

Australian Institute of Criminology

CRIME & JUSTICE RESEARCH 2019

Edited by Michael Phelan APM

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About the editor

Michael Phelan APM was appointed Chief Executive Officer of the Australian Criminal Intelligence Commission (ACIC) and Director of the Australian Institute of Criminology (AIC) on 13 November 2017.

As CEO of the ACIC, Mr Phelan is responsible for ensuring delivery of national policing information systems and services to Australian police and law enforcement partners. He is also responsible for management and administration of the ACIC's intelligence operations and specialist capabilities.

As Director of the AIC, Mr Phelan is responsible for leading Australia's national research and knowledge centre on crime and justice.

Mr Phelan was appointed to the Australian Federal Police (AFP) in 1985 and during his career has worked in a variety of fields, including community policing, narcotics and serious fraud.

In September 2007, Mr Phelan was appointed as the Chief Police Officer for the Australian Capital Territory and in 2010 was promoted to Deputy Commissioner, taking up the role of Deputy Commissioner Close Operations Support, overseeing the portfolios of High Tech Crime, Forensics and Intelligence.

In July 2013, Mr Phelan commenced as Deputy Commissioner Operations, where he was responsible for the Crime Operations and Serious and Organised Crime portfolios including the AFP's overseas network of agents.

In November 2014, Mr Phelan commenced the role of Deputy Commissioner National Security, where he was responsible for Counter-Terrorism Operations and Protection Operations.

Mr Phelan has previously held positions on the Boards of the Australian Crime Commission, CrimTrac and the Australia New Zealand Policing Advisory Agency. Mr Phelan also served as a member of the ACT Law Reform Advisory Council and the Australian National Advisory Council on Alcohol and Drugs.

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Introduction

Crime in Australia is constantly changing. Over the past 20 years there have been unprecedented declines in some types of property crime, while new forms of online crime have proliferated in a largely unregulated virtual world that causes immense harm in the real world. We may be less likely to experience victimisation from those living in our community, yet more at risk of crime perpetrated by those living elsewhere on the globe. At the same time, we are faced with seemingly intractable crime issues. Problems such as antisocial behaviour, violence against women, offending and victimisation in Indigenous communities, substance misuse, fraud and identity crime continue to blight the everyday lives of Australians while also soaking up considerable resources in both the public and private sector. There has never been a more pressing need to develop robust crime and justice policy responses built upon a sound understanding of the problems they aim to address.

Formed in 1973 under the *Criminology Research Act*, the Australian Institute of Criminology (AIC) has been serving the Commonwealth of Australia for over 45 years by undertaking, funding and disseminating policy-relevant crime and justice research. The remit of the Institute spans both Commonwealth and state and territory concerns and the breadth of its research is as wide now as it was four decades ago.

Each year, in consultation with the Criminology Research Advisory Committee, I establish a set of priorities that guide the Institute's research. Six priorities were established in 2018, covering a range of contemporary crime and justice concerns, including family and domestic violence, child exploitation material, Indigenous over-representation in the criminal justice system, youth crime, serious and organised crime, and illicit drugs. This book is structured broadly around these six themes. I have selected three studies on each theme to provide an insight into the AIC's work on that topic. All of these papers have recently been published in the AIC's *Trends & issues in crime and criminal justice* series or in the Statistical Bulletin series. While representing only a small portion of the Institute's output in 2018 and 2019, these 18 studies provide a useful overview of the AIC's work, while also highlighting important research that is shaping Australian crime and justice policy.

Family and domestic violence

Family and domestic violence continues to be an intractable problem in Australia. Despite a concerted effort by successive governments and the not-for-profit sector, the level of family and domestic violence (FDV) has remained largely unchanged, according to the latest *Personal safety survey* published by the Australian Bureau of Statistics (ABS). This highlights the need for long-term, intergenerational change in attitudes and behaviours towards women in particular in order to bring about a reduction in violence. The AIC's approach to researching criminal justice responses to FDV has largely focused on understanding the nature of the problem and the police response. This is deliberately focused on addressing current levels of victimisation.

In chapter 1, Voce and Boxall review what is known about who is and, importantly, who is not willing to report FDV to the police. They show that certain experiences of victimisation—specifically, frequent abuse or having had a violent partner in the past—increase the likelihood of reporting to the police. Other factors that increase reporting include incidents involving an intoxicated offender, serious violence or child witnesses.

Perhaps of greater concern is the fact that those experiencing violence for the first time, or who experience less serious violence, are less willing to report their victimisation to the police, thereby missing an opportunity to avoid an escalation in violence.

The work of Morgan and his colleagues in chapter 2 shows how quickly FDV victimisation can recur. In a sample of FDV offenders who were tracked over a six-month period, almost a quarter were found to have committed a further FDV offence and over half of those were perpetrated in the first 60 days. Further, the likelihood of committing a subsequent offence increased with each additional offence. Indeed, there was a 50:50 chance that an offender who had committed two offences in quick succession would commit another in the very near future.

Chapter 3, by Dowling and Morgan, demonstrates that methamphetamine use represents another risk factor for FDV, with meth users at least three times more likely than non-meth users to perpetrate such offences. This risk is much higher among offenders with a methamphetamine induced psychotic disorder. Taken together, these findings demonstrate that the risk profiles of those who experience and report FDV vary tremendously, calling for tailored responses.

Child exploitation

Child exploitation is abhorrent, wrecking the lives of those who are sexually abused. While the AIC's new program of work is focused on finding practical ways to reduce child exploitation material, its recent research has examined various issues associated with contact child sexual offending. In chapter 4, McKillop and her colleagues compare a sample of men who started offending in their adolescent years with a sample of adult-onset child sexual offenders. They find that three-quarters of adolescent-onset child sexual offenders have a prior history of contact with the youth justice system, compared with less than half of adult-onset child sexual offenders. They also demonstrate that the circumstances in which the first offences occur vary markedly between adolescents and adults, including in the nature of the interactions at the time of the offence, the use of force, victim resistance and the presence of capable guardians, among other factors.

In chapter 5, Brown and Shelling review the available literature on child sex dolls, which have been imported into Australia in recent years. Although the evidence is limited, such dolls could provide a gateway to contact child sexual offending by acting as a bridge between child exploitation material and contact offending. They may also desensitise the user to the act of abuse, objectify children as sexual beings, and treat child sex as a commodity to be traded. Importantly, the authors find no evidence that child sex dolls have a therapeutic benefit in reducing the sexual urges of child sexual offenders.

Looking internationally, Lyneham and Facchini explore in chapter 6 the risks of child sexual exploitation that result from voluntourism in South-East Asia. In particular, they highlight the problem of sham orphanages, which exploit poor families by encouraging parents to give up their children, who may subsequently be abused by visiting sexual offenders. Importantly, the authors set out a number of reforms to address the problem, including improving education and awareness, regulating the orphanage sector and conducting background checks of voluntourists.

Indigenous over-representation in the criminal justice system

Aboriginal and Torres Strait Islander people continue to be over-represented at every stage of the criminal justice system. According to the latest ABS census of *Prisoners in Australia*, Aboriginal and Torres Strait Islander people are more than 12 times more likely to be imprisoned than other Australians. The AIC has a strong history of conducting research on Indigenous over-representation and in recent times this has included examination of the Indigenous experience of drug use, family and domestic violence, homicide, cognitive impairment, imprisonment, death in custody and justice reinvestment, to name just a few.

This volume includes three of the most recent papers. In chapter 7, Blagg and Tulich sensitively explore the experiences of Aboriginal young people with fetal alcohol spectrum disorder who come into contact with the criminal justice system (CJS). They note not only that young people with fetal alcohol spectrum disorder are coming into contact with the CJS at an increasing rate, but that this can lead to them developing secondary impairments, such as substance misuse and mental health disorders, which can exacerbate subsequent CJS contact. Their radical solution to this problem involves a re-thinking of the justice system in remote areas, and they advocate for a mobile Aboriginal court based on problem-solving principles which places a concern for country at the centre of policy and practice.

Exploring opportunities for both prevention and diversion, Wise and her colleagues report some early, positive support for an adult literacy program that has previously been shown to work in other contexts and is now being applied to regional communities. They show how improving literacy can help individuals to navigate the CJS more effectively. This was most clearly demonstrated in the ability of Indigenous community members to obtain drivers licences, which prevented them accruing the driving offences that so often lead to custodial sentences.

In relation to custodial sentences, the AIC has been monitoring Indigenous deaths in custody for over 25 years, in response to the Royal Commission into Aboriginal Deaths in Custody. In chapter 9, Gannoni and Bricknell show that the rate of Indigenous deaths in custody has consistently been lower than the rate for non-Indigenous prisoners, although the difference between the two has diminished in recent years. They also show that the age of those who die in custody has increased over time, with the majority dying from natural causes, although a third of Indigenous deaths over the entire period were due to hanging. These statistics highlight the importance of continuing to pursue correctional policies that reduce the likelihood of preventable deaths.

Youth crime

Youth crime prevention has been one of Australia's criminal justice policy successes in recent years, but has received relatively little fanfare. In chapter 10, Payne and his colleagues demonstrate how, in just 10 years, the proportion of young people born in New South Wales who engaged in crime for the first time halved. They also show that the remaining young offender population commit more crimes and are more likely to breach supervision orders. While these trends go some way to unpacking the crime drop observed in Australia, it remains unclear *why* fewer young people are committing crime.

Further exploration of offending during adolescence by Modecki and her colleagues in chapter 11 shows that perceptions of risk and reward shape willingness to engage in antisocial behaviour. Where the rewards are perceived to be high, adolescents are more willing to engage in delinquency. However, their offending is often limited to adolescence, as it declines with age. This chapter also explores whether young people who engage in antisocial behaviour are more likely to experience feelings of anger. The results reveal that those who engage in high levels of antisocial behaviour are more likely to feel anger as a response to some form of stress in their daily life. These results point towards the potential benefit of developing life-skills to help these young people deal with stressful events.

In chapter 12, Tzoumakis and her colleagues provide evidence of the intergenerational transmission of crime. Among a sample of 21,000 children who were surveyed for the New South Wales Child Development Study, those who showed higher levels of childhood conduct problems were more likely to have parents with offending histories. This relationship was strongest for those whose mothers had a history of violent offending.

Serious and organised crime

With the AIC's close ties to the Australian Criminal Intelligence Commission, serious and organised crime is becoming an increasingly important part of the Institute's research. The newly-established Serious and Organised Crime Research Laboratory is already producing new insights that will assist law enforcement agencies. In chapter 13, Brown and Smith outline eight ways in which organised crime is related to volume crimes such as burglary, theft, criminal damage and assault. Most importantly, they explain the ways in which organised crime groups commercialise volume crime to generate revenue. This foundational work has shed further light on the criminal careers of organised crime offenders. In chapter 14, Fuller and her colleagues show how organised crime offenders often start their criminal careers by committing property crimes, violent crimes, drug offences and even serious traffic offences. They show that the prevalence of offending peaks during an offender's early 20s and then stays high through their 20s and 30s. They also show that both the frequency of offending and its seriousness increase as organised crime offenders age.

In chapter 15, Lynham and her colleagues reveal for the first time the true extent of human trafficking and slavery in Australia. Using statistical techniques typically used to measure wildlife populations, the research team estimated that, over a two-year period, between 1,300 and 1,900 victims were subjected to human trafficking and slavery in Australia, of whom only about a quarter were known to the authorities.

Illicit drugs

Research on illicit drugs has long been a concern of the AIC, which has been tracking drug use by police detainees through the Drug Use Monitoring in Australia program for 20 years. In chapter 16, Sullivan and his colleagues examine the use of prescription opioids by police detainees, demonstrating that almost a fifth of those surveyed had used such drugs for non-medical use in the last 12 months. Buprenorphine was most likely to be used on a weekly basis, followed by morphine, and users were most likely to receive their prescription opioids from a family member or friend without paying.

In chapter 17, also drawing on findings from the Drug Use Monitoring in Australia program, Patterson, Sullivan and Bricknell find that a third of detainees had used multiple drugs in the previous 48 hours. Further, the proportion of detainees using multiple drugs increased steadily between 2010 and 2016. The most common combination of drugs was cannabis and methamphetamine, which were also the two most popular drugs generally.

Given its potency compared with most other opioids, close attention has been paid to the availability of illicit fentanyl. In chapter 18, Ball and colleagues report on innovative research that involved ‘scraping’ popular marketplaces on the darknet to examine fentanyl availability. They found that at least 16 kilograms of fentanyl and its analogues were available on any given day, with patches and powder being the most popular forms. Perhaps of greatest concern was the finding that almost six kilograms of carfentanil (which is much more potent than fentanyl) was available each day.

Conclusion

This book demonstrates the complex nature of crime in Australia. It can take many forms, even within the narrow set of priorities that make up the AIC’s work. The Institute’s ability to publish on such a diverse range of topics over the last year demonstrates the versatility of the workforce and its focus on achieving its core mission of informing crime and justice policy in Australia. As is so often the case, though, much of this research leaves many unanswered questions that would benefit from further examination. As such, there remains a clear need for the AIC to continue to fill knowledge gaps to support future policymaking.



Michael Phelan APM
Director
Australian Institute of Criminology

13. Exploring the relationship between organised crime and volume crime

Rick Brown and Russell G Smith

Introduction

Organised crime seldom operates in a vacuum. It often relies on other forms of crime, such as theft, fraud and extortion to raise funds and on violence and money laundering to achieve successful criminal outcomes. This chapter explores the complex interaction between organised crime and other forms of crime, sometimes described as ‘volume crimes’ because of their widespread incidence. In particular, it shows how the commission of organised crime, or the involvement of those engaged in organised crime, can entail or lead to volume crime offences. This is important because it both highlights how tackling organised crime can reduce the extensive harm caused to the community through other, more common forms of crime and offers alternative means of disrupting organised criminal groups (OCGs) by targeting the more mundane offences in which they engage. We can recall the case of Al Capone, who in Chicago in 1931 was convicted of tax evasion, rather than for his organised criminal activities (*New York Daily News* 1931). This chapter forms the basis of a program of research that will examine in greater detail the various dimensions of the organised crime – volume crime nexus.

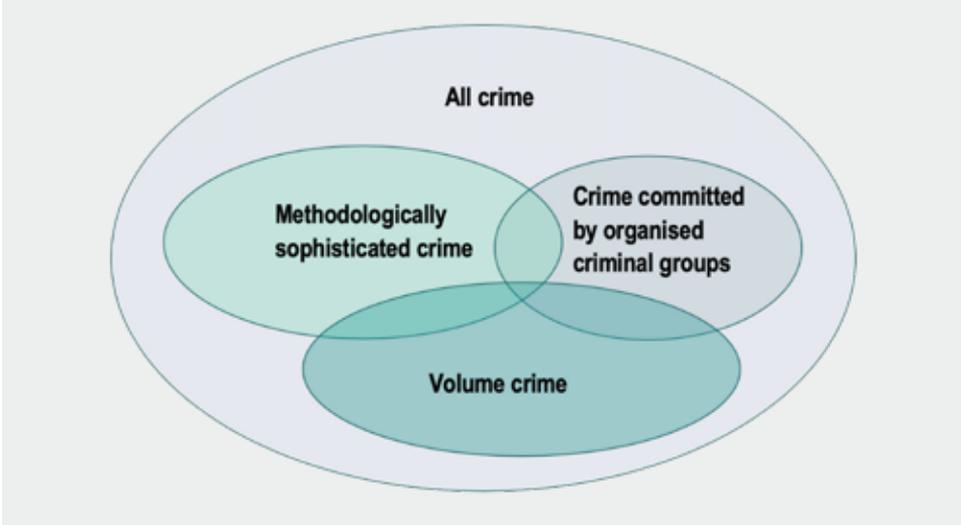
Defining organised crime

Considerable academic effort has been expended on defining organised crime, with no clear agreement on how it should be defined, or what benefit is derived from using such a concept.

Definitions typically focus either on crime types and criminal activities, or on the constitution and composition of organised criminal groups (Paoli & Vander Beken 2014). For example, prior research has examined hierarchically structured groups such as the Italian mafias (Sergi 2017), and other groups that have developed online to commit offences such as child exploitation or credit card fraud (Broadhurst et al. 2014). Reflecting a lack of definitional agreement, Klaus von Lampe collected over 150 different definitions of organised crime, including seven from Australia (von Lampe 2017).

Perhaps the most fundamental distinction in the taxonomy of organised crime is between crime that is organised in its methodology, and crime that is committed by members of organised criminal groups (who may or may not be involved in methodologically sophisticated crime). In understanding the relationship between organised crime and volume crime, this distinction is critical. On the one hand, volume crime can be organised through deliberate efforts by criminals who use complex methodologies to maximise their reach and impact. Mass-marketed consumer fraud is a case in point. On the other hand, members of organised criminal groups may perpetrate volume crime simply to generate profits, without necessarily adopting sophisticated methodologies. In this latter sense, the crimes are not organised but are perpetrated by organised criminal groups. For the purposes of this chapter, the term ‘organised crime’ includes both types—methodologically sophisticated crime and volume crime committed by members of organised criminal groups. These relationships are shown diagrammatically in Figure 1, with the intersections between volume crime and the other two forms of crime (methodologically sophisticated crime and crime committed by organised criminal groups) representing the focus of this chapter.

Figure 1: The relationship between organised crime and volume crime



The present study employs inclusive definitions of both crime that is organised and organised criminal groups. The latter definition draws on the *Australian Crime Commission Act 2002* (Cth), which describes 'serious and organised crime' as an offence that involves two or more offenders and substantial planning and organisation, that typically involves sophisticated methods and techniques, that is typically committed in conjunction with other similar offences and that involves one of a number of specified offences. The term 'serious crime', as opposed to 'organised crime', includes organised crime perpetrated by individuals, such as the case involving Bernard Madoff, in which one man established and ran the world's largest Ponzi investment scheme (Lewis 2015). Similarly, online sharemarket manipulation and many mass-marketed cybercrimes can be committed by individuals who make use of anonymous networked computers (botnets). The focus of the present study is, however, on organised crime perpetrated by more than one person.

The Australian Criminal Intelligence Commission (ACIC 2017—formerly the Australian Crime Commission) categorises serious and organised crime into various themes as follows:

- enablers—money laundering, the use of technology and professional facilitators, misuse of personal information (identity crime), corruption, violence and intimidation;
- illicit commodities—precursor chemicals, proscribed drugs, illicit tobacco and firearms;
- serious financial crime involving revenue, superannuation, payment transactions, financial markets and involving information and communications technologies;
- crimes against the person such as child sexual exploitation and human trafficking and slavery; and
- other crime types such as migration fraud, environmental crime and intellectual property crime.

The seriousness of these offences is such that they can attract prison terms of at least three years under Australian law. This definition takes account of both the organisation and types of criminal activity commonly involved in organised crime, reflecting the two dimensions by which organised crime tends to be conceptualised (Paoli & Vander Beken 2014).

Other useful definitions of organised crime can be found in the Council of the European Union's (1997) checklist of organised crime features, which includes, among others:

- the use of some form of discipline and control;
- operation at an international level;
- the use of violence or other means suitable for intimidation; and
- a focus on the pursuit of profit and/or power.

These descriptions (both from Australia and Europe) should be treated as a general guide for conceptualising 'organised crime' for the purposes of this chapter and are not intended to be a precise definition of the concept. For discussions of the difficulty of defining organised crime, see Finckenauer (2005), Paoli and Vander Beken (2014) and Levi (2012).

Defining volume crime

While organised crime has been defined in national legislation and international conventions, the term 'volume crime' has received less formal attention. It has been defined as 'any crime which, through its sheer volume, has a significant impact on the community and the ability of the local police to tackle it' (Association of Chief Police Officers 2009: 8). The offences encapsulated by volume crime often have low clearance rates (Brå 2013) but can rate highly as a police priority among members of the public (Criminal Justice Inspection Northern Ireland 2006).

Volume crime is typically defined as the categories of crime that account for the largest proportion of crime recorded by the police. These have variously included robbery, burglary (both domestic and commercial), theft, theft of vehicles, theft from vehicles, receiving stolen goods, criminal damage, drug possession (where linked with acquisitive crime), assault and fraud (Association of Chief Police Officers 2009, 2002; Brå 2013; Criminal Justice Inspection Northern Ireland 2006; Drugs and Crime Prevention Committee 2009; Jansson 2005; New Zealand Government 2010).

Analysis of published police crime statistics from the eight Australian states and territories identified six volume crime categories that accounted for between 54 percent (in the Northern Territory) and 89 percent (in Western Australia) of police recorded crime. These included burglary (including both domestic and commercial), theft (including vehicle related theft), criminal damage, drug possession, assault and fraud. These categories were used as the definition of volume crime for the purposes of this study.

A limitation of this definition is that it excludes some newer forms of crime committed in high volumes—especially cybercrime (Cartwright & Bones 2017). Indeed, crimes such as the production, distribution and storage of child exploitation material are high-volume offences that fall outside of the current definition. However, some large-scale forms of cyber-enabled crime such as debit/credit card fraud are included in the definition used here.

Measuring the link between organised crime and volume crime

At the outset, it is important to understand the challenges associated with measuring the link between organised criminal activity and volume crime. The principal difficulty arises from the fact that official crime statistics rarely include the number of offenders, or their level of organisation, as a variable. As a result, it is not possible to review official crime statistics to determine the proportion of specified volume crimes that are committed by members of organised criminal groups.

In addition, crimes such as revenue fraud, sharemarket manipulation, environmental crime and many forms of cybercrime occur covertly and are not regularly reported to police. They are often committed by non-conventional criminal organisations or networked individuals, occasionally of high social standing. These crimes entail substantial losses, large numbers of offences and mass victimisation but rarely result in criminal justice action. They are often committed across

jurisdictional borders, by white collar criminals, using professional facilitators and employing elaborate structures to prevent detection and to disguise the proceeds of criminality.

The other difficulty in establishing a relationship between organised crime and volume crime lies in the fact that the two categories are, by their definition, mutually exclusive. Organised crime, as defined in this chapter, must entail serious offending by multiple offenders, employing sophisticated planning. Volume crime, however, generally entails offences attracting low penalties, often committed by individuals alone, and usually occurring on ‘the spur of the moment’. It is usually only because volume crimes come to the attention of the police in large numbers that they take on some level of importance.

In 2015, the ACC published research, carried out in collaboration with the AIC, that sought to estimate the cost of serious and organised crime in Australia (ACC 2015a, 2015b). In addition to counting and costing the crimes that have a clear and direct link with serious and organised criminals (such as illicit drug trafficking, human trafficking, organised financial crime and money laundering), it examined other crimes, called ‘consequential serious and organised crimes’. These are:

...conventional crimes that generate funds used to support involvement in serious and organised crime related activities (in particular illicit drug users who engage in crimes to finance illicit drug purchases), crimes that result from being involved in serious and organised crime related activities (for example violence, sexual assaults, burglaries etc committed by those using illicit drugs), or conventional crimes committed by organised crime groups (for example organised shop theft) or committed in order to facilitate serious and organised criminal activities (e.g. the use of violence to intimidate businesses, identity crime enabling financial fraud etc.). (ACC 2015b: 16)

Smith (2018) used this methodology to produce an updated estimate of the cost of serious and organised crime in 2016–17. Consequential serious and organised crime cost \$6.5b, of which 82 percent (\$5.4b) involved volume crimes: assault (\$0.243b), burglary (\$1.021b), vehicle theft (\$0.328b), other theft (\$0.127b), and conventional fraud (\$3.642b) (Smith 2018: 22). These estimates provide one indication, based on dollar values, of the involvement of organised crime in volume crime in Australia in 2016–17.

This chapter focuses solely on the latter categories highlighted by the ACC—conventional crimes committed by members of OCGs and those that are committed in order to facilitate serious and organised criminal activity. In doing so, it ignores offences that are a consequence of organised crime activity, such as family and domestic violence resulting from drug misuse, or acquisitive property crime committed to fund the purchase of drugs. These are omitted because the focus of concern in this chapter is the *purposes* for which those involved in organised crime directly engage in volume crime.

Typology of links between organised crime and volume crime

Four purposes have been identified for those involved in organised crime to engage in volume crime. These include:

- commercialisation of volume crime—in which organised criminals engage in methodologically sophisticated forms of volume crime, or conduct volume crime in a more efficient or productive way;
- business protection—in which some types of volume crime (particularly violence) are used as a means of protecting illicit operations;
- income generation to support organised criminal activity; and
- way of life—in which volume crime offending by members of organised crime groups is unrelated to their organised criminal activities.

Note that each of these lie at the intersection of volume crime, methodologically sophisticated crime and crime committed by members of organised crime groups shown in Figure 1.

These four purposes for committing volume crime can be considered ideal types with a significant degree of variation within categories. They are not mutually exclusive, as members of an organised criminal group may engage in volume crime for multiple purposes, either simultaneously or over time.

Commercialisation of volume crime

The commercialisation of volume crime refers to those cases in which an OCG either engages in conventional volume crime in a more organised way, or provides services that allow others to commit volume crime more professionally. Commercialisation can come in a variety of forms, including the professional organisation of conventional volume crime, the commission of methodologically sophisticated forms of crime, the use of covert business practices, the provision of a service assisting others to commit volume crime and the brokerage of volume crime services. Each of these is discussed further.

Professional organisation of volume crime

In these cases, OCGs engage in volume crime to generate profits that might not be available to an offender working alone. As a result of their access to individuals with the specific skills and experience needed to conduct the crime, and their access to markets that demand the goods or services available, these groups are able to perpetrate volume crime in a more efficient and scalable way that generates profits for the group. Examples of this form of direct OCG involvement in volume crime have included, among others, vehicle theft (Interpol 2014; Sullivan 1989), retail theft (Palmer & Richardson 2009) cargo theft (Mayhew 2001), pharmaceutical theft (Savona & Riccardi 2015) and credit/debit card fraud (ACIC 2017). In each case an OCG is likely to profit from repeat offending involving a similar modus operandi, perfected through repetition.

Professional organisation can also extend to the use of violence. Hobbs (2013) described how some of those involved in football hooliganism in the United Kingdom in the 1980s capitalised on their reputation for violence by taking control of security in pubs and clubs, thereby monetising their propensity for violence.

Methodologically sophisticated volume crime

While some forms of volume crime can be committed by lone offenders or OCGs, other forms of volume crime are so methodologically sophisticated that they can only be perpetrated using a significant degree of organisation. Examples include the 2015 burglary of a safe-deposit centre in London's Hatton Garden (Clarkson 2016) and the 2012–13 theft from ATMs in over 20 countries made possible by hacking an Indian credit card processing company (Santora 2013). Both would be counted under the definition of volume crime used here—as burglary and fraud respectively. However, both could be committed only by bringing together a team of individuals with different specialist roles.

There are also various forms of fraud (covered by our definition of volume crime) that require significant planning and expertise. These often require the cover of a corporate entity to provide the semblance of legitimacy, as in the case of long firm frauds (where a large order is purchased from suppliers on credit, the stock is sold to customers and then the company is wound up or disappears without repaying suppliers (Levi 2010)). Another form of methodologically sophisticated volume crime is carousel fraud—a methodology associated with rebates on value added tax, common in Europe (Levi 2010).

Covert business practices

OCGs may be involved in what appear to be legitimate business activities (Savona & Berlusconi 2015; Savona & Riccardi 2015), but which are means of committing volume crime. In some ways, these crimes could also be classed as methodologically sophisticated, but here the volume crime is mediated through legitimate activities rather than committed directly. These covert business practices can take a number of forms that extend from entirely legitimate enterprises, such as professional advisory services provided by lawyers, accountants and consultants, who rarely engage in serious financial criminality themselves (see Smith 2013), to businesses that facilitate various types of criminal conduct. The control of waste-management services by mafia-affiliated businesses in parts of Italy is an example of one such enterprise. Operating as legitimate companies, such enterprises have been reported to accept toxic industrial waste and then dump it illegally in sites unprepared to receive such waste (Winfield 2016).

Another example can be found in vehicle salvage businesses, where stolen vehicles might be accepted as part of the inventory, or vehicles may be stolen to order for dismantling (Brown and Clarke 2004). In each case, the covert business practices reduce the costs of operating the business and thereby increase profits. The connection with volume crime lies in the various forms of property crime, such as theft or fraud, that are committed by the corporate entity or associated organised crime figures.

Service provision

OCGs may also offer services to other criminals who may directly or indirectly engage in volume crime offences. For example, acquisitive property crime conducted professionally is likely to require access to one or more ‘fences’ who can on-sell stolen goods at a profit, thereby allowing property offenders to focus on acquisition rather than distribution (Klockars 1974; Steffensmeier 1986; Walsh 1977; Wright & Decker 1994). These are different to professional facilitators who provide legal and financial services, who allow the proceeds of crime to be laundered by integrating them with legitimate funds (ACIC 2017). These facilitators are excluded from the current analysis as they represent services that support organised crime, rather than generate volume crime.

Another example of an OCG service generating volume crime is organised cybercrime. OCGs have been developing online tools to make cybercrime easier to commit, expanding the pool of users from those with the necessary technical skills to unskilled novices. For example, a Russian crime syndicate sells packages of email templates with tried and tested scripts for use in romance scams, supported by a call centre staffed by individuals who pretend to be the sender of the emails (Scambusters.org nd). In other cases, malware services, designed to make hacking easier, have been packaged and marketed as ‘exploit kits’. In each case, forms of cybercrime that once required knowledge and resources have been simplified, allowing novices to commit fraud and theft (Ablon, Libicki & Golay 2014). At present, however, the exact extent of OCG involvement in the creation and dissemination of malware and cybercrime tools is unknown, although anecdotally some detected cybercriminals have the hallmarks of organised crime (Broadhurst et al. 2014; Smith, Grabosky & Urbas 2004).

Brokerage

Brokerage describes the circumstances in which an OCG neither commits the volume crime itself, nor provides a service that directly causes volume crime. Instead, the OCG acts as an agent for others who may facilitate, or directly engage in, volume crime (or indeed organised crime) in return for a fee. Cryptomarket websites on the dark web, such as the former Silk Road site, play this brokerage role by providing a marketplace for vendors of illicit substances (Bartlett 2014, *The Economist* 2016, Martin et al. 2018).

The proprietors of cryptomarket websites provide a means of matching criminal producers with consumers, without necessarily engaging in the criminal activity themselves—apart from by providing the brokerage service, which may itself be illegal. However, cryptomarket operators have been described as being more like loose networks of individuals rather than members of OCGs (see Choo & Smith 2008).

Business protection

OCGs may commit volume crime to protect their illicit business operations. This can involve the use of violence both within and between groups (Cara 2015). Violence is recognised as a common feature of OCG activity because of the lack of recourse to legitimate avenues of dispute resolution, such as police, courts or tribunals (Andreas & Wallman 2009; Reuter 2009). Such violence can result from territorial disputes or disputes over business transactions. Indeed, Friman (2009: 286) described the use of violence in the operation of drug markets as a ‘selective tool of market regulation’ in the absence of state-sanctioned dispute resolution. Such violence can also be an opportunistic response to an OCG being the subject of law enforcement activity, with a competitor seeking to capitalise on their adversary’s misfortune by taking over their business, thereby filling the void left in the market. This may be met with retaliation from the incumbent supplier (Friman 2009). Indeed, a systematic review of the effect of drug law enforcement on drug market violence found there was a significant association between law enforcement intensity and violence (Werb et al. 2011).

Violence within OCGs can occur as a means of maintaining discipline, deterring informants, collecting debts, determining hierarchy within the group, maintaining personal reputation and deterring competition for leadership positions (Cara 2015; Desroches 2007; Hobbs 2013). Indeed in some OCGs, such as outlaw motorcycle gangs, the propensity for violence is recognised as an attribute essential for membership (Smith 2017; Veno 2002; Wolf 1991).

There can also be a close association between territory-based street gangs and OCGs—at least in the United States (Hauck & Peterke 2010). Such gangs will often be involved in retail distribution of drugs at the street level on behalf of OCGs, or will become OCGs as a result of their involvement in the illicit drug trade (Decker & Pyrooz 2014). These gangs will often demarcate their territory, and therefore their business location, through graffiti (Decker 1996; Ley & Cybriwsky 1974), which, as a form of criminal damage, is volume crime.

Income generation

In some cases, OCGs will participate in volume crime as a means of generating income to fund forms of organised crime that require capital investment. For example, they might commit acquisitive property crime (eg robbery, burglary, theft) to fund the wholesale purchase of drugs for subsequent retail, or to purchase vehicles to transport illicit commodities/people. In an international study of motor vehicle crime, Interpol (2014) reported that four countries identified vehicles being stolen to fund the purchase of drugs.

Way of life

OCG members may be involved in volume crime that is unconnected with their organised criminal involvement. Smith (2017) described the pathways into organised crime that sometimes develop from experience in committing volume crimes, or being in contact with others who commit volume crime. This may arise out of a disorganised, chaotic way of life led by some offenders, which results in a range of offences being committed within a short space of time. Hobbs (2013) described how an overarching entrepreneurial spirit with a focus on the free market has created a class of individuals in London who support the illegal economy by engaging in any activity where there is a profit to be made. They will come together temporarily as a ‘community of practice’ (2013: 231), forming loose, informal networks when collaboration is required for a particular illicit purpose.

Similarly, in a study from the Netherlands, Kleemans and de Poot (2008: 88) described how offenders can ‘develop into versatile, locally rooted illegal entrepreneurs’ involved in a range of local opportunities for making a profit that may include legal and illegal activities. They described a case study in which members of an OCG were engaged in varied offences including drug production and supply, extortion and illegal lotteries, while also engaging in theft and public order offences. A study of the criminal careers of organised crime offenders in the United Kingdom found little evidence of specialisation compared with the general population of offenders (Francis et al. 2013). Further, among a group described as ‘versatile and very prolific’, accounting for almost a quarter of organised crime offenders, 71 percent had committed violence against the person and 70 percent had committed theft and handling of stolen goods in the previous five years (Francis et al. 2013).

The *way of life* category may also include those who transition over time from volume crime to organised crime and continue to commit volume crime during the transition period. This may include those who, for example, move from property crime (eg theft, burglary) into drug supply, but it may also include those who develop into a speciality that they can exploit in an organised way as a result of their earlier, disorganised entry into that crime type (notwithstanding the general lack of specialisation found in the UK study described above). Kleemans and de Poot (2008) described a case in which a group of friends involved sporadically in car and motorcycle theft as part of a party lifestyle developed the activity into a full-time occupation by specialising in motorcycle theft. This example demonstrates an overlap with the *professional organisation* category described above.

Discussion

Based on existing literature, this chapter has identified eight ways in which the organised crime – volume crime nexus can be conceptualised. Some of these categories depict a very direct association between the two types of crime. In the case of *income generation*, *professional organisation*, *way of life*, *business protection* and *covert business practices*, members of organised criminal groups directly participate in volume crime. *Brokerage* and *service provision* represent quite different types of relationship. In these cases, members of organised criminal groups are still engaged in illicit revenue generating activity, but this involves facilitating others to engage in crime—either directly (in the case of service provision) or indirectly (in the case of brokerage).

Overlap between categories

Across the typology there is a significant degree of overlap between categories. Involvement in organised crime as a way of life is particularly connected with other categories, which marks it as different to the others. Indeed, those involved in all the other categories may do so as a general way of life that could involve multiple forms of both organised and volume crime. Professional motor vehicle theft is a useful example for demonstrating this difference. A group may start out by stealing cars for enjoyment, then progress to selling stolen cars for profit as they become more proficient and move towards a general life of criminality, thereby characterising the way of life and the professional organisation categories. Alternatively, a group may be involved in the legitimate vehicle maintenance and repair business and become involved in rebirthing or stripping for parts as a lucrative supplement to the business, thereby characterising the professional organisation and covert business practices categories (but not the way of life category).

Scale of crime involved

There are currently few actual data on how much volume crime can be attributed to each of the eight categories. This is partially a question of measurement. Examined from the offender perspective, many members of OCGs are likely to have volume crime offences in their criminal records. However, many offences are unlikely to be detected, and therefore not recorded officially.

Examined from the perspective of victimisation, it will often be difficult to determine whether an offence was linked to organised crime. For example, it may not be possible to determine whether a burglary was committed by someone with professional organisation or was simply an opportunistic crime with no link to organised criminal groups.

It is likely that some of the categories in this typology generate much more volume crime than others and determining how much crime will require further exploration. A related question concerns the impact, both financially and personally, of organised crime involvement in volume crime. In the case of cybercrime and identity misuse, the level of harm is likely to be great—for businesses as well as for individuals. For criminals, the profits likely to be generated by this form of volume crime are correspondingly high.

Conclusion

This chapter has developed a preliminary conceptual framework of the relationship between organised crime and volume crime. Eight discrete yet overlapping categories have been identified to explain the varied ways in which organised crime may generate or be associated with volume crime. In some cases, volume crime is the focus of OCG activity, while in other cases it is a by-product.

This typology establishes the basis for a program of research that will aim to explore in further detail the organised crime – volume crime nexus. This will include further articulation of individual categories in the typology and will attempt to estimate the scale of volume crime generated by organised criminal activity.

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