

What could 'Brexit' mean for the UK's policing of art and cultural heritage crime?

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This article considers how a 'Leave' vote in the EU referendum on 23 June could potentially impact the UK's policing of art and cultural heritage crimes. While politicians descend from their battle buses to proclaim with apparent unflinching certainty that a vote to leave or remain will have cataclysmic effects on the UK, it is worth remembering Bertrand Russell's views on the value of scepticism: 'The opinions that are held with passion are always those for which no good ground exists' (Russell, 2004:3). Attempting to take a more nuanced approach than the politicians, this article proposes that although it could be argued that the current policing of art and cultural heritage crimes might not be significantly affected by a leave vote, it highlights that there is a risk the policing might be. Moreover, and perhaps more importantly, it proposes that a leave vote could restrict existing and future opportunities for more effective policing of art and cultural heritage crimes nationally and internationally. The policing of these crimes in the UK can often be characterised by a lack of desire from the public police to focus on them adequately. The danger is that leaving the EU might not only reinforce an existing insular public policing mind-set, but could also make it more difficult to work with European partners, among whom are the nations who prioritise the policing of art and cultural heritage crimes the highest, and, arguably, police them the most effectively.

Nationally and globally, art and cultural heritage crimes present a substantial threat to property, cultural economies, knowledge and irreplaceable heritage. In addition, their links with other criminal activities such as terrorism and drugs are a significant concern. There are no reliable statistics for the annual global extent of art and cultural heritage crimes, and the often repeated number of \$6 billion should be ignored. Proposed figures lack empirical evidence; for example, in the UK thefts of art and cultural heritage are currently not recorded separately from other property. However, what it is clear is that globally art and cultural heritage crimes happen on a large scale, cause severe damage to heritage, lead to irrevocable loss of knowledge and can involve a great deal of money. Some examples include the thefts of Chinese objects between 2012-15 in the UK and France and the ongoing looting of antiquities in numerous source countries to be sold in demand countries (Brodie, 2014; Hardy 2015; Kerr, 2015; Mackenzie and Davis, 2014). Both examples involve objects crossing national borders.

A characteristic of art and cultural heritage crimes, this cross border activity requires a transnational policing response with a focus on the collection and sharing of intelligence in order to prevent, detect and investigate the crimes. This intelligence is crucial as the crimes are also sometimes characterised by trends of particular groups of criminals targeting specific locations and objects. In the event of a win for the vote to leave campaign, this collecting and sharing of intelligence between the three national policing

jurisdictions in the UK and EU countries could still happen. Indeed, the Metropolitan Police Service (MPS) Art and Antiques Unit has had good cooperation with non EU as well as EU countries. The fact that this has also included a country such as Iran at the end of the last decade when relations were politically strained shows that operations can happen successfully despite a lack of good political relations and policing agreements (Interview, 16/02/2009).

However, the largest concern about a vote to leave win regards the public policing mindset in the UK towards art and cultural heritage crimes. Within the three national policing jurisdictions of the UK, there is only one art and antiques unit. Based in the MPS and with a focus on crimes that have a London 'footprint' due to its jurisdiction in the capital, the MPS Unit has been effective in the past and continues to do a decent job despite its limitations such as its small number of officers (four at present). However, considering the UK overall, the policing gaps owing to 'local territorial imperatives' (O'Connor, 2005:72) still very much exist with county forces not always investigating if illicit art and cultural heritage objects have entered or left their county. A significant difference between the UK approach compared to most of those taken in continental Europe is that the public police are one node within a policing matrix that is best described by a nodal governance framework (Johnston and Shearing, 2003) comprised of public and private stakeholders. With art and cultural heritage crimes often falling into the Level 2 Policing Gap (O'Connor, 2005:72), this important area of policing can be ignored by officers, especially senior officers, as well as Police and Crime commissioners. This can hinder the cross county and cross national border policing. With at least fifty percent of art objects being recovered in a different country from the one in which they were stolen, this is a major concern.

This lack of interest in art and cultural heritage crimes shown by some senior police and public sector officials potentially leads to the argument that an exit from the EU could possibly not have an impact on the current policing of art and cultural heritage crimes in the UK as the recent public policing status quo might not be greatly affected. In addition, there is the argument that the large involvement in the policing undertaken by private sector stakeholders (who are less bound by territorial priorities) could make working within the EU less relevant. However, there is a shift currently occurring in the UK which could be significant, especially as the limits to the private sector's legal powers means that the public police are still needed within the policing framework. Some policing and cultural heritage agencies and organisations, including certain senior police officers and some MPs, are pushing for the crimes to be higher on the agenda and for practical measures to be introduced. Positive moves include the setting up of the National Museum Security Group in 2011, an All Party Parliamentary Group for Cultural Heritage launched in 2015 and the current effort by Chief Constable Bliss, the National Police Chiefs' Council lead for Heritage and Cultural Property Crime, who in collaboration with organisations and agencies such as Historic England, the National Crime Agency and the cultural sector is pushing for each county force in England and Wales to have a Heritage Crime Liaison Officer (Interview, 26/02/2016).

If the Heritage Crime Liaison Officers are to be employed with any success, then nationally collaboration between forces as well as with other public and private

stakeholders will be very important as these officers will require advice from experts with knowledge of the field and because of the movements of illicit art and cultural heritage. Internationally, this collaboration and working within networks must include foreign policing agencies, particularly EU ones. As two well-known routes for the flows of stolen objects into and out of the UK, this is especially the case with France and Ireland. While a lot of intelligence gathering in the UK is done by private stakeholders such as loss adjusters, private detectives and employees of private sector databases, in some EU countries it is the public police who lead it; for example, the Italian Comando Carabinieri Tutela Patrimonio Culturale (with 250 officers) and the French L'office Central de Lutte Contre le Trafic de Biens Culturels (with 25 officers) actively gather intelligence. The Italians have their Leonardo database and the French their Treima database (Interview, 10/03/16; Interview, 29/01/06). UK public sector stakeholders, especially the public police, could gain more from the links with these two art and cultural heritage squads than they do at present. This is also important because in Europe the national policing agencies can be reluctant to share information with the private sector parts of the policing framework in the UK.

The existing informal and formal structures for EU collaboration could also be used more. These include European Police College (CEPOL) meetings; European police requests such as European Arrest Warrants; Eurojust; FRONTEX and Europol (when the crimes can be linked to an organised crime activity such as money laundering). Interpol could be promoted as an existing case for not needing to use these EU structures. However, despite having a database of stolen works of art, the Interpol Works of Art unit is very small, and, as with Interpol more generally, its work is to raise awareness of the crimes and to aid the working together of the national policing agencies (Block, 2011; Interview, 08/02/2010). Owing to this, Interpol is a useful and valuable addition to these structures but is in no way an alternative. It is a shame that the opportunities which currently exist are not being used enough. However, the fact that they are not, does not mean that present and future collaboration and cooperation should be made potentially more difficult. A danger is that as the policing of art and cultural heritage crimes become higher on the agenda in the UK, it could come at the time when a vote to leave the EU might make it harder to work with other European policing agencies who are crucial to the policing.

Another important issue to consider regards funding. If the vote to leave campaign wins, there is a risk that the cultural sector in the UK could suffer from losses to funding for research, projects and development funds (Steel, 2016). EU grants can be sizeable, as demonstrated by the 105 million Euros funding for The Great Pompeii Project in Italy, the majority of which has come from the European Regional Development Fund (Interview, 29/01/2016). At a time when the UK government is relying on more non-public investment and less Department for Culture Media & Sport Grant-in-aid money to fund cultural institutions (Department for Culture Media & Sport, 2016:10), removing the EU funding sources is a risk that does not need to occur. Although this might not directly affect the policing, it could potentially have an impact on the securitization and overall maintenance of art and cultural heritage in the UK.

The policing of art and cultural heritage crimes matters greatly. At a time when a shift is occurring in the UK to place these crimes higher on the political and public policing agenda, a vote to leave could create barriers and restrict opportunities to improve this area of policing at county, national and international level. If the UK leaves the EU, pragmatism will probably result in links being maintained with EU countries with whom the UK would like to work in the policing of art and cultural heritage crimes, for example, with France and Ireland over illicit objects coming into and out of the UK. However, this cannot be taken for granted. Furthermore, although they currently need to be used more, the informal and formal links and networks that already exist should not be restricted. For instance, the illicit trafficking in cultural goods is one of the offences covered by the European Arrest Warrant (Block, 2011). A win for the leave campaign will potentially risk making it harder to work with our current partners and therefore make the policing of these frequently cross border crimes more difficult.

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