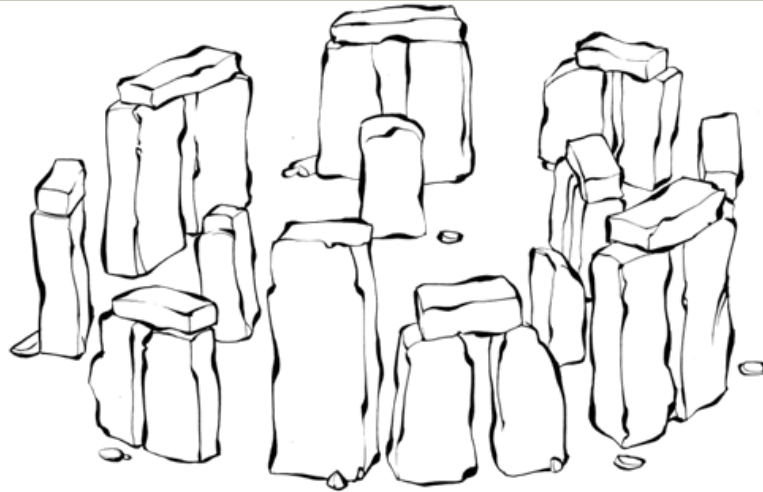


# HERITAGE AND CULTURAL PROPERTY CRIME NATIONAL POLICING STRATEGIC ASSESSMENT 2013



To aid the Association of Chief Police Officers (ACPO) led Heritage and Cultural Property Crime Working Group decision-making by providing an overview of the key issues affecting the prevention, enforcement and sharing of intelligence in relation to crimes and anti-social behaviour committed against heritage assets and cultural property in the United Kingdom



ASSOCIATION OF  
CHIEF POLICE OFFICERS

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## FOREWORD



Heritage and Cultural Property Crime poses a significant threat both to the historic environment and to the security of cultural property in museums, archives, private collections and libraries, which conserve and display our national and international cultural heritage for the enjoyment of future generations.

In economically challenging times we have already seen that criminals have adapted, seeking opportunities to profit from vulnerabilities in these sectors. The Association of Chief Police Officers (ACPO) led Heritage and Cultural Property Crime Working Group aims to address this vulnerability by bringing together heritage sector experts, police, National Crime Agency and other law enforcement professionals to protect cultural property and the historic environment.

I am delighted by the support that has been shown from a wide variety of agencies in the production of this initial Heritage and Cultural Property Crime National Policing Strategic Assessment. This document is intended to assist strategic and operational decision-making by providing an overview of the key issues affecting the prevention, enforcement and sharing of intelligence in relation to crimes and incidents of anti-social behaviour committed against heritage assets and cultural property in the United Kingdom

The working group will provide a point of focus and visible leadership around the national policing response to Heritage and Cultural Property Crime - from local neighbourhood officers to specialist detectives; collating intelligence and crime prevention advice through heritage sector networks across the country and sharing this with police forces, museums and other vulnerable locations within the historic environment. Given the changing profile of this type of crime, we must be vigilant and find innovative ways together to respond the challenges we face in seeking to play our part in conserving our cultural heritage for future generations.

A handwritten signature in black ink that reads "Andy Bliss".

**Andy Bliss QPM, BA (Hons)**  
**Chief Constable**

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## EXECUTIVE SUMMARY



### What is Heritage and Cultural Property Crime?

Heritage and cultural property crime can be defined as any offence involving damage or loss to the historic environment, including all offences involving cultural property.

Alongside a local policing approach, coordinated by police Safer Neighbourhood Teams, chief police officers are now working directly with Government departments, partner law enforcement agencies and heritage sector professionals to tackle the longer term causes and effects.

In this Heritage and Cultural Property Crime National Policing Strategic Assessment, the ACPO led Heritage and Cultural Property Crime Working Group (H&CPCWG) combine a wealth of expertise from members to highlight threats and opportunities to reduce the impact of crime to the historic environment and cultural property.

### Why be concerned?

Amongst a number of other socio-economic and demographic factors, market forces drive acquisitive crime - national crime statistics bear this out. Fluctuations in exchange rates or global commodity prices can, for example, very quickly switch demand for lead, often from historic buildings, to demand for platinum from catalytic converters.

Criminals intent on converting metal into cash do not see the damage, loss or heartache they cause to communities, they simply see a commodity that will provide a tax free income or their next drug fix. These thefts are not limited to metal from church roofs or listed buildings; coping stones, floor tiles, slate, intrinsically valuable artefacts and items of intricate metalwork from war memorials are all equally valuable to those operating in the moral vacuum of what we now know as heritage and cultural property crime.

In addition to commodity price fluctuation, it is known that anniversaries of significant events in history drive demand for heritage assets. As we approach the centenary of the First World War, law enforcement and heritage sector professionals acknowledge the increasingly likely risk of the theft of memorabilia from museums and battlefields.

The vast majority of crimes committed against the historic environment are not intricately planned offences committed by organised criminal gangs - they are committed by individuals or small groups following the path of least resistance to easy cash. A clear example of this can be seen in the theft of Henry Moore's 'Sundial' sculpture from the Henry Moore Foundation in Perry Green, Hertfordshire. In July 2012, it is doubtful that thieves realised the shiny garden ornament they were stealing from a house adjacent to a country lane was a nationally significant work of art worth £500,000 when they later sold it to a Cambridgeshire scrap metal dealer for £46.50.

As of 1 October this year, the Scrap Metal Dealers Act 2013 will make offences of this nature less appealing to offenders, who are now unable to sell scrap metal for cash; however, police and other law enforcement professionals must not be complacent in failing to identify new markets available through technological advances in online dealing.

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## What are the vulnerabilities?

The historic environment and cultural property is vulnerable because assets are often located in isolated, sometimes rural localities or are displayed for the public to enjoy. Police officers cannot patrol every neighbourhood for every hour of every day. The delivery of intelligent and efficient law enforcement activity in financially challenging times must, therefore, include a focus on 'collective efficacy'; law enforcement professionals working with local people and partner agencies to protect heritage assets from theft and damage to the historic environment.

In addition to crimes against the historic environment, offenders are also increasingly targeting cultural property, national treasures and works of art displayed in museums, libraries, archives and private collections. A recent and well publicised example of this type of offence is provided by Operation Shrewd, a national inquiry into the theft of rhino horn, jade and Chinese artefacts (predominantly from the early Ming and Qing Dynasties) from provincial museums and private collections in the UK and Europe.

As a result of this investigation, it is now known that organised criminal groups have targeted museums providing access to antiquities and artefacts valued at several million pounds. Gone are the days when organised criminal gangs focused on criminal activity such as robbing banks and safety deposit boxes, or importing drugs to further their criminal enterprise. These criminals have now accessed a rich vein of significantly higher return, and with much lower associated risk, directing offences against 'softer' targets to feed the demand from Far Eastern and South East Asian markets for rhino horn and cultural property.

Why would these gangs risk extended custodial sentences for trafficking drugs such as heroin or cocaine, when rhino horn will net them upwards of £45,000 per kilo and individual pieces of jade or porcelain, stolen from museums and private collections, could deliver instant profits nearing £1 million?

As with the theft of metal from church roofs, market forces have now further influenced criminal enterprise impacting upon the historic environment and cultural property. We must therefore look again at the support that the various law enforcement agencies, Government departments and heritage sector specialists can provide jointly to police the illicit trade in cultural property.

## Recommendations for Future Progress

There is a significant opportunity for better coordination of police intelligence, prevention and enforcement activity through the creation of a dedicated national policing Heritage and Cultural Property Crime investigative unit.

Police and law enforcement professionals acknowledge that there are many successful intelligence-sharing networks already in existence within the heritage sector. Some police force areas are also working with local authorities, communities and heritage sector professionals to create Heritage Crime Reduction Partnerships to develop bespoke local crime prevention initiatives aimed at protecting the historic environment and museums. Greater policing operational effectiveness will be achieved through linking these networks with a specific Heritage and Cultural Property Crime

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intelligence network and dedicated Heritage and Cultural Property Crime Liaison Officers in each force.

Advances in technology such as new permanent metal marking to reduce the attractiveness of stealing lead from buildings and the wider use of covert policing methods can make preventing Heritage and Cultural Property Crime more effective. Technology can also help improve the ease with which intelligence and offences are reported to law enforcement bodies; there is also potential to develop inexpensive and easy to use GPS linked smartphone applications. These could assist members of the public to record images of crimes or incidents involving the historic environment or cultural property and send the resulting intelligence to police forces or guardians of heritage assets.

More effective encouragement and coordination of ‘heritage and cultural property champions’ within communities is required to establish a greater degree of collective efficacy amongst statutory bodies, agencies, clubs, societies, charities and law enforcement professionals who are all committed to protecting and preventing Heritage and Cultural Property Crime.

There is also considerable merit in the creation of a ‘one stop shop’ approach to providing crime prevention advice for the guardians and owners of heritage assets and cultural property. Presently advice is provided from a number of disparate websites and guardian organisations; insurance companies, Government agencies and relevant public bodies also provide advice relating to security and crime prevention. Through the creation of a single web-based approach, owners and guardians could benefit from multiple sources of up to date best practice advice through one single access point.

All of these recommendations focus on one key aim and objective – to best exploit the methods of today to protect our past for future generations.



### The aims of the ACPO Heritage and Cultural Property Crime Working Group (H&CPCWG)

To address current and emerging threats from organised crime groups, and to fill intelligence gaps to tackle Heritage and Cultural Property Crime now and into the future, a Heritage and Cultural Property Crime Working Group (H&CPCWG) has been established. This new ACPO led group is comprised of law enforcement professionals, heritage sector specialists and cultural property sector specialists from across the United Kingdom. The new group builds upon previous ACPO Heritage Crime work developed in partnership with English Heritage, participating local authorities and the Crown Prosecution Service in 2010.

The overall strategic objectives of the new ACPO led H&CPCWG are to work with partner agencies to:

- Reduce Heritage and Cultural Property Crime both nationally and internationally
- Bring to justice those offenders involved in crimes against the historic environment and cultural property both within the United Kingdom and in partnership with law enforcement professionals across the world
- Ensure the continued security and presence of both the historic environment and cultural property for future generations in the United Kingdom and across the world
- Maximise the sharing of intelligence and co-operation between the cross –sector agencies with responsibility for advising on and ensuring the security of heritage assets and cultural property

Initial membership of this group is as follows:

<b>National policing lead on Heritage and Cultural Property Crime</b>	Chief Constable Andy Bliss  Detective Chief Inspector Stuart Orton (Staff Officer)
<b>National policing lead on Metal Theft</b>	Chief Inspector Tony Lodge (Staff Officer to the national policing lead Deputy Chief Constable Crowther)
<b>ACPO Press Office</b>	Paddy Cooper
<b>Arts Council England</b>	William Brown (National Security Advisor)
<b>British Museum, Portable Antiquities Scheme</b>	Dr Michael Lewis

<b>Department for Culture, Media and Sport</b>	Scott Furlong (Director, Acquisitions, Exports, Loans and Collections) Anna Payne (Head of Cultural Property Unit) James Pender (Acting Head of Cultural Property Unit)
<b>English Heritage</b>	Mike Harlow (Legal and Governance Director)  Mark Harrison (National Policing and Crime Advisor)
<b>Home Office</b>	Carole Larkin (Home Office Crime Reduction)
<b>Maritime and Coastguard Agency</b>	Simon May
<b>Metropolitan Police Art and Antiques Unit</b>	Detective Chief Inspector Andy McDonald  Detective Sergeant Claire Hutcheon
<b>Operation Shrewd</b> (Theft of Chinese jade and rhino horn)	Senior Investigating Officer
<b>National Crime Agency (NCA) UK International Crime Bureau</b>	Paul Boone John Abberley
<b>Border Force, National Customs Operations</b>	Annemarie Dryden
<b>V&amp;A Museum, National Museum Security Group</b>	Vernon Rapley



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## ACPO H&CPCWG Terms of Reference

The terms of reference for the new ACPO led H&CPCWG take into account the previous ACPO and English Heritage led control strategy for Heritage Crime that provides a focus on the historic environment and expands upon this to include controls to tackle the illicit international trade in cultural property and stolen works of art.

The terms of reference are therefore to work with strategic partners;

- Strategically to monitor national and international threats and risks in relation to Heritage and Cultural Property Crime matters
- To ensure that Heritage and Cultural Property Crime prevention, enforcement, intelligence and reassurance activity remains strategically aligned on behalf of police forces, law enforcement agencies and others with responsibility for supporting and advising the heritage and cultural sector across the United Kingdom
- To provide visible leadership and a point of contact for police and law enforcement professionals and, in particular, professional leadership to the Heritage and Cultural Property Crime Liaison Officer network
- To provide visible leadership and a police point of contact and dedicated contact within agencies seeking access to Heritage and Cultural Property Crime specialists and practitioners within the United Kingdom
- To provide a point of contact for international Heritage and Cultural Property Crime related operational policing activity within the United Kingdom
- To offer a point of reference for consultation with policing, law enforcement and other heritage sector professionals in relation to the formation of Heritage and Cultural Property Crime legislation and other Heritage and Cultural Property Crime policy matters within the United Kingdom, including changes to UN and EU legislation

## The aim of this Strategic Assessment

This assessment aims to;

- Briefly describe the key issues affecting the prevention and enforcement of Heritage and Cultural Property Crime and how they may change in the future
- Assist members of the ACPO led Heritage and Cultural Property Crime Working Group (H&CPCWG), Police Chief Officers, Police & Crime Commissioners (PCCs) and other stakeholders with their decision-making, priority setting and business planning in respect of Heritage and Cultural Property Crime
- Help facilitate the setting of a national Heritage and Cultural Property Crime Control Strategy and Intelligence Requirement
- Help highlight, and share examples of effective crime prevention and enforcement practice and community engagement
- Bring together a number of discrete, disparate pieces of research

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## Intended use of this Assessment

The intention has been to make this assessment accessible to readers. Findings are expressed in terms of strengths, weaknesses, opportunities and threats identified under three main headings:

- ❖ **Heritage and Cultural Property Crime - An Introduction** focuses on defining Heritage and Heritage and Cultural Property Crime, highlighting the principle reasons for readers to be concerned
- ❖ **Heritage and Cultural Property Crime - The Historic Environment** focuses on crimes committed against the heritage 'fabric' and 'setting' of heritage assets and will include: buildings, archaeological sites, shipwrecks, memorials, parks and gardens, battlefields, etc.
- ❖ **Heritage and Cultural Property Crime - Cultural Property** focuses on crimes committed against heritage 'objects' such as sculptures, paintings, ceramics, literature, jewellery and other generally portable items of intrinsic value often displayed within museums, archives, libraries and homes

## The approach to researching and writing this Assessment

The authors have attempted to gather, assess and summarise information concerning Heritage and Cultural Property Crime's current and future key:

- ❖ **Strengths** - something performed well that should be sought to be maintained
- ❖ **Weaknesses** - something performed poorly that should be sought to be improved
- ❖ **Opportunities** - something possible in the future that should be taken advantage of
- ❖ **Threats** - something possible in the future that should be avoided

These elements are drawn from a broad range of sources, including, but not limited to those listed in the table below:

### Key Data Sources

- English and Welsh Police Forces
- The National Policing Vision 2016
- Government Acts, Bills and Publications
- Statutory bodies and national experts such as English Heritage, The Arts Council, the National Museum Security Group, the Home Office and the Department of Culture, Media and Sport – (DCMS)
- Other agency publications such as those issued by ACPO, the APCC, HMIC, the NPIA and The College of Policing
- Heritage and Cultural Property Crime publications, blogs and websites
- Horizon scanning including benchmarking, direct consultation, Police Online Knowledge Area (POLKA), Google searches and social media

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## Updating this Assessment

The authors intend to maintain a this assessment as a contemporary 'snapshot' of key issues for the Heritage and Cultural Property Crime Working Group meetings by ensuring it is updated whenever further significant changes take place that may impact on the prevention and/or enforcement of Heritage and Cultural Property Crime.

## Whom to contact for further information

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## HERITAGE AND CULTURAL PROPERTY CRIME - AN INTRODUCTION



### What is 'Heritage and Cultural Property'?

Heritage and cultural property may be defined as '*valued things (or 'assets') that have been passed down from previous generations or items of current cultural significance*' some of which may be intangible; such as cultural practices, languages, music and sport but much of which is 'material' and touchable such as historic sites and ruins, shipwrecks, buildings, parks and gardens and objects (or 'cultural property') such as paintings, jewellery, literature, sculpture and ceramics.

### What is 'Heritage and Cultural Property Crime'?

Heritage and Cultural Property Crime is definitely not a new phenomenon; it has existed in various forms throughout history, changing and adapting to market forces driving fashion and desire for objects of increasing rarity and historical importance.

[English Heritage](#)<sup>1</sup> currently defines 'Heritage Crime' as '*any offence which harms the value of England's heritage assets, and their settings, to this and future generations*'. In this particular case the term 'asset' refers primarily to what may also be termed 'the historic environment', whether above or below the sea, such as; [UNESCO World Heritage sites](#), [Scheduled Monuments](#), [listed buildings](#), conservation areas, [protected wrecks](#), [registered battlefields, parks and gardens](#) and other non-designated sites within the historic environment at a local or a national level.

To be more inclusive, the definition of 'Heritage and Cultural Property Crime' for the purposes of this assessment has been simply and widely interpreted as *any offence involving damage or loss to the historic environment, including all such offences involving cultural property*. Examples might include criminal damage to an ancient burial site, ruin, monument or historic building, the theft of a painting or historic artefact from a museum or the theft of lead from a church roof. Equally valid, would be the following more detailed definition:

(1) *The theft of or from, or damage caused to:*

- *designated heritage assets (as defined in the National Planning Policy Framework)*
- *nationally important cultural property contained within museums, public buildings, archives, libraries and private collections; or*
- *items designated as treasure; or*
- *sites of archaeological importance*

(2) *any illicit trading of and the illegal importation and exportation of the above items or items removed from designated heritage assets within, into and from the United Kingdom*

<sup>1</sup> English Heritage is the Government's statutory advisor on the historic environment. Officially known as the Historic Buildings and Monuments commission for England, they are an executive Non-Departmental Public Body sponsored by the Department for Culture, Media and Sport (the DCMS). Their principal powers and responsibilities are set out in the National Heritage Act (1983).

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## Why be concerned? What are the threats facing heritage assets?

As guardians of heritage assets for future generations there are many reasons we should be concerned about, and therefore devote resources to, tackling Heritage and Cultural Property Crime, not least:

- ❖ A common, widely agreed definition of Heritage and Cultural Property Crime (and what constitutes it and the objects it applies to) has been the subject of discussion and academic debate in recent years; however, it is accepted that a more controlled and agreed language would better facilitate understanding between those concerned with protecting and preserving heritage assets.
- ❖ Its scale is understood to be significant and the problem is also thought to be growing yet, due largely to poor reporting and recording, it continues to prove difficult to quantify. Research published by English Heritage highlighted that, in 2011, over 200 crimes were committed against listed buildings across England every day, affecting over 70,000 of all listed buildings and 3 in every 8 churches. At the same time, the cost of theft of art and antiques in the UK every year is believed easily to exceed £300m. Disturbing as these figures may be, they appear only to scratch the surface of the true extent and impact of the issue; Heritage and Cultural Property Crime gradually strips a country of its links to the past, its culture and the enjoyment and celebration of them. (Sources: [The extent of crime and anti-social behaviour facing designated heritage assets: English Heritage, 2012](#); [Art and Antiques, Nexus Magazine, Issue 7](#))
- ❖ Many heritage assets, especially those held on behalf of and for the enjoyment of the public, can be very challenging to secure with guardians routinely taking risks balancing accessibility with security and against a backdrop of reduced resources.
- ❖ Heritage presents an additional, very significant, layer of concern to those charged with its protection and preservation over and above crime committed against many other items. Most heritage assets possess a 'value' that far exceeds their intrinsic worth, and may even be considered 'invaluable', 'priceless' or 'irreplaceable'. For instance, whilst bronze ingots or a bronze sculpture may have the same raw material worth, the sculpture's value as a work of art will often be considerably greater. A recent example of this was a Henry Moore sundial, stolen and then sold by offenders as 'scrap' for just £46.50, yet actually estimated to be worth £500,000. Although the sundial was subsequently recovered by Hertfordshire Constabulary, and returned to The Henry Moore Foundation, the organisation still faces the dilemma of balancing public display and enjoyment with securing the site for future generations.
- ❖ Heritage assets are not only attractive to local often more opportunistic criminals but also national and international criminals; some of whom are considered 'professional' and fall within the category of Organised Crime Groups (OCGs) who may be using the proceeds of Heritage and Cultural Property Crime to fund other criminal activity.
- ❖ Technological developments such as the internet are enabling criminals to become increasingly well informed and sophisticated about where, how and when to commit

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Heritage and Cultural Property Crime and how best to benefit from the proceeds. On-line and illicit markets are also helping to drive demand and launder the results.

- ❖ Recent police activity has identified that illicitly obtained heritage assets are traded, innocently or otherwise, in both legal and illegal marketplaces. The size and extent of these markets are largely unknown, but increasing demand and wealth in the Far East is providing a ready and growing market for the organised theft of jade, ivory and Chinese antiquities across Europe.
- ❖ Although metal theft has reduced by 40-50%, rising cost of raw and precious metals such as copper, lead and gold may continue to drive an increase in their theft, leading to culturally valuable items such as public sculptures, war memorials and church roofs being damaged or stolen.
- ❖ Heritage and Cultural Property Crime encompasses the unlawful alteration or theft of the fabric from listed buildings or buildings in conservation areas. It also includes the illegal search for and removal of artefacts from the ground using metal detectors, without the permission of the landowners, or on prohibited land such as Scheduled Monuments or at sites of historical and archaeological importance; some of which may occur out of ignorance, but all of which has a detrimental impact upon heritage. This is often referred to as 'nighthawking'. The resultant disruption caused can lead to the loss of cultural ties to our past and a misunderstanding of the chronology of their historical importance.
- ❖ Research suggests some police forces have appointed dedicated resources and have prepared specific plans, to deal with Heritage and Cultural Property Crime. However, in many areas no specific resources or plans have been identified and little or no attempt has been made to distinguish these from other crimes. There is also a paucity of awareness amongst frontline police officers, which leads to a lack of effective identification; levels reported are, therefore, believed to be much lower than the number of crimes that actually occur. Any preventative work is usually quite generic and included only within general policing activities, although some forces have carried out crime reduction visits to advise on security weaknesses which should be encouraged.
- ❖ Whilst there are a great many organisations, agencies, groups, societies, clubs, institutes and individuals seeking to protect and preserve heritage assets, the extent to which they are aware of one another and share their knowledge, experience and intelligence with each other and law enforcement agencies can vary greatly and sometimes prove inadequate.

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## Strengths – In General

- Overt recognition of Heritage and Cultural Property Crime and well-publicised pro-activity, in some police areas (such as [Cheshire Constabulary](#)) is encouraging and already appears to be leading to the identification of good practice.
- A number of forces across the United Kingdom, often in conjunction with their local Council(s), have, or are operating, Heritage and Cultural Property Crime prevention and enforcement initiatives. Over twenty local authorities, Community Safety Partnerships (CSPs) and National Parks Authorities have underpinned their commitments to tackling Heritage Crime by becoming signatories to the Heritage Crime Enforcement Memorandum of Understanding formulated by ACPO, English Heritage and the Crown Prosecution Service in 2011. Additionally, some Police & Crime Commissioners (PCCs) and Constabularies already make specific reference to the need to protect local heritage assets from crime and disorder e.g. Cheshire's PCC highlights the '*devastating impact on the community in which it happens*'; [Gloucestershire Constabulary](#) draw attention to 'nighthawking' and [Thames Valley Police](#) publicise a focus on the protection of historic monuments and sites. Hertfordshire Constabulary is also developing a number of Heritage Crime Reduction Partnerships in conjunction with local authorities and local policing teams.
- Many organisations, agencies, groups, charities, societies, institutes and individuals already exist nationally with aims that include the protection and preservation of heritage assets; including protection from the destructive impact of crime and anti-social behaviour. Some have significant public profiles, and benefit from Government funding and support, whilst others are perhaps less well known and rely on sponsorship, subscription and charitable donations. Collectively they represent a substantial resource who possess considerable knowledge of why, when, where, how and who commits Heritage and Cultural Property Crime. These organisations also possess extensive experience of good, practical prevention and enforcement practice. The list is almost endless but notably includes; [Arts Council England](#), [English Heritage](#), [The National Trust](#), [The Heritage Alliance](#), [The National Museums Security Group](#) and [the Church Buildings Council](#).
- The Heritage Alliance, for example, brings together over ninety heritage bodies ranging from specialist advisers, practitioners and managers, volunteers and owners to national funders and organisations leading regeneration and access projects supported in turn by thousands of local groups and over five million members who own, manage and care for a majority of England's heritage. English Heritage also coordinates the stakeholder group [ARCH](#); this is a voluntary national network, which seeks to support initiatives to tackle Heritage and Cultural Property Crime at a local level. The overriding objective of the group is to reduce the amount of crime that causes damage to, or interferes with, the enjoyment of heritage assets in England. Over two hundred groups and organisations have joined ARCH and in many cases these groups already meet and/or share information through a number already established formal and informal 'networks'; this represents a valuable intelligence-gathering tool for law enforcement professionals.
- Public interest in heritage assets, especially cultural property is reported to have increased considerably in recent years, not least assisted by the seemingly increasing prevalence of television programmes such as 'The Antiques Roadshow', the recent BBC Four series 'Heritage! The Battle for Britain's Past' and 'Cash in the Attic'. Whilst it could be argued that some of this programming may unwittingly inform and encourage those intent on theft, it is increasingly capable of assisting law enforcement and heritage protection bodies in conveying positive prevention, preservation and reassurance messages and galvanising public vigilance and support to prevent Heritage and Cultural Property Crime taking place.

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## Weaknesses – In General

- A lot remains unknown about the extent of and factors that drive Heritage and Cultural Property Crime. Reporting, whilst improving, is erratic and crime recording practices sporadic - with few police forces having yet either implemented any significant awareness training or established method of identifying and 'flagging' a Heritage and Cultural Property Crime on crime recording systems. Actual crime levels in the United Kingdom are therefore largely unknown.
- Feedback from police forces in England and Wales suggests the profile of Heritage and Cultural Property Crime is generally considered of low importance in comparison to other property based acquisitive crimes such as burglary and thefts of or from vehicles.
- The demographic of guardians or owners of heritage assets (be they part of the 'historic environment' or cultural property) is diverse, with ownership in the hands of private individuals and charities to businesses and governments; each with preferred methods of communication and engagement regarding protection of the assets. This can cause problems establishing unified preservation and prevention advice that is costly to co-ordinate.
- A lack of an agreed common language that defines terms like 'Heritage and Cultural Property Crime', 'illicit' and 'good faith' has led to confusion amongst stakeholders as to the precise nature and scale of the problem. The current English Heritage definition of 'Heritage Crime', whilst concise, is focused mainly on the 'historic environment' within England and at face value takes little account of cultural property such as literature, art and jewellery. A clearer, broader, single definition is required, which encompasses all the varied aspects of Heritage and Cultural Property Crime throughout the United Kingdom.
- The damaging and costly secondary effects of Heritage and Cultural Property Crime could be highlighted more effectively. The theft of lead from the roofs of churches causes damage not only to the lead but also to the church building 'fabric' and contents by allowing rainwater ingress. Vandalism, such as graffiti, may also cost many thousands of pounds to remove and restore the monument to its previous condition. Theft and destruction, whether purposeful or accidental, is a great threat to heritage; the replacement or repair of which may be only partial, unsatisfactory or impossible. Some heritage assets are also uninsurable due to their unique nature and it is therefore increasingly problematic for individuals and organisations to be able to afford to protect or replace them.

## Opportunities – In General

- Partnership working and sharing of knowledge and experience; improved police crime and incident recording; heritage asset owners and guardians increasingly reporting incidents and effective enforcement, such as making greater use of Impact Statements that clearly explain the full heritage impact of the crime, can all help to improve the tackling of Heritage and Cultural Property Crime.
- Positive activity to tackle Heritage and Cultural Property Crime in some police force areas may be used to inspire others, whose local approach may currently extend little beyond a narrow focus on issues such as metal theft (within which the theft of cultural property for their metal content is often a subset).
- The Heritage & Cultural Property Crime Working Group provides the opportunity to improve the capture and sharing of intelligence across enforcement and heritage sector agencies, and to provide consistent and appropriate advice and support to those who manage and look after heritage assets and cultural property.



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## Opportunities – In General

- Some groups already meet and/or share information through a number established formal and informal 'networks'. Examples include the National Museum Security Group, the Leicestershire Crime Prevention Group, the Cheshire Heritage Crime Task Group and the Kent Rural Crime Advisory Group. All such networks will only benefit from greater co-ordination of effort and the sharing of information and intelligence with law enforcement agencies.
- More effective encouragement and coordination of 'heritage and cultural property champions' within communities is required to establish a greater degree of collective efficacy amongst statutory bodies, agencies, clubs, societies, charities and law enforcement professionals who are all committed to protecting and preventing Heritage and Cultural Property Crime.
- The insurance industry may be able to further assist in establishing the true scale, nature and value of Heritage and Cultural Property Crime; 'hot spots' and 'hot asset' mapping, possible offenders and methods of theft, fraud, forgery and disposal could all be collated and shared with law enforcement professionals in a more co-ordinated and regular manner.
- Funding, especially during austere times, is always an acute challenge. Arts Council England provides funds to support the development of the regional museums sector as well as national programmes that support museum standards and collection development. Government and Local Authority grants may also be available as well as charitable donations and sponsorship.
- New and sustained use could be made of legislation. An example of this is provided in the Scrap Metal Dealers Act 2013 – as of 1<sup>st</sup> October 2013, Section 12 of this Act ensures that no individual is now able to transact scrap metal for cash. By 1 December 2013, the majority of the Act, including most of the criminal offences under it, will be in force. The Act repeals the Scrap Metal Dealers Act 1964 and its accompanying system of registration replaces the new legislation with a new system of licensing administered by Local Authorities. [Source: \[Home Office August 2013\]](#)
- Advances in technology such as new permanent metal marking to reduce the attractiveness of stealing lead from buildings and the wider use of covert policing methods can make preventing Heritage and Cultural Property Crime more effective. Technology can also help improve the ease with which intelligence and offences are reported to law enforcement bodies; there is also potential to develop inexpensive and easy to use GPS linked smartphone applications to assist police forces in plotting exact geographic locations in remote rural areas.
- Though largely yet to be defined, there seem important roles waiting to be assigned for the College of Policing (CoP), Police and Crime Commissioners (PCCs), the Statutory Policing Requirement (SPR) and National Crime Agency (NCA). There is also a significant need for law enforcement professionals to explore the creation of a dedicated national Heritage and Cultural Property Crime policing function, perhaps in partnership or conjunction with heritage sector or professionals.
- The prevention of Heritage and Cultural Property Crime entering the criminal justice process in the first place is the most desirable objective; enforcement activity needs to be visible and punitive – and the impact of Heritage and Cultural Property Crime should be reflected in the provision of impact statements and guidance for prosecutors and the courts. Members of the H&CPCWG are currently working in partnership with the Magistrates Association and the Crown Prosecution Service to produce a manual of guidance to aid the sentencing process.

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## Threats – In General

- Criminal damage and theft make up the bulk of Heritage and Cultural Property Crime, certainly in respect of the 'historic environment'. Research published by English Heritage in 2012 indicates the risk of criminal damage to heritage assets is substantially greater in more deprived areas.
- Arson is infrequent but can have huge costs that leave the heritage 'fabric' irreparable.
- There is an increasing involvement of organised crime groups impacting upon Heritage and Cultural Property Crime both nationally and internationally; although the crimes carried out recently at high profile museums were planned, there is an increasing threat that less organised criminals will use more extreme levels of violence to achieve their aims.
- With reduced financial resources available within the cultural sector there is a risk that organisations with responsibility for looking after cultural property will feel increasingly vulnerable.
- Lesser sentences and penalties seem unlikely to deter recidivism and others from becoming involved in Heritage and Cultural Property Crime. More punitive, and therefore more likely to deter, sanctions issued by courts better informed through 'Impact Statements' that help to reveal the 'true cost' of the offences committed are required. For example, a judge in Lincoln presiding over an offence of metal theft said during sentencing that he had borne in mind that repairing church roofs imposed a heavy financial burden on local communities. However, in cases presided over by less well-informed sentencers, offenders who had ploughed out a barrow, motorcycled over a hill fort, nighthawked on a scheduled site or smashed a standing stone received lighter sentences.
- The [Heritage Alliance](#) has recently responded to the Government's / DoE consultation on reform of the National Curriculum (launched 7 February 2013) within which history has seen the introduction of a strict teaching chronology. The Alliance have concerns about the extent to which the new curriculum may inhibit field study, which in turn may mean future students fail to appreciate the historic environment as much as those before them.
- Next year (2014) will mark the 100th anniversary of the First World War which is already believed to be raising interest in WW1 memorabilia and, as a result, may lead to increased threats and risks to theft from, and damage to, WW1 related sites, buildings, land and seascapes.

# THE HISTORIC ENVIRONMENT



## Introduction

A considerable amount of heritage assets targeted by criminals take the form of places, buildings, structures, and archaeological and maritime sites which this assessment refers to as the historic environment. Some of these sites or assets are of major national and international significance, such as [UNESCO World Heritage sites](#), Sites of Special Scientific Interest (SSSI), scheduled monuments, listed building, conservation areas, registered parks and gardens and those other non-designated sites within the historic environment at a local or a national level.

In 2012, English Heritage published research that examined the extent of crime and anti-social behaviour facing designated heritage assets (English Heritage Report, The Size of the Problem). The research primarily focused on the historic environment and provided an overview of the scale of the threat to England's historic buildings and sites. The research, conducted by Newcastle University, Loughborough University and the Council for British Archaeology between October and November 2011, and published in March 2012, provided the following observations;

- ❖ There remains a lack of data on the scale of the issue, but it is believed to occur across the United Kingdom in urban as well as rural environments, with assets in the more deprived areas facing greater levels of risk.
- ❖ Criminal damage, including arson related offences, comprises the majority of offences; however, metal theft is notable (particularly in relation to religious buildings such as churches where roof lead stolen). Whilst most damage is committed by a third party, the extent to which 'owners' of assets also damage them (through unauthorised adaption for instance) is notable.
- ❖ Trends are uncertain and, at this time, relatively little is known about overall driving factors; however, increases in metal and commodity prices are definitely highlighted as a cause for concern.
- ❖ There is a need for an agreed terminology, more awareness, more consistent reporting and more accurate recording.

## Strengths – The Historic Environment

- English Heritage is the UK Government statutory advisor for the protection and preservation of historic places in England. They have a full time National Policing and Crime Adviser ([Mark Harrison](#)) and the Crown Prosecution Service (CPS) has appointed 14 Heritage Crime Coordinators to assist prosecutions. A section of the English Heritage website is dedicated to [Heritage Crime](#) (Historic Environment) and contains numerous guidance and practice documents.

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## Strengths – The Historic Environment

- [The National Heritage Protection Plan 2011-15](#) clearly identifies English Heritage's commitment to prevent and investigate Heritage Crime and anti-social behaviour in the historic environment. Progress on the National Heritage Protection Plan is collated by English Heritage, which aims to present half-yearly statements on progress. This report is divided into two sections with the first being the overview that provides a general summary and some noteworthy highlights and case studies, and the other, news relating to implementation.
- [The National Heritage List for England](#) provides a current, accessible and up to date database of all nationally designated historic environment heritage assets including: Listed Buildings, Scheduled Monuments, Protected Wreck Sites, Registered Parks and Gardens, Registered Battlefields, World Heritage Sites, applications for Certificates of Immunity (COIs) and current Building Preservation Notices (BPNs). World Heritage Sites are recorded on the List, but these sites are separately described by [UNESCO](#).

## Weaknesses – The Historic Environment

- The true scale of Heritage and Cultural Property Crime concerning the historic environment is still largely un-quantified. Feedback from UK police forces indicates that the most prevalent type of crime experienced at a local level is related to the theft of metal from historical buildings - with churches the most likely to be threatened. Currently, law enforcement initiatives to target these offences are pre-dominantly through dedicated metal theft operations, rather than those focused on Heritage and Cultural Property Crime.
- Research published by English Heritage in 2012 found that more than 75,000 'Heritage Crimes' were committed during 2011. This equates to over 200 crimes a day that are being committed against England's historic sites, however it also suggests the figure could be much higher as one in three heritage-related crimes are believed to go unreported. [[English Heritage Report Summary- Heritage Crime Research: The Size of the Problem 2012](#)]
- Marine wrecks, including war graves, are much harder to protect than those assets located on land; maintaining a watchful eye is usually far more challenging as is determining when a crime is being, or has been, committed.
- The true extent of 'nighthawking' (the illegal search for and removal of artefacts from the ground using metal detectors, without the permission of the landowners, or on prohibited land such as Scheduled Monuments) is hard to quantify. Although not all offences occur at night, many take place in isolated rural areas; these offences are often unseen and unreported. Innocent, or uninformed, members of the public can easily end up committing a crime by unintentionally trespassing on private land, or damaging the historic environment by disturbing or desecrating a historic site.

## Opportunities – The Historic Environment

- The growth in interest in heritage [worldwide](#) is creating an opportunity for increased public awareness and dedicated training to preserve and protect heritage assets.
- The Heritage Lottery Fund and Heritage Alliance lobby to provide funds that develop education and tourism; this could also highlight future funding possibilities to prevent crime and anti-social behaviour in the historic environment. English Heritage has also re-structured the way that it funds and promotes awareness of Heritage and Cultural Property Crime, and the way in which its officers and guardians protect heritage assets in the historic environment. Heritage Crime is also

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## Opportunities – The Historic Environment

identified as a distinct measure within the National Heritage Protection Plan (NHPP)

- The English Heritage 'Heritage at Risk Register' details a number of properties and sites considered at greater risk - some from suffering the effects of crime and anti-social behaviour. English Heritage, ACPO, the CPS and a growing number of local councils and National Parks Authorities have underpinned their commitment to tackling crime in the historic environment by signing the Heritage Crime Enforcement Memorandum of Understanding. This document serves as a general guide to fostering cooperation in relation to Heritage and Cultural Property Crime. It defines the roles and responsibilities of the parties in the prevention, investigation, enforcement and prosecution of Heritage and Cultural Property Crime, in keeping with their respective aims.
- Concerned about the aesthetic look of their surroundings and heritage, residents and visitors of many historic sites, villages and buildings have shown an increasing propensity to petition and demonstrate when objecting to modern re-development. Hundreds of people demonstrated recently in Sherborne (March 2013) when Tesco threatened to demolish parts of the historic town to erect a new store. With the benefit of collective efficacy and social media to 'rally support' and petition, this could be used to develop a powerful lobby on the side of heritage. Each year just over 1% of the adult population volunteer in the historic environment (Taking Part Survey); this equates to approximately 470,000 people. A significant proportion of volunteering is at heritage sites. National Trust volunteer numbers in the UK have nearly doubled since 2002, increasing from 34,380 in 2002/3 to over 66,000 in 2011/12. English Heritage also had 830 volunteers in 2012 mainly based at English Heritage properties.
- A greater degree of intelligence sharing amongst the numerous groups protecting and managing heritage sites across the UK must be encouraged. This must also include a focus to share the intelligence with law enforcement agencies; agencies should then ensure that such groups are given regular briefing and guidance advice.
- A number of Heritage and Cultural Property Crime offences are specifically recognised in law; however, police, other law enforcement professionals and heritage sector professionals should continually monitor the need for legislative opportunities to protect both the historic environment and cultural property. Examples of existing legislation include the Ancient Monuments and Archaeological Areas Act 1979, the Planning (Listed Buildings and Conservation Areas) Act 1990, the Protection of Wrecks Act 1973, the Protection of Military Remains Act 1986, the Dealing in Cultural Objects (Offences) Act 2003, the Treasure Act 1996 and the Enterprise and Regulatory Reform Act 2013. Other legislation provides the opportunity to take enforcement action in relation to offences that have occurred within the historic environment, namely, the Town and Country planning Act 1990, the Merchant Shipping Act 1995 and the Marine and Coastal Access Act 2009.
- Given the growing recognition of urban regeneration in boosting economic activity, the importance of heritage in providing attractive urban spaces for work and leisure is increasing. An example of using heritage to reduce overall crime is the urban regeneration in the area surrounding Kings Cross and St Pancras railway stations in London.

## Threats – The Historic Environment

- The growth in online marketplaces such as eBay, has expanded the ways in which people can illicitly trade heritage assets, making it more difficult for law enforcement and heritage sector professionals to identify both offences and offenders. This has also led to the development of markets that trade within 'closed communities'.

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## Threats – The Historic Environment

- The increasing use of social media and the expansion of open source information on the internet has dramatically improved the availability of data, and therefore opportunity, for criminals to identify and research targets, identify emerging market trends, locate market places and explore methods to commit crimes against heritage assets.
- The perception of declining central and local government funding for maintenance and security, less consumer spending and tougher environments for raising funds, exacerbated during austere times, all impact on heritage guardian's abilities to afford and maintain adequate security.
- The increasing use of heritage venues for corporate events, often as a form of income generation, may lead to increases in damage and theft offences. It is acknowledged that guests at such events may be less concerned with the heritage significance of any criminal acts than those who intentionally visit out of cultural interest.
- The [Campaign to Protect Rural England](#) state that, because historic towns are not specifically protected, they are often vulnerable to developments that affect their iconic character. The [National Planning Policy Framework](#) (NPPF) lays down requirements for 'conserving and enhancing the historic environment', but these are focused on particular 'assets' such as ancient monuments and are 'less robust' at safeguarding the more subtle features such as the physical setting, the view and other important buildings that make historic towns so special. Similarly, conservation areas normally protect only small, geographic areas. Without any form of protective designation for historic towns and cities, perhaps akin to the rural Areas of Outstanding Natural Beauty, local authorities are potentially failing to acknowledge the full range of risks to heritage within planning processes.
- An increasing amount of offences affecting built heritage assets involve the theft of or damage caused to building fabric such as floor tiles, roof tiles, coping stones, statues or architectural metalwork. These items are often not protectively marked and it is difficult to identify them when sold through architectural salvage merchants. Lack of law enforcement coordination and support to this industry to improve due diligence checks is therefore identified as a further cause for concern.

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## CULTURAL PROPERTY



### Introduction

Heritage assets are not limited to historic structures, ruins or archaeological sites. Cultural property and other moveable objects such as paintings, jewellery, literature, sculpture, ceramics and pottery very often found within museums, archives, libraries, and private or stately homes are also identified as heritage assets. Many heritage commodities are also items of intrinsic value in that they are fashioned from precious stones, metals or other materials.

As with the 'historic environment' the scale of this particular type of Heritage and Cultural Property Crime is also largely unknown. Concerns regarding the theft of and damage to these assets is just as significant; however, unlike the 'built environment, these commodities can also be subject to fraud<sup>2</sup> and/or forgery<sup>3</sup>.

Amongst a number of other socio-economic and demographic factors, market forces drive acquisitive crime - national crime statistics bear this out. Fluctuations in exchange rates or global commodity prices, for example, can very quickly switch demand for lead, often from historic buildings, to demand for artefacts stolen to order from museums.

An increasing amount of heritage and cultural property crime is driven by high yield returns and the fact that the theft of cultural property from 'softer' targets is relatively easy to commit. The current prosperity of South Asian markets has fuelled a desire for organised criminals to target cultural property such as rhino horn, jade and Chinese artefacts. This has been recently evidenced from publicity surrounding large-scale thefts from the Fitzwilliam Museum in Cambridge and the Oriental Museum in Durham.

Outside of the museums sector, there is also a paucity of recording and auditing rigour by many owners and guardians of these assets, which results in many items remaining largely un-catalogued or photographed. Any subsequent loss or theft reported to police is therefore often difficult to detect. It is also believed that some owners and guardians are strongly influenced by concerns about public perception and, fearful that bad publicity may result in reduced confidence from donors, are inclined to report crime sporadically.

The police response to crime relating to cultural property can also be disjointed because many stolen objects cross national and international borders and legislative frameworks, frustrating investigations and increasing costs beyond those reasonably affordable to county forces.

There is still a much greater need for intelligence and for this intelligence to be shared through more coordinated and accessible methods. Crime trends and intelligence should be better analysed to identify forthcoming threats and promote more coordinated approaches

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<sup>2</sup> A wrongful or criminal deception intended to deprive a victim and result in financial or personal gain to another.

<sup>3</sup> The attempt to pass off a copy of a document, work of art or item of value as an original.

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to crime prevention. Existing intelligence networks, operating within and between heritage and cultural property guardians, should also link with police intelligence databases.

Criminals use the internet and social media to identify and research targets, spot trends and locate marketplaces. Police intelligence monitoring should also scan these sites to better inform analysis and market trends.

Television programmes such as The Antiques Roadshow have undoubtedly increased interest in, and knowledge of, heritage commodities and, whilst this may have contributed to increases in crime, this style of programme may also be a useful way to increase awareness of crime prevention.

Those involved in the trade of cultural property and heritage commodities must also make reasonable checks to establish provenance and rightful ownership. This due diligence is often difficult to undertake and law enforcement professionals should ensure maximum support to the industry.

### Strengths – Cultural Property

- The National Museum Security Group (UK) (NMSG) provides an immediate and secure means for security teams from cultural organisations across the UK to share intelligence and communicate with each other. They aim to reduce crime at venues and reduce the fear of crime for visitors and have highly trained teams, which are able to share images of criminal suspects and help victims of crime by providing immediate assistance and online communication with the police. The NMSG provides a communications link for security professionals to share images, enabling a fast and effective response to any incident. By sharing intelligence with members in this way, they are able to identify emerging threats and adjust security responses appropriately. The group members have within their collections many items of significant national and international importance and are committed to providing public access to these collections, whilst retaining the responsibility to keep the objects safe and secure. Facewatch, an innovative, online portal to assist the reporting of low-level crime and sharing of intelligence, is utilised by this group to share information and data.
- The Arts Council has a responsibility, through the role of the National Security Advisor (NSA), to advise on security issues in relation to the Government indemnity Scheme (GIS). In this role the NSA prioritises venues with ambitions to stage exhibitions covered by GIS and national collections or nationally important collections. The NSA also provides advice on capital projects, such as those funded by the Heritage Lottery Fund (HLF), where it is intended to display collections and to national museums on the suitability of venues when they lend outside the UK. Beyond this statutory remit, the Arts Council also recognises an important pastoral responsibility to support the wider sector by providing access to advice and information, sharing good practice and working with colleagues to develop tools that will help organisations manage their risks more effectively. The Arts Council's security role, coupled with its broader responsibility for museum standards and development, means it has unique access to networks across the museums, and wider cultural, sector.
- Commercial providers of computerised databases of stolen and missing works of art, antiques and valuables exist to support the heritage and cultural property sector. Through these commercial enterprises, private individuals, public bodies and law enforcement agencies can register and utilise services to identify stolen art and artefacts.



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## Strengths – Cultural Property

- The international cross border trade in stolen cultural property operates in both directions, with interdiction opportunities at ports by Border Force as well as by local forces and the National Crime Agency (NCA) working with the antiques trade, auction houses and architectural salvage merchants.
- Existing crime enforcement opportunities to recover stolen cultural property rely on descriptive searches by local force intelligence systems interacting with the London Stolen Art Database operated by the MPS Art and Antiques Unit; an international element is added to this through the Interpol Works of Art database. Both databases operate through text-based searches, although neither provides an image comparison element – a fact that should be addressed to better support those involved in the fight against Heritage and Cultural Property Crime.
- The British Museum have a Memorandum of understanding with eBay and monitor the website for potential stolen items and Treasure, question vendors and report directly to the MPS Arts and Antiques Unit.
- There are a number of notable, although sometimes overlapping, networks with similar or shared ambitions and desires to work with law enforcement agencies, which include the National Museum Security Group, Arts Market Forum, Museum and Galleries Security Group, Archive Group.
- ICOM (International Council of Museums) provides a Code of Ethics for Museums and establishes minimum standards for museums that include protecting tangible and intangible cultural heritage not just against disasters such as fire, but theft and malicious damage.
- The Portable Antiquities Scheme is a DCMS funded project to encourage the voluntary recording of archaeological objects found by members of the public in England and Wales. Every year many thousands of objects are discovered, many of these by metal-detector users, but also by people whilst out walking, gardening or going about their daily work. Such discoveries offer an important source for understanding our past. The website provides background information on the Portable Antiquities Scheme, news articles, events listings and access to our database of objects and images.
- There are a large number of specialist publications dedicated to the various trades and associations interested in and transacting heritage assets. These publications should be better utilised by law enforcement professionals to share best practice, increase intelligence flow and prevent crime.

## Weaknesses – Cultural Property

- As with crimes against the built environment, the scale of the problem remains hard to quantify and not only includes the theft and damage of commodities, but offences relating to fraud and forgery. Only through better police crime and incident recording practices, supported by a dedicated police intelligence analysis function, will weaknesses be addressed.
- Without a 'controlled vocabulary' there is a lack of consensus about what is meant by a heritage commodity and what therefore determines a Heritage and Cultural Property Crime. A 'core' definition of Heritage and Cultural Property Crime is needed to address this.
- Police forces are understandably constrained by boundaries and budgets, and individual forces do not always have sufficient dedicated resources to deal with what often turns out to be

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## Weaknesses – Cultural Property

international crime. There is a growing need to explore whether a dedicated national law enforcement function could be developed to target Heritage and Cultural Property Crime.

- There is an acknowledged low reporting rate for cultural property and art theft. The recovery rate for such stolen property is thought to be only around 10% and convictions even lower. It is also acknowledged that basic investigative methods are almost ineffective because those criminals involved with this type of crime are specialists in their field. Although victims may be prepared to report offences, this does not mean they necessarily progress to support a police prosecution. [[Australian Institute of Criminology – Article No. 170 Art Crime](#)]
- In a sector not previously targeted by criminals, there are now significant links to organised crime groups and an increasing trend for these groups to focus on Heritage and Cultural Property Crime to fund further criminality. Alongside this increasing focus from organised criminals comes the risk that less well organised offenders will use increasing amounts of violence to capitalise on potential lucrative returns.
- It is often the case that art and cultural property theft is only reported by the media when a major item is stolen and, in many cases, the victim is often perceived as being wealthy. Consequently, art or cultural property theft is viewed as a less serious or impactful crime, because the public feel individuals, governments or institutions are able to afford any loss. Source: [Journal of Financial Crime Vol 5, No. 1 - Art Theft]
- In times of recession and austerity, cultural property is increasingly used as ‘currency’ in payment for other items or services rendered. Very few dedicated heritage thieves steal for themselves; crimes are often committed to order or because markets exist to transact the cultural object with little chance of detection.
- Due to the specialist nature of the heritage sector, Heritage and Cultural Property Crime often fails to gain any significant and dedicated traction at a local policing level. However, international art theft is estimated to cost around \$6billion per year, with 20% of art stolen being destroyed or lost forever. The theft of art and antiques in the UK is estimated to be worth around £300m, second only to drug dealing and more costly than the theft of stolen vehicles.
- London is a significant international hub for the transaction of art and antiques, generating a significant income for the UK. It is therefore essential that law enforcement professionals, cultural sector professionals and the UK art and antique trade work together to protect the international reputation of the market.
- Millions of pounds of heritage items may innocently pass through auction trade accounts each year without necessarily being subject to sufficient due diligence checks. Although many larger dealers may check provenance through commercial databases, it is acknowledged that, with investment and coordination, law enforcement professionals could provide a greater level of service to support due diligence enquiries within the industry.
- Victims of commodity Heritage and Cultural Property Crime very often tend to be repeat victims due to the ‘flag’ or ‘known quality’ effect. The ‘flag effect’ occurs when certain premises stand out as attractive to thieves, due to physical weaknesses such as a lack of alarms or window locks. Museums, galleries and private residences suffering from this are ‘soft targets’ but could react by improving visible security to effectively remove the ‘flag’. The ‘known quality’ suggests burglars return to the scene of a crime for either, or both, psychological and practical reasons. A

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## Weaknesses – Cultural Property

successful crime may lead to the original burglar, or acquaintances, feeling more comfortable committing a further crime in a known place in the knowledge that a market exists for the stolen property. Source: [Criminal and Victim Profiles in Art Theft: Simon Mackenzie 2004]

- Whilst there are various intelligence networks, stolen property databases and publications dedicated to sharing awareness of stolen art available to dealers, not all are accessible and regularly reviewed by law enforcement agencies. This can hinder intelligence gathering and investigations, and is a barrier to identifying those involved in organised Heritage and Cultural Property Crime.
- Border Force are constrained by a finite resource and cultural property crime is competing against the delivery of high priority targets set against commodities such as drugs and firearms. Activity at the border is reliant upon receipt of intelligence in order to make the most effective use of the resources available. The lack of available training co-ordinated by lead departments may further hinder enforcement controls at the border.
- Items in some venues, such as churches and some smaller museums, are largely unprotected and rely on the honesty of visitors. Many of these venues often have staff members who are inadequately trained to deal with security issues.
- There is a lack of understanding and education about risks to cultural property from inappropriate scientific and forensic interventions.
- Protecting cultural property within the historic environment can conflict with the preservation considerations surrounding the way in which items are displayed. This impacts upon the physical security of the asset and could ultimately cause insurers or donors to deny authority to display.
- The internet dramatically increases 'intelligence' available to criminals on locations, items and markets, as well as facilitating a number of new marketplaces that operate on invitation or subscription. This creates the potential for closed markets where cultural property can be sold without coming to the attention of heritage sector or law enforcement professionals.
- The offences and methods of commission impacting upon heritage assets are varied; co-ordinating activity to prevent and detect these is therefore a significant task. Although the major crimes types are theft, damage and fraud, the reasons they are committed range from simple ignorance to organised criminal activity. Theft includes trophy hunting as well as that committed for a commercial purpose; many thieves steal specialist items, yet are ignorant of their deeper cultural or heritage value. Damage has also been committed both through sheer ignorance of heritage impact and specifically because of the heritage impact as seen in recent damage to a Rothko painting committed to promote a cause such as '[Yellowism](#)'.

## Opportunities – Cultural Property

- Law enforcement professionals should undertake a co-ordinating role in tackling Heritage and Cultural Property Crime; ensuring that intelligence is shared and that enforcement activity is delivered in a mutually beneficial way.
- There is considerable merit in the creation of a dedicated police approach to providing crime prevention advice for the guardians and owners of cultural property. Presently advice is provided from a number of disparate websites and guardian organisations; insurance

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## Opportunities – Cultural Property

companies, Government agencies and relevant public bodies also provide advice relating to security and crime prevention. Culture sector professionals would benefit from the creation of a bespoke police crime prevention function that can be translated into fulfilling the needs of the many owners and guardians of cultural property.

- Prosecutors and police officers must work with owners and guardians to encourage and assist in the completion of 'Impact Statements' that explain to courts the full heritage impact of a criminal act.
- Heritage and Cultural Property Crime provides high yield returns for criminals; law enforcement professionals should therefore seek to utilise the Proceeds of Crime Act 2002 to recover and restrain criminal assets.
- Continued funding to prevent and enforce Heritage and Cultural Property Crime is fundamental to future reduction. Alongside the work of English Heritage, Historic Scotland, CADW in Wales and the Department of the Environment in Northern Ireland and numerous other guardians protecting heritage assets, both the Heritage Fund and Heritage Alliance are currently working to obtain funds to assist in education and restoration projects to protect the historic environment. Funding from corporate events at heritage venues presents both opportunity and risk for heritage guardians; the risks being realised through increased likelihood of theft and damage from those visiting the venue to a non-heritage based reason. The growth in the interest in heritage worldwide is also creating a demand for more people with more skills for preserving and protecting heritage.
- There are significant opportunities available for law enforcement, heritage sector and auction house/antiques/architectural salvage trade professionals through the coordination of intelligence databases and search facilities to support 'due diligence' enquiries at points of sale and transfer of heritage assets.
- There is also a significant opportunity for better coordination of intelligence, prevention and enforcement activity through the creation of a dedicated national Heritage and Cultural Property Crime policing unit. It would be essential that such a unit is trained in partnership with heritage and cultural sector professionals to ensure mutual understanding and consistency.
- A key tool in preventing and detecting Heritage and Cultural Property Crime for cultural property is the promotion of the need to undertake a clear and accurate inventory of items both on, and off, display. In order to accomplish this, a programme of training would be required to spread awareness.
- As stated in relation to the built heritage environment a wealth of programmes, such as The Antiques Roadshow, has increased the interest in, and knowledge of, the value of cultural property. These programmes present a significant opportunity to enhance Heritage and Cultural Property Crime prevention, intelligence and enforcement activity.

## Threats – Cultural Property

- The sale and transfer of art and cultural property creates significant opportunities for criminals to launder money. Criminals are attracted because of a perceived absence of controls in the industry - there is no requirement for art dealers to hold any form of licence or art valuers to have any form of qualification - and the high value of art.

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## Threats – Cultural Property

- As organised crime groups become increasingly aware of the high yield low risk returns from Heritage Crime, there is a significant likelihood that lower tier criminals will focus a greater level of activity on this crime type. With such a shift in focus, increasingly basic methods will be used to access desired assets. This therefore carries a risk of increased levels of violence and damage being inflicted upon the heritage sector.
- The increasing use of social media and the apparent explosion of information and resources available over the internet has dramatically improved the availability of data to criminals to identify and research targets, trends and marketplaces.
- Declining central and local government funding for maintenance and security, less consumer spending and tougher environments for fund raising, exacerbated during austere times, all impact on heritage and cultural property guardian's abilities to afford and maintain adequate security.
- The 100th Anniversary of World War 1 in 2014 may initiate an increase in the demand for war memorabilia. This represents risk to cultural property located within buildings, archaeological sites and protected wrecks.
- There is an increasing risk that, unless greater levels of control are imposed upon 'due diligence' and the transaction of heritage assets through the United Kingdom, that international buyers and collectors will lose confidence in the provenance of items transacted through London and other UK markets. This will impact upon revenues and the overall economy.
- Rising affluence in the Middle East and Asia, and in countries such as Russia and China, has potentially caused increases in the levels of Heritage and Cultural Property Crime; this affluence has also created vigorous new legitimate art markets for desirable cultural property. Some unscrupulous collectors and 'brokers' are using this new wealth to 'repatriate' items once belonging to such countries. There is also considerable theft and trade of stolen commodities from central Europe, which are steeped in both value and history.

## RECOMMENDATIONS



### PREVENTION

- With heritage and law enforcement professionals and in conjunction with insurance industry data, to identify the most vulnerable premises and objects, including those repeatedly targeted, and to focus prevention upon them
- Establish and promote Heritage Crime Reduction Partnerships (HCRPs) within the existing systems and processes provided within each local government area by Community Safety Partnerships (CSPs) with a remit to identify and protect local heritage buildings, archaeological sites, museums and cultural property; prevent crime and promote the awareness of heritage and cultural assets; and, to ensure that local planning and community safety authorities understand the importance of heritage when considering wider prevention design in the historic environment
- Establish a co-ordinated, 'one stop shop' style approach to police crime and disorder prevention advice that is easily accessible, relevant to heritage and cultural sector professionals, easy to read and supports advice already offered by English Heritage, Arts Council England, ACPO Secured by Design and other stakeholders. To also explore the creation of a 'Tactical Menu' of case studies and effective practice to support this
- Take full advantage of new technologies, such as developments in non-invasive property marking, and promote a wider degree of collaboration in the sharing of prevention best practice between the owners, managers and guardians of heritage assets and cultural property
- To explore wider opportunities to promote prevention advice through use of social, print and broadcast media and dedicated heritage and cultural networks
- Galvanise public support and the support of other local agencies, including police Safer Neighbourhood Teams, Neighbourhood Watch schemes and emerging Heritage Crime Prevention Partnerships aimed at maximising 'collective efficacy' of 'capable guardians' to keep a watchful eye over the heritage in their local areas
- In their role as Local Planning Authorities, Councils and Police and Crime Commissioners should work in partnership with Natural England to better publicise the association between the historic and natural environment. In particular, the significance of Sites of Special Scientific Interest (SSSI) and Scheduled Ancient Monuments to the police, communities, partner agencies and stakeholder groups
- Identify and appoint 'Heritage and Cultural Property Champions'; local people and organisations that can promote and implement prevention advice in partnership with law enforcement professionals. This would complement an existing scheme coordinated by English Heritage.

### ENFORCEMENT

- To ensure that enforcement activity provides a visible deterrent to offenders through the better use of publicity to galvanise media and public interest; to promote the use of Proceeds of Crime Act 2002 financial sanctions to recover assets from those involved in Heritage and Cultural Property Crime
- To ensure enforcement is sufficiently informed through the greater use of 'Impact Statements' and that the Crown Prosecution service and the courts are appropriately aware of the full impact

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## ENFORCEMENT

of Heritage and Cultural Property Crime

- Fully exploit existing legislation and petition to influence the introduction of new legislation where it can be demonstrated to help those entrusted with protection of heritage assets and cultural property
- For law enforcement and heritage professionals to work with the commercial heritage sector in order to highlight and encourage the routine application of 'due diligence' checks
- For police forces to develop a network of dedicated Heritage and Cultural Property Crime Liaison Officers to promote Heritage and Cultural Property Crime at a local police level; ensuring that dedicated enforcement activity dealt with through existing National Intelligence Model (NIM) tasking and co-ordinating processes

## INTELLIGENCE

- To explore the creation of a dedicated national Heritage and Cultural Property Crime policing unit to co-ordinate the collection of intelligence from law enforcement professionals, existing heritage sector networks and owners and guardians charged with the protection of heritage assets
- Ensure officers and partners at the MOST LOCAL understand the location and significance of heritage assets through the more co-ordinated use of tools such as the English Heritage 'Heritage at Risk Register'; that police and partners also better understand how to protect them together
- To explore existing and future ways of more effectively identifying heritage assets and cultural objects at risk
- Work with and utilise experts and commercial enterprise to tackle illegal online auctions and the misuse of legal ones to transact heritage assets. Work with law enforcement professionals engaged in tackling cybercrime and Organised Crime Groups
- Improve the relationship with traders, second hand dealers, salvage firms and auctioneers in order to improve the flow of intelligence

## GENERAL

- Establish a 'common language' that clearly defines Heritage and Cultural Property Crime
- Ensure there is an equal focus on security of the historic environment and cultural property; recognising, when considering the preservation of the fabric of a building, that these entities co-exist
- Encourage the more uniform police recording of Heritage and Cultural Property Crimes and incidents that enable the size and characteristics of the issue to be better quantified and understood
- Encourage victims and witnesses to more frequently report Heritage and Cultural Property Crime by improving the confidence of victims that the police and other agencies will take action
- To explore the creation of a single UK stolen property database with an image comparison capability that links directly with the Interpol Works of Art database; and which provides the ability for commercial access to assist with due diligence searches
- Establish a police Heritage and Cultural Property Crime strategic lead and an infrastructure to support delivery of the strategy
- To explore the appointment of National Policing/Supt level leads on the three main work streams of prevention, intelligence, enforcement
- To better understand how the Special Constabulary, Police Community Support Officers and

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## GENERAL

community volunteers can be used to assist in tackling Heritage and Cultural Property Crime. To also consider the recruitment of specialist advisors from the heritage sector to fulfil these functions

- To explore how the College of Policing, Police and Crime Commissioners, the Maritime and Coastguard Agency, the National Crime Agency and other agencies with enforcement powers relevant to the heritage sector can better support the needs of Heritage and Cultural Property Crime prevention, intelligence and enforcement activity
- To ensure a greater degree of international co-operation and sharing of intelligence between law enforcement professionals in relation to the trade in cultural property and works of art
- To better promote amongst law enforcement professionals and the general public the existence and need to utilise the Portable Antiquities Scheme to register finds
- To ensure that law enforcement professionals fully exploit and co-ordinate existing heritage working groups and networks, and build upon the well-established work of the museum, archive and libraries sectors to increase uniformity in cataloguing and photographing of heritage assets
- Exploit the rapidly developing world of 'Apps' - to make reporting crimes, recording details and images of heritage items and the provision of intelligence faster, easier and more accessible