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# The Evolution of the Belgian Art and Antiques Unit



Richard Van Herzele

**Abstract** Since the 2001 police reform, the Belgian federal Art and Antiques police unit has faced successive budget and personnel cuts, a dynamic that culminated in the 2015 decision to operationally discontinue the unit. Currently there is no dedicated police capacity for art crime in Belgium. Belgium nonetheless remains an important link in the international art trade and faces the concomitant illegal activity. This chapter charts the evolution of the Belgian federal police’s Art and Antiques unit and examines how its decreasing resources have impacted art crime policing in the country, particularly with regards to the relationship between the police and private actors. This fact-finding is framed by the criminological theory of fiscal constraint, the basic hypothesis of which is that as public institutions prove unable to meet policing demand, private participation in policing grows, making for a pluralised policing landscape. The chapter aims to highlight challenges to art crime policing in a context where it is given a low priority by public institutions, spotlight the Belgian situation specifically, situate art crime policing in Belgium within broader criminological policing theory, and look towards the future of art crime policing.

## 1 Introduction

“The downsizing of the Art and Antiques Unit of the Federal Police to a single police officer has brought the clearance rate for art theft in Belgium to zero percent” (Van De Velden, 2017, para. 1). This was that single officer’s message to the Belgian Senate during its hearings on policing art theft in 2017, a few years after the official announcement of the unit’s closure on 26 March 2014 (Belgian Senate, 2018b, p. 20). Despite that decision, that one sole police officer nonetheless still dealt with art crime in Belgium at the time of the hearings owed to an operational rather than a political decision. In January 2017, Claude Fontaine, then Director-General of the Belgian Federal Police, and Patrick Ludinant, then-Director of the police’s Central

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Directorate for Serious and Organised Crimes, unilaterally decided to (re)instate a point of contact at the Federal Police level to support art crime investigations: this reference officer was to liaise with other forces and coordinate art crime policing (Belgian Senate, 2018a; Biourge & Huysen, 2022). It is in the wake of this decision the closing of the unit was publicly reframed as a downsizing, although the appointment of the reference officer was not an official or full reinstatement of the unit. Be that as it may, the responsible Minister indicated that “a relatively small phenomenon like art theft could be handled by one person, certainly if they had extensive experience and expertise in the matter” (Bové, 2020, para. 8). However, it was made apparent in the Senate hearings that one officer functioning as a point of reference would not be enough to effectively counter art crime in Belgium (Belgian Senate, 2018b, pp. 25–26).

This short introduction begs the question of what happens to art crime policing when the police disengage. In layperson’s terms: who will pick up the slack? Private entities, perhaps? At first glance, the art crime policing situation in Belgium aligns with what is in policing literature known as fiscal constraint theory. Fiscal constraint theory suggests a causal relationship between states’ inability to meet policing demand and the expansion of private policing (Button, 2019, p. 33). The basic hypothesis of fiscal constraint theory is that policing gaps emerge when states fail to meet policing needs, and that those gaps are filled by private entities. The theory is part of the broader discussion surrounding plural policing, which is the idea that the police are no longer the sole provider of policing, and that other agencies and institutions, including private actors, engage in policing activities. This chapter applies these ideas to art crime policing in Belgium.

Given the absence of reliable statistics, this chapter draws upon interviews with the sole reference officer, Belgian politicians involved with the Senate report, an art security consultant, two art insurers, a former unit member now working as a consultant, and a heritage professional, all of whom active in Belgium, as well as official reports, newspaper articles, and the academic literature on policing and art crime. The chapter begins with an introduction of fiscal constraint theory, before profiling the Belgian police’s art crime efforts. The interaction between police and other art crime policing entities is subsequently discussed. Theory is then applied to practice, the main takeaways from which are presented at the end of the chapter.

## 2 Fiscal Constraint

Before discussing fiscal constraint theory in more detail, the concept of policing itself needs explanation. In the common vernacular, policing is often understood to be “*what the police do*” (Button, 2019, p. 7; Crawford, 2014, p. 173; Jones & Newburn, 1998a, p. 2). This is a relatively recent development, resulting from the police institution successfully taking the mantle of the legitimate and sole guardian of society during the nineteenth century (Livingstone & Hart, 2003; Shearing & Stenning, 1987). In the latter half of the twentieth century, however, academic

researchers observed a surge in private policing. This led to an understanding of policing independent from the police, thus opening the door for plural policing discussions (Johnston, 1992; Shearing & Stenning, 1987). Reiner (2010) defines policing as “the set of processes and activities with specific social functions aimed at the protection or continuation of a particular social order, or social order in general” (p. 5). In this view, the police are indeed a specific entity “tasked with a broad mandate of crime control, order maintenance and some negotiable social service functions” (Reiner, 2010, pp. 3–4), but while they have that task, they are other actors that perform those “processes and activities” that secure a social order (Button, 2019, p. 8; Johnston, 1992, pp. 4–7; Reiner, 2010, p. 3–8).

The criminologists of the latter half of the twentieth century also looked to explain private policing. Fiscal constraint theory is one of the main frameworks developed in this regard (Button, 2019; Jones & Newburn, 1998a; Johnston, 1999). Essentially, fiscal constraint theory explains the rise of non-police or private policing as a result of states’ increasing inability to (continue to) meet policing demand. This inability comes as a result of a lack of funds, due to for example austerity policies, or the effects of globalisation, or as a result of a lack of expertise in the police force, especially when confronting new types of crime (Button, 2019; Jones & Newburn, 1998b). These developments necessitated a more flexible approach, which private policing was more suited to than traditional, hierarchical public systems, and private actors can have the expertise and capabilities the police lack (for example cybercrime, Button, 2020). States can then respond to emergent private policing by attempting to draw it in to shore up state legitimacy, making them junior or in some cases equal partners to the police force (Button, 2019; Garland, 1996; Jones & Newburn, 1998b). The state and police may however also actively resist private policing, even when policing needs are not being met. Thus, fiscal constraint can drive independent private enterprise, and/or prompt states to more explicitly leverage private expertise. These two interpretations of fiscal constraint theory are both intimately connected to the idea of plural policing, whereby a sometimes-motley patchwork of entities come together to meet policing needs.

Art crime policing is not a stranger to fiscal constraint. As recent academic surveys of art crime policing show, art crime is, at least in Europe, not prioritised by governments and police forces (Block, 2014; Oosterman, 2019; Kerr, 2020). While there are exceptions, perhaps most notably the Italian Carabinieri Headquarters for the Protection of Cultural Heritage,<sup>1</sup> which can call upon around three hundred officers (Oosterman, 2019, p. 222), most countries run relatively small art and antiques police units of up to five officers, or no dedicated unit at all. Moreover, some of the units that do exist have been under staffing and financial pressure. For example, the London Metropolitan Police’s Arts and Antiques squad was reassigned to the Grenfell Tower Fire investigation in the summer of 2017, triggering fears it was to be closed, as the unit had been under consistent pressure for years (Bailey, 2017; Block, 2014; Chesters, 2017). This was averted after public pressure from

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<sup>1</sup>Comando Carabinieri Tutela Patrimonio Culturale or Carabinieri or TPC.

academics and professionals, but the episode shows the precarity of even the higher-profile art crime units operating today (Kerr, 2020). A lack of dedicated police personnel carries risks for effective art crime policing.

A lack of budget deprives police forces of the necessary expertise to effectively combat art crime as well as the personnel. While a police investigator dealing with art crime does not necessarily need to be a fully qualified art historian, they do need a basic skillset in art (Belgian Senate, 2018b; Interpol, 2016; Interpol, 2017; Kerr, 2020; Willems-Hirsch, 2012). They need to know the applicable national and international legislation, the primary ways in which art is affected by crime, how art is trafficked, and how to recognise and handle objects. They also need to know how to move in the art world with all of its specific customs. As a former member of the Belgian unit put it, investigators need to “remain in regular contact” with the art world, visit regularly, and approach it with “understanding” (personal communication, 2020). This is not a skillset the average police officer or detective possesses. It requires training, or stability of employment and funding so that institutional experience can be built and transferred. A police force without that stability or the funds to equip its personnel with that art crime expertise will find it difficult to effectively police art crime, which leads to the policing gaps fiscal constraint theories sees private entities fill (Kerr, 2013; Interpol, 2017; Willems-Hirsch, 2012).

### 3 The Bureau for Art and Antiques

The Belgian specialised arts and antiques police unit was known as the *Cel Kunst & Antiek*, which translates to the Bureau of Art and Antiques. The unit was established in 1991 as part of the Judicial Police with four employees (Belgian Senate, 2018b; personal communication, 2017). Its activities were supported by officers of the precincts of the Belgian Judicial Police. At the time, most Belgian Judicial Police precincts, located in cities such as Antwerp, Namur, and Arlon, had at least one officer with a modicum of art crime expertise in their ranks, typically working as part of the precinct units dedicated to financial crime (personal communication, 2017). These precinct officers were not specifically assigned to deal with art crime, but voluntarily dealt with cases alongside their other responsibilities and investigations. In 1998, the Bureau of Art and Antiques started using its own digital stolen arts database called ARTIST (ART Information SysTEM), and three extra members joined the team, alongside a Customs Office attaché (Belgian Senate, 2018b). These were the halcyon days for the unit.

The thorough and wide-ranging 2001 reform of the Belgian Police replaced its threefold structure of Municipal Police, Judicial Police, and Gendarmerie with a twofold structure comprised of the Local and Federal police. Together the latter two formed the new Integrated Police Force (Devroe & Ponsaers, 2013, p. 3). The reform retained the Bureau of Art and Antiques, which became part of the Federal Police. Meanwhile, the Judicial precincts were remapped. The officers at precinct level with art crime experience were redistributed across these new districts. Their numbers

would however dwindle in the years following, as the precinct officers redeployed to other services, or retired (Belgian Senate, 2018b; personal communication, 2017). Eventually, the Bureau of Art and Antiques was left as the only centre of art crime policing expertise in the Belgian police force. Nonetheless, the unit's numbers also dropped in the years following the police reform. In 2004, two officers left the unit, and so did the Customs attaché (Belgian Senate, 2018a). In 2006, art crime policing was removed from the *Nationaal Veiligheids Plan* (National Security Plan), which determines which criminal phenomena are a priority for the Belgian police. The unit was left with but two members of staff remaining (Belgian Senate, 2018b; personal communication, 2017). One of these two was exclusively dedicated to the upkeep of the ARTIST database (Block, 2014). This creeping decline in police resources for art crime policing and its impact did not go by unnoticed, however.

In 2010, politicians Bart Tommelein and Martine Taelman tabled a proposal for the establishment of a publicly accessible database for stolen art. The duo opined such a database would have an “important preventative effect” by complicating the sale of stolen art (Belgian Senate, 2010, p. 6). They lamented the “unfortunate” reality that police forces did not register all art and antiques thefts, and stated police services conducted “no active policy in matching the database with the supply of dealers and auction houses” (Belgian Senate, 2010, pp. 1–2). The following year, senators Ludo Sannen and Bert Anciaux introduced a bill to incorporate specific art crime offences into the Belgian Criminal Code (Belgian Senate, 2011). The two senators disapproved of how “the Belgian police services have systematically disinvested from tackling art crime”, and claimed the employment of the two remaining officers of the Bureau of Art and Antiques was not secure (Belgian Senate, 2011, pp. 1–2). In 2013, senator Martine Taelman, this time joined by senators Jean-Jacques De Gucht and Armand De Decker, announced the intention to table a follow up bill to her previous proposal with Tommelein, to grant all police units access to the ARTIST database (Bruzz.be, 2013). None of these proposals were enacted, ostensibly due to a lack of political momentum, but they show concern for art crime policing. Taken together, they contain elements that align with plural policing and fiscal constraint theory: the identification of a policing gap and in the case of the Tommelein-Taelman proposal overtures towards private involvement as a way to fill it.

Regrettably, Sannen and Anciaux' fears about the future of the unit proved to be well-founded. The unit was audited between 2012 and 2013 (Belgian Senate, 2018a). The closure of the unit was announced not long after (Belgian Senate, 2018a). Officially, this decision was made to “maximise human resources” (Dendooven, 2016, para. 3). Policymakers wished to “optimise” the police force, which needed to become a more flexible and versatile organisation (Maerevoet, 2016; personal communication, 2020; Werkgroep Optimalisatie Federale Politie, 2013). This meant, amongst other measures, the discontinuing of units that were not incorporated in the National Safety Plan, including the Bureau of Art and Antiques. The Bureau's tasks were to be taken up by the Local Police. However, Local Police forces were unwilling to do so: they had limited constraints themselves and no art crime expertise (Belgian Senate, 2018a). This led to the Kafkaesque situation where

internal police procedure guidelines still required local forces to report art crime cases to a unit which no longer existed (Belgian Senate, 2018b; personal communication, 2017).

The situation provoked responses both nationally and internationally. Concerned cultural organisations and citizens sounded the alarm, with Edouard Planche<sup>2</sup> describing Belgium as a “weak link” in European art crime policing (Belgian Senate, 2018a: p. 92; *Le Soir*, 2017; Maerevoet, 2016). This prompted the aforementioned reinstatement of a point of contact for art crime police within the Federal Police (Belgian Senate, 2018a). This ‘reference officer’, a former member of the Bureau for Art and Antiques, was tasked with providing other elements of the police with support through offering expertise, advice, referrals, or other forms of support when they dealt with an art crime. This should however not be considered a reinstatement of the unit itself, as it is a matter of record Belgium have no “coordinating department specifically tasked with fighting art theft and the illegal trade of cultural objects, which does exist in other countries such as Italy, France or the Netherlands” (Belgian Senate, 2018b, p. 23). Shortly after the reinstatement of a point of contact the situation made it to the political agenda. The Belgian Senate held hearings on art theft and art crime policing late 2017 (Belgian Senate, 2018a). The resultant Senate report contained 97 recommendations, including the establishment of cooperation agreements between police and cultural stakeholders and, perhaps most importantly, the full reinstatement of the Bureau (Belgian Senate, 2018b).

All Belgian political parties supported the report and its recommendations, save for the Flemish-nationalist New Flemish Alliance<sup>3</sup> (NV-A), at the time of writing the majority party in Flanders, currently the most populous and economically powerful of Belgium’s federated regions. On the one hand, the party refrained from supporting the report for a lack of clear figures on art crime (Van Boxelaere, 2018). Finding statistics on art crime is indeed notoriously difficult, though the question can be asked whether such statistics can be generated without police investment (Brodie & Yates, 2019). A vicious cycle where states deprioritise art crime because there are no statistics on the subject as none are generated due to states deprioritising art crime lurks around the corner (Belgian Senate, 2018b). Political considerations also played a role. N-VA representatives considered some recommendations of the report an infringement against the federal balance of power (7sur7, 2018). Belgium has been through an often-contentious process of federalisation and the country’s division of competences between the various regional and federal levels is complex and sensitive. The issue with regards to art crime policing is that while the detection and punishment of art theft and the illegal art trade are a federal competence, i.e., a Belgian state competence, the (protection of) cultural heritage is a competence of the federal states, e.g., Flanders or Wallonia (Belgian Senate, 2018b). The N-VA considered the recommendation to set up

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<sup>2</sup>Then in charge of the programme for the fight against illicit traffic of cultural objects at the United Nations Educational, Scientific and Cultural Organisation (UNESCO).

<sup>3</sup>Nieuw-Vlaamse Alliantie.

interfederal cooperation agreements in the context of art crime to be an attempt to broaden the federal level's mandate at the expense of the regional authorities.

In the immediate years after the Senate report the status quo was left unchanged. The reference officer continued his work alone (Belgian Senate, 2018a; Le Soir, 2017). However, in February 2020, then-Minister for the Interior Pieter De Crem announced that the Bureau of Arts and Antiques was again operational with two members of staff. At the same time, he voiced the intention to hire additional personnel and update the database (Bové, 2020). When interviewed in November 2020, the reference officer confirmed that there were plans to hire an individual to work on the database (personal communication, 2020). In March 2021, senator Stephanie D'Hose asked a parliamentary question about the status of the unit. Annelies Verlinden, the newly sworn-in Minister for the Interior, replied that the unit had been strengthened further with one additional full-time employee, bringing its total personnel to three individuals (Belgian Senate, 2021). However, in e-mail correspondence, a member of the Belgian police contested this version of events, stating that although two individuals were assigned to support the reference officer, this was not the type of robust strengthening the Minister's reply implied (personal communication, 2021). Of these two, one was not a police officer, but a programmer who was hired to work exclusively on the ARTIST database.

COVID-19 scuppered initial plans to train this individual to be able to also carry out operational duties. The other addition was, according to the Belgian police member, a police officer with no art crime expertise who no longer had an immediate function within the police force, and who was thus free to be detached to services in need. However, this individual was imminently retiring, and moreover, so was the reference officer himself, on 31 December 2021.

On 20 January 2022, the retirement of the officer became public knowledge (Loore, 2022). When again asked about the matter, Minister Verlinden now stated that the directorates of the Federal Judicial Police would carry out highly specialised tasks such as art crime policing, though adding that the updating work on the ARTIST database was progressing. Nonetheless, an internal memo produced by the Belgian Directorate General of the Judicial Police accessed by Belgian journalists indicated that in the absence of new budgetary resources art crime would no longer be monitored centrally, the ARTIST database will no longer be fed, and that the relay of information from and to foreign police forces, Europol, and Interpol would no longer be guaranteed (Loore, 2022). This was thereafter corroborated by the now-retired reference officer, who said that foreign services and Interpol still contacted him for information instead (Lelong, 2022).

Predictably, public outcry followed (e.g., Biourge & Huysen, 2022; Blue Shield Belgium, 2022). And much like in the aftermath of the unit's closure in 2016, the outcry provoked a U-turn. In early February, Minister Verlinden stated she had requested the Commissioner General of the Belgian Federal Police to "evaluate" the decision to discontinue art crime support, while Belgian Finance Minister Vincent Van Peteghem stated "We will make sure that this decision is reversed" in the Belgian Chamber of Representatives, while acting for Minister Verlinden (Biourge & Huysen, 2022, para. 12; La Libre, 2022; Lelong, 2022). At the time of writing



what the substance of that evaluation will be, and whether dedicated resources will again be devoted to the Belgian police's art crime efforts, is unclear. What is clear, however, is that the way in which policymakers have treated art crime policing in general and the reference officer in particular has not been edifying. The reference officer repeatedly warned about the implications of his retirement in the years running up to it, but little was seemingly done to prepare (Biourge & Huysen, 2022; De Standaard, 2017; Huybrechts, 2018).

## 4 The Belgian Art Crime Policing Network

The police's capacity to combat art crime has unquestionably been damaged. Per the Senate report, the single reference officer within the DJSOC was no longer able to:

- coordinate the fight against the theft and trafficking of art;
- provide operational support to police forces in the field;
- provide specialised training for inspectors;
- maintain the ARTIST database;
- keep the art sector up to date of art crime via the alerts system;
- keep statistics on art theft nor conduct trend analysis of art crime; or
- maintain an expertise network in which there is regular consultation with research centres and art historians (Belgian Senate, 2018b, pp. 25–26).

The Bureau for Art and Antiques indeed relied on a network within the art world, ranging from museum experts to insurance companies to gallerists (Belgian Senate, 2018a, 2018b). Gallerists and museums have aesthetic and art historical knowledge crucial for art crime investigations which police forces nonetheless typically lack, such as for example the ability to identify whether an object is likely looted and if so, from where. Art crime investigators are first and foremost trained to be good detectives, rather than art connoisseurs (Belgian Senate, 2018a; personal communication, 2020). In a similar vein, private actors are part of information networks the police might find more difficult to penetrate as an outsider. A Belgium-based art security consultant specialised in museum security stated that his firm “assists using our worldwide network [...] So the questions we receive [...] are often about whether we can put the police in touch with certain people” (personal communication, 2020). A Belgian art insurer with years of experience said much the same: “when there is a theft of object(s) by artists we know we have been called and asked whether we might have heard something or have any idea on what other insurers may be involved” (personal communication, 2021).

But many private actors are more than just information sources. They are policing actors in their own right. The Belgian art insurer talked extensively about the client compliance checks they run, which act as a “filter”, and also mentioned their involvement in due diligence trainings for other organisations (personal communication, 2021). The art security consultant assisted museums in “various areas, including architectural, organisational, electronic, and reporting facets [...] We

identify possible risks and risk classifications and start discussions with the museum staff [to develop security solutions]" (personal communication, 2020). They moreover collaborated with the police when providing security knowhow for museums staging blockbuster exhibitions. Sometimes private actors are former police officers, as was the case for a Belgium-based private consultant, who was formerly a police officer working at the Bureau for Art and Antiques. This consultant utilised their previous police experience to "advise private and corporate clients on all matters regarding art purchase and securitisation" (personal communication, 2020). There are also organisations like the Art Loss Register and Artive, which provide stolen arts databases for users to check their items against as well as consultancy services. Finally, art market participants are expected to perform due diligence on their purchases, which adds another layer against art crime (Gommans, 2016). All of these actors can thus institute processes and activities contributing to the fight against art crime, which is to say policing activities.

As such, Belgian art crime policing has been plural policing for decades. The police have not been the sole actor policing art crime. And they have recognised as much. By developing this network with private actors, the police implicitly acknowledged private actors' expertise in the context of art crime policing and the reality the police cannot deal with the complex and specialised issue of art crime alone. This "expertise network" (Belgian Senate, 2018b, pp. 25–26) is thus a testament to plural policing, or as the security consultant put it: "we have certain insights the police do not [...] because of the way they are trained" (personal communication, 2020). While the upkeep of this network was severely affected by the closure of the unit, the reference officer still endeavoured to maintain it as much as possible (Belgian Senate, 2018a; personal communication, 2017). An important thing to note when using the word 'network' here is that in most cases these relationships between police and private sector were informal and ad hoc rather than formal and continuous. Plural policing does not necessarily imply intense, consistent networks within formalised frameworks.

There were some exceptions, however. Of particular note is the unit's relationship with the *Centrum voor Religieuze Kunst en Cultuur* (Centre for Religious Art and Culture, CRKC). This Centre was an expertise hub for religious heritage, founded by the Flemish diocese in 1997 but later officially recognised and partially subsidised by the Flemish government (Crkc.be, 2018). It was thus a partly public, partly private hybrid organisation. Since its foundation, the CRKC registered thefts from churches and other religious sites. In 2008, a module was added to the Centre's website that allowed users to directly notify the Bureau of Art and Antiques of thefts via a virtual form. This measure led to a large increase of registered cases: in 2009 nine thefts of thirty-six pieces were registered, whereas previously the annual maximum of registered thefts had been three (Belgian Senate, 2018a). This setup was thus a formalised, direct channel of communication between the unit and an external, non-police entity, together improving the policing of art crime (Belgian Senate, 2018a, 2018b). After the unit's closure, the CRKC and its functions were succeeded by the new religious heritage expertise centre PARCUM, which also runs a museum in Leuven, Belgium, with its own collection of art and religious heritage

(PARCUM, 2021). The reference officer maintained a good relationship with PARCUM's experts (personal communication, 2020; 2021).

Nevertheless, the closure of the unit had a negative effect on the upkeep of this network (Belgian Senate, 2018a). The outreach officer for PARCUM confirmed the police's engagement has been complicated by lack of resources (personal communication, 2021). The Belgian art insurer stated that they "have very good contacts with the unit, albeit a little less now than in the past" (personal communication, 2021). Previously, the insurer had been part of a regular meeting with "an expert, a restorer, and a policeman [of the unit]", but they indicated these monthly meetings ended after the closure of the unit (personal communication, 2021). The Belgian art security consultant indicated they still "have very good contacts with the [reference officer]", albeit "less now than in the past, because there are simply far fewer people working [on art crime within the police]" (personal communication, 2020). The private consultant who previously worked for the unit went as far as stating that "the police neglect the subject [of art crime] [...] they leave a gap" (personal communication, 2020). This comment brings us to fiscal constraint theory. To reiterate, this theory suggests that where policing gaps emerge, private policing flourishes, either because these gaps drive private enterprise to meet policing demand, or because it prompts states to draw in private expertise (Kerr, 2013). The question is whether the period of deprioritisation and eventual non-operation of the Bureau of Art and Antiques led private actors to fill the policing gap and/or the state to more explicitly look towards private policing involvement to protect cultural heritage. The answer to that question is even more relevant at the time of writing, when there is ostensibly no police officer dedicated to art crime.

## 5 Bridging Gaps

It is difficult to ascertain whether there have been more private policing initiatives since the Bureau of Art and Antiques was closed. The International Platform for Art Research and Conservation (IPARC), located near Leuven and established since 2008 has developed activities across the art spectrum, ranging from storage to conservation to research (IPARC, 2021). IPARC indicated to this researcher an interest in deploying their tools towards the prevention of art crime. It is also notable multiple Belgium-based private security firms now advertise tailored art securitisation on their websites. For example, SERIS developed a tailored security system for the soon to reopen Museum of Fine Arts in Antwerp (SERIS, 2021). Yet none of the interviewees considered themselves to be filling a policing gap. Many echoed the sentiment the unit's closure had opened a policing gap, but they considered themselves unable to fill that gap, because the police have unique investigatory and rule-enforcement capabilities the private sector does not. The private security consultant stated that "In the private sector, we [...] make risk analyses, but we can only do limited police work, such as identifying trends in terrorism and how art crime is organising itself" (personal communication, 2020). The private investigator

emphasised the fundamental difference their and the police's toolkits, and so did both art insurers interviewed. All interviewees indicated a full reinstatement of the unit was desirable.

On the policy level, there have been some moves towards private involvement to bridge the policing gap. The Tommelein-Taelman proposal mentions a request by the Justice and Home Affairs Council (made up of justice and home affairs ministers from all the European Union member states) to the European Commission to “ensure that partnerships and greater cooperation are established between the private and public parties involved” (Belgian Senate, 2010, p. 4). The proposal approached the art trade as a partner in preventing thefts: the theory was that given access to an official stolen arts database the trade could check objects on the market for theft, disincentivising thefts overall (Belgian Senate, 2010). The Belgian Senate report specifically recommends cooperation with the insurance sector regarding an inventory of stolen objects, and generally advises strengthening private actors' own prevention programmes (Belgian Senate, 2018b, recommendations 73 and 96). It also recommends to actively keep centres of expertise involved with the police's art crime policing efforts, as well as the set-up of “public-private partnerships” (Belgian Senate, 2018b: pp. 33, 41–42, recommendations 15, 24, 46, and 71). There is thus a demonstrable subtext to these policy documents that private involvement is considered a potential boon to art crime policing in Belgium. More broadly, the new *Vision for the Police 2025* policy guidelines intend to shift the police's approach to a more networking-oriented collaborative approach (Allaerts et al., 2014). All of this aligns with fiscal constraint theory.

However, none of the interviewees indicated that the unit and reference officer became more inclined to work with private entities as their resources declined. The security expert emphasised the limitations of the law, stating

when there is a real suspicion [of criminal activity], they [the police] do not give any information about any existing dossiers [...] The unit is very formal in its communication when dealing with thefts”. He added that “more could be done [...] if the police were supported better [...] If the police could take us into their confidence a bit more, we could do more together, where it is legally possible (personal communication, 2020).

A second art insurer stated they have:

an excellent working relationship with the police [...] nurtured over a period of many years [...] before you can obtain information from the police, you need to gain their trust (personal communication, 2020; 2021).

The former-unit-member-now-private-consultant was the most negative in their assessment of the situation: the relationship between police and private was in their opinion “very difficult”. In their opinion, the Belgian police “is not ready for private policing” (personal communication, 2020).

The reference officer did not deny their reservations towards the private sector: “the Belgian police has a totally different view and culture than for example in the Netherlands and in England [...] we are a little bit more suspicious of partnerships with the private sector [...] I am careful” (personal communication, 2020). Previous negative encounters with private entities, also experienced by police colleagues

abroad, had further fostered this suspicion (personal communication, 2017). The Belgian authorities are not likely to go as far as the London Metropolitan Police's Art and Antiques squad's ArtBeat programme, in which art professionals were trained as Special Constables to support the police (Block, 2014; Kerr, 2016). This however did not mean the reference officer excluded the possibility or even likelihood of more collaboration in the future (personal communication, 2020). On the other hand, the private side's trust was also damaged, by the police intervention at the 2020 edition of the Brussels Antiques and Fine Arts (BRAFA) fair, where agents of the Belgian customs office, the Federal Public Service for Economy, and Interpol publicly seized thirty-four artefacts (Cascone, 2020; Pryor, 2020). The intervention caused quite a stir. Thus, although policymakers have taken an interest in public-private engagement, legal factors, police culture, and trust issues complicate harmonious public-private interaction.

## 6 The Future of Art Crime Policing in Belgium and Beyond

In sum, art crime policing in Belgium is plural policing—as is art crime policing generally—and fiscal constraint has had a significant impact on its dynamics. It is nonetheless clear that other factors beyond fiscal constraint are at play, which brings to mind Johnston's (1999) assertion that private policing research needs to integrate a multi-factor approach that looks for connections with larger societal trends. What is also clear, is that art crime does need genuine police engagement, and that dedicated art crime police units need stable backing. Belgian policymakers' flip-flopping on art crime-priority has severely disrupted art crime policing in Belgium, opening up considerable policing gaps. The initial closure and then semi-revival of the unit in the form of the reference officer, the reframing of what was a closure as a downsizing of the unit, the calls for engagement with the private sector without fully engaging with the situation on the ground, the failure to act more quickly on the Senate report's recommendations, and the most recent about-facing in the wake of the reference officer's retirement have all been unedifying, unhelpful episodes.

The Belgian case shows that trust between the members of any putative public-private partnership is key, and that attitudes take time to evolve, complicating swift pivots to private engagement. Mere complementarity of skills itself will not be enough to build lasting relationships to the benefit of the fight against art crime. That Belgium's approach is noticeably different to, for example, counterparts in the Netherlands and the United Kingdom, implies their distinctive police cultures also impact specialised policing areas such as art crime. The Dutch unit was also closed between 2001 and 2009 (Oosterman, 2019), and a follow-up report was published as well, also recommending private outreach (Willems-Hirsch, 2012), but in the Netherlands the now reinstated unit *is* open to private interaction. Further establishing precisely why the experiences of the Netherlands and Belgium have diverged and what is precisely necessary for successful private outreach is key for policymakers in the field thinking about police-private cooperation in art crime policing. This invites

further research into the complex dynamics of art crime policing, whether it be those shaping the relationship between art crime police units and the private sector, or those shaping policymaking towards art crime (see, on the latter point, Kerr, 2020). Additionally, the Belgian case shows crime policing builds upon information exchange, making it an example of broader shifts to intelligence-led policing as well as plural policing. Police and private databases could play an important role in this respect.

This chapter's charting of the Bureau of Art and Antiques' history and the interviews it is based on paint a relatively grim picture of art crime policing in Belgium. This is not for a lack of effort on the part of the reference officer or his colleagues and predecessors, and nor does it seem any actor mentioned in this chapter is necessarily averse to a well-functioning, active police engagement. This chapter, as a whole, is a statement in favour of a true and full reinstatement of the Bureau of Art and Antiques of the Belgian Federal Police, confident and equipped to engage with external partners. Re-establishing the unit however requires political will, and thought-through decision-making, with attention paid to the specific dynamics of Belgian politics and art crime policing. Yet, as the quote attributed to Dutch philosopher Erasmus, who spent many years in what is now Belgium, goes: "*to prevent is better than to cure*".

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