance themselves from being associated with particular stereotypical social groups by avoiding certain brands – or sometimes any obviously branded good. On several occasions, the association between 'Chavs'[4] and particular branded goods became apparent as a strong reason for why people no longer chose these types of clothes (see Hayward and Yar, 2006: 23).

How is fashion counterfeiting perceived in terms of crime?
One of the main issues that the survey examined was how fashion counterfeiting is perceived in terms of crime. Information was collected in the survey in terms of: (i) how respondents perceived counterfeiting to be associated with crime; (ii) who should be responsible for 'policing' counterfeiting – in the broadest sense; and (iii) issues with the legal status of counterfeits. Indeed, much of the anti-counterfeiting approach focuses

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[4] Hayward and Yar (2006) describe 'Chavs' as "young people, clad predominantly in sports apparel, who engage in minor forms of unruly behaviour" (p10). They note how this term has been a popular replacement for the concept of the underclass (2006: 15).

on how counterfeiting is linked to criminal behaviour, and further, how it is argued to fund other crimes (see AIM, 2005; AAIPT, undated).

Respondents were asked to rate a number of attitude statements. In terms of the response to the statement 'fake fashion goods are a crime problem that should be taken seriously', there were no real differences in attitudes between counterfeit and non-counterfeit buyers. Some differences in attitudes occurred when a closer analysis of demographic variables was considered, but no consistent patterns emerged. Therefore, this seems to dispute Tom et al.'s. (1998) research which found that there were attitude differences between consumers which had bought counterfeit goods and those who had not – those who had never bought a counterfeit had much less favourable attitudes towards counterfeiting. However, attitudes are not necessarily reflected in behaviour.

The second statement - 'money raised from selling fake fashion goods funds other crime' found that for both counterfeit and non-counterfeit buyers there was generally quite a lot of uncertainty (33 percent counterfeit buyers and 30 percent non-counterfeit buyers answered 'not sure'). Interestingly, many people voiced opinion, both on the 'comments' option of the survey, and also during the interviews, about this issue. For example, one respondent said:

> I personally believe it's unfair to attribute money accumulated from the sales of fake fashion products to crime. This may be true and sometimes probably is. Just like at some times it probably isn't. It's possible that exactly the same concept applies to authentic fashion product (21, Male, Previously bought counterfeit).

This question highlighted how contentious many people find the link between counterfeiting and crime. Whilst many believed that on one level, the nature of counterfeiting was inevitably linked to crime, due to the illicit nature of counterfeiting, many were unconvinced of the arguments that counterfeiting funded other serious and organised crimes. In fact, some people felt quite strongly that counterfeiting was in fact a tenuous issue and that it was something really which should not be viewed as a crime at all. As one respondent commented:

> To be honest, with the levels of real crime (drugs, prostitution etc.) in Britain I couldn't give a tiny rats arse about fake goods! Sorry to be rude but that's my true opinion! (18, Female, Never bought counterfeit).

Who should be responsible for 'policing' counterfeiting?
Respondents were asked to rate who they thought should take responsibility for dealing with counterfeiting. Overwhelmingly, both counterfeit (41 percent) and non-counterfeit (39 percent) buyers disagreed that the police and trading standards should make fashion counterfeiting

more of a priority. This was also true when a closer examination was taken of different demographic characteristics. On the other hand, whilst counterfeit buyers across all demographic characteristics thought that brand owners should take responsibility for counterfeiting (45 percent agree), non-counterfeit buyers showed a much more mixed response with overall 34 percent disagreeing with the statement and 35 percent agreeing. This mixed response was also visible with age, sex, employment and monthly spend differences.

The survey findings reflect the emerging theme that many respondents just do not see counterfeiting as a 'real' crime, and therefore often have quite strong views that public resources should not be wasted on such 'menial' issues. However, when discussing this further with the interviewees, some respondents suggested that there is perhaps more of a role for trading standards - in terms of consumer protection - but generally were still reluctant for the police to play any more than, at most, a supportive role (i.e. letting trading standards conduct the investigation and compile evidence and the police assist with the actual arrest). For instance:

> Police have other priorities [it] should be Trading Standards responsibility because fake is poor quality (32, Female, Never bought counterfeit).

When interviewees were asked whether their views on the role of the police and the priority given to counterfeiting would change if they found out that counterfeiting was definitely linked to funding other crimes, respondents became more relaxed to the idea that the police should take a role; but in most cases, they were still very anti the police 'wasting their resources' on focusing on the counterfeiting side of things. This kept coming back to the fact that, for many of the respondents, they just did not believe the link with crime. And even when they did, they often related this back to their perception that the fashion industry generally was linked to much criminal behaviour (particularly in terms of ethical concerns, notably child labour and poor working conditions) and therefore this almost counteracted any need for public resources to be used in dealing with counterfeiting. Although, a number of respondents did acknowledge that these problems were more likely to be exacerbated in the counterfeit industry due to lack of regulations. The onus on the role of the legitimate industry was certainly something which most interview respondents felt strongly towards, particularly with concern surrounding safe-working practices and the role of fashion brands in inflating prices of goods. In this sense, research by Hilton et al. (2004) adds an interesting insight to the debate of responsibility in their consideration of the fashion industry from an ethical perspective. Acknowledging that copying is 'endemic and condoned' within the fashion industry, they argue, therefore, that the industry must take some responsibility for the 'problem' of counterfeiting (2004: 347).

Legal issues

Respondents were asked whether it is currently illegal to buy counterfeit fashion goods in the UK and also whether they thought it should be. These questions were included because in some countries, including Italy, the law has recently been changed to make it so. Further, there is pressure in the UK from anti-counterfeiting supporters to do so, who suggest that even a non-enforced law would act as a suitable deterrent to stop people from buying counterfeit goods and therefore reduce the need for supply (Wall and Large, 2007). Albers-Miller (1999) also argued that the fear of a criminal conviction should deter consumers. However, this argument is not only problematic on an economic basis, but further, because of the amount of people currently who think that it is illegal to buy counterfeits and yet continue to, see no reason not to do so.

The survey asked respondents to rate two statements on this issue: 'it is illegal to buy fake fashion goods' and 'it should be illegal to buy fake fashion goods'. It seemed that there exists uncertainty over the legal status of counterfeit goods with 29 percent of counterfeit buyers and 35 percent of non-counterfeit buyers suggesting they were 'not sure'. Indeed, the second most common answer for both counterfeit and non-counterfeit buyers was to agree that it is illegal to buy counterfeits (29 percent and 31 percent respectively).

In terms of whether it should be illegal to buy counterfeits, there was a small difference in attitudes between those who had and had not bought counterfeits in the past - with those who had not most likely to agree (39 percent) and those who had, most likely to disagree (43 percent). Further, this pattern remained generally when considering the demographic breakdown, with the exception of non-counterfeit buying students who were more likely to disagree. Again, this issue provoked some strong reactions from respondents:

> Counterfeiting is a real problem; but the responsibility should not be upon consumers. Dealing with counterfeiting by criminalizing consumers is ineffective and counterproductive (29, Female, Previously bought counterfeit).

> Whilst I do not believe it should be illegal to BUY fake fashion goods. That would be absurdly difficult to police, and many people would be criminalised without any moral reprehensibility - which flies in the face of most of the criminal justice system. I believe it should be illegal to SELL fake goods (19, Male, Never bought counterfeit).

These findings seem to follow those of Cordell et al. (1996: 41) who suggest that because consumers form the "final participant in the counterfeit transaction chain" they are still supporting the illegal act. Yet, even though 97 percent of their respondents were aware that to sell a counterfeit is an offence, they themselves do not take any accountability for their role in the transaction (*ibid*, 1996: 50).

Conclusion

The empirical analysis has generated some mixed results, although it is important to remember that the project is still underway so these findings are only early indications. The indications generated by the survey analysis have provided a useful framework for the more in-depth qualitative work which is in progress. Despite some of the methodological limitations, interesting themes and issues have arisen, which certainly warrant further attention as the research progresses.

In particular, when looking across the different social demographics examined in this paper, there is no clear cut definition of who buys fashion counterfeits. This lends to the suggestion, made in this paper and elsewhere (Wall and Large, forthcoming), that it is more useful to understand fashion counterfeiting by developing consumer typologies and taking into consideration people's consumption habits and preferences.

The quantitative analysis found little difference in consumer attitudes to the issue of whether counterfeiting should be viewed as a serious crime problem when comparing non-counterfeit with counterfeit buyers. The analysis did highlight some variations when considered by a demographic breakdown, but provided no consistent patterns. The qualitative work explored this issue and in particular reasons why there often seemed a reluctance to view counterfeiting as a serious crime. Further complexities with this issue were also found to arise especially when considered with regard to the spending of public resources.

Interestingly, what has come across is how consumers' concerns about counterfeiting relate to ethical trading issues and how this may be linked to crime. However, this problematises developing anti-counterfeiting initiatives which highlight ethical concerns about counterfeiting as a reason why consumers should not buy counterfeits. Respondents have indicated that they are concerned about ethical issues, not just in terms of counterfeits but towards the fashion industry generally. This highlights the complexities which underpin counterfeiting and the difficulties faced by anti-counterfeiting enforcement policies which rely on changing consumer behaviour.

The research also problematises the simplistic notion that criminalising the purchase of counterfeits will deter people from doing so, in particular, when you consider the amount of people who already think that it is illegal to consume counterfeits - yet continue to do so.

Overall, the preliminary data analysis has identified a number of issues (and limitations) that can be explored further as the project progresses. Despite this paper only representing some early indications, it has reinforced the need to examine fashion counterfeiting within its wider social and cultural context, and certainly questions the approach taken by anti-counterfeiting policies which seek to change consumers attitudes and behaviour to reduce the 'problem' of counterfeiting.

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