

EUR Research Information Portal

Connecting the dots

Published in:

Global Perspectives on Cultural Property Crime

Publication status and date:

Published: 01/01/2022

DOI (link to publisher):

[10.4324/9780367823801-20](https://doi.org/10.4324/9780367823801-20)

Document Version

Publisher's PDF, also known as Version of record

Document License/Available under:

Article 25fa Dutch Copyright Act

Citation for the published version (APA):

Van Herzelee, R. (2022). Connecting the dots: Models of public-private cooperation in cultural property crime policing. In M. D. Fabiani, K. Melody Burmon, & S. Hufnagel (Eds.), *Global Perspectives on Cultural Property Crime* (1 ed., pp. 220-234). Routledge. <https://doi.org/10.4324/9780367823801-20>

[Link to publication on the EUR Research Information Portal](#)

Terms and Conditions of Use

Except as permitted by the applicable copyright law, you may not reproduce or make this material available to any third party without the prior written permission from the copyright holder(s). Copyright law allows the following uses of this material without prior permission:

- you may download, save and print a copy of this material for your personal use only;
- you may share the EUR portal link to this material.

In case the material is published with an open access license (e.g. a Creative Commons (CC) license), other uses may be allowed. Please check the terms and conditions of the specific license.

Take-down policy

If you believe that this material infringes your copyright and/or any other intellectual property rights, you may request its removal by contacting us at the following email address: openaccess.library@eur.nl. Please provide us with all the relevant information, including the reasons why you believe any of your rights have been infringed. In case of a legitimate complaint, we will make the material inaccessible and/or remove it from the website.

16 Connecting the dots

Models of public-private cooperation in cultural property crime policing

Richard Van Herzele

Introduction

While the body of cultural property crime research has grown during the past few decades, with topics such as antiquities looting, art theft, and forgery at the forefront of the research agenda, the subject of how it is policed is discussed less (Block, 2014: p. 187; Kerr, 2016a: p. 4). As such, the nature and typology of cultural property crime are now relatively well understood, but the techniques used to prevent, investigate, and/or redress cultural property crime less so. The purpose of this chapter is to address this gap, and more specifically public-private cooperation in cultural property crime policing. Cultural property crime policing is not solely done by police forces; other public organisations, such as ministries of culture or state museums, as well as private entities, such as insurance companies or art market participants, engage in policing activities. All these entities possess their own expertise and skillsets. The question of how they engage with each other is important, especially considering cultural property crime is not in all cases government priority.

Policing cultural property crime

Criminologist Robert Reiner (2010: p. 5) 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”. This definition relates, through the mentioning of a social order, to the idea of social control, which can be defined as “the organised ways in which society responds to behaviour and people it regards as deviant, problematic, worrying, threatening, troublesome or undesirable” (Reiner, 2010: p. 4). Based on this process-oriented interpretation of policing, policing is not solely a police affair. The police may have as their *raison d’être* the social function of enforcing the law and maintaining social order, but other entities may also contribute. While the police certainly police, policing need not be done by them alone. Taken together with the implicit mention of social control in this definition, policing is also best considered a responsive process. This does not mean it is limited to reacting to undesirable behaviour, as policing can well be preventative. Cultural property crime policing can then be

understood as the set of social processes and activities responding to behaviour related to cultural property that is criminal.

The term “art crime” is more widely known than the term “cultural property crime” (Kila, 2014: pp. 168–169). Conklin (1994: p. 3) defines art crime as “criminally punishable acts that involve works of art” in his seminal book on the topic. Regarding those criminally punishable acts, Noah Charney (2009: pp. 107–111), founder of the Association for Research into Crimes Against Art (ARCA)¹, identified the four major crimes that befall art: Vandalism, deception crime, theft, and looting. Vandalism denotes actions involving deliberate and illegitimate destruction of or damage to art, deception crime encompasses crimes perpetrated by misleading, such as fraud and forgery, while theft and looting are distinguished on the basis of the context or methods of the illicit taking of cultural property. Others have suggested money laundering be added to this list (De Sanctis, 2013; James, 2000; Straus, 2016). The nature of these crimes is part of what makes cultural property crime policing distinct, but the nature of the objects involved is more important in that respect. The term “cultural property” itself links to the first article of the 1954 Hague Convention which states that “the term ‘cultural property’ shall cover, irrespective of origin or ownership, movable or immovable property of great importance to the cultural heritage of every people”. As such, cultural property is distinguished from other types of property on the basis of its “great importance to the cultural heritage of every people”, which is to say that cultural property is distinct because it is invested with symbolic value (Kila, 2014: p. 169).

The symbolic value of an object is the value it holds because it represents something beyond itself (Sneddon, 2015: p. 396). In the case of historic value², for example, the object has an added cachet because of its age and/or past (Goldman, 1993). It is this broader significance which makes cultural property crime distinct, both in the expertise it necessitates (such as art-historical acumen) and the impact it has (which goes beyond the purely monetary). “Cultural property” thus encompasses more than just conventional works of “art”, but equally not any object with aesthetic value. Moreover, the term explicitly links to a broader legal framework which distinguishes licit from illicit. Because of this wider yet delineated ambit, and because of this connection to law, crucial when discussing the policing of criminal activity, the terms “cultural property crime” and “cultural property crime policing” are used in this contribution.

Finally, it must be noted at this point that current policing research regards the public-private distinction more as a spectrum than a strict dichotomy. This has led criminologists to discuss ideas such as hybrid policing, which has elements of both (Button, 2019: pp. 19–20; Boutellier and van Steden, 2011: pp. 461–462). However, the public-private distinction remains useful for mapping networks (Kerr, 2016b: pp. 106–107). Additionally, Jones and Newburn (2006: pp. 40–41) demonstrate that it allows for useful comparisons between different systems and entities. The distinction is thus retained here as a conceptual tool with which to describe, compare, and understand the public-private relationship in the context of cultural property crime policing.

The context of cultural property crime policing

Cooperation is key for cultural property crime policing. Firstly, there is cooperation between different levels within the police structure. Cultural property crime expertise is often concentrated in a dedicated unit of the police (Block, 2014: p. 196). Local police forces liaise with such units when dealing with cultural property crime cases. But the units also rely on local enforcement to provide operational capacity. Secondly, the dedicated units must cooperate with foreign colleagues, since cultural property crime cases often cross borders (Block, 2011: p. 20; Hardy, 2018). Such cooperation is usually based on direct informal contact between the officers. An informal network named “EU CULTNET” has been established since 2012, bringing together police officers from different countries focused on cultural property crime (Belgian Senate, 2018b: p. 26). In the past few years, there have been several examples of cooperative police efforts focused on cultural property crime. These include the Europe-focused Pandora operation, in which law enforcement authorities from up to 29 countries, coordinated by the Spanish Civil Guard (Guardia Civil) and supported by Europol, Interpol, and the World Customs Organisation (WCO), collaborated to combat the trafficking of cultural goods, leading to thousands of objects being recovered and over a hundred arrests (Europol, 2017, 2018, 2019). But these units are under pressure.

In the summer of 2017, a mooted closure of the London Metropolitan Arts and Antiques squad was averted amidst public pressure from academics and professionals (Bailey, 2017; Chesters, 2017a; 2017b). Belgium’s Bureau of Art and Antiques was disbanded in late 2015 (Albertson, 2016; Stapley-Brown, 2016; Oosterman, 2019: p. 217). The Dutch unit was closed between 2001 and 2009, but has since resumed operations (Block, 2014: p. 195; Oosterman, 2019: pp. 223–224). Others, such as the Italian or French units, are better equipped and under no immediate threat, but the most recent surveys indicate that in many European countries cultural property crime is given low priority (Block, 2014: pp. 187–205; Oosterman, 2019: pp. 213–236). As the authorities retreat from cultural property crime policing, or prioritise other responsibilities, a vacuum of non-policing emerges.

This policing gap has partially been filled by private entities (Kerr, 2016a: p. 26). Insurance companies have taken up a prominent role by forcing their clients to adopt security measures through terms and conditions (Kerr, 2016a: pp. 112–113). Museums employ camera systems as well as guards to protect their property, and some have utilised predictive profiling techniques (Drent, 2009: pp. 143–152). Market professionals are expected to conduct due diligence and vet the objects that enter the market (Kerr, 2016b: pp. 108–109). In a concrete example, Sotheby’s auction house announced the acquisition of its own in-house forensic lab to better detect forgery in the wake of a forgery scandal involving Frans Hals paintings in 2016 (Pickford, 2016). Organisations such as ARCA provide supporting research and analysis, while entities such as the for-profit Art Loss Register and not-for-profit Artive provide stolen art

databases (Artive, 2021; Bazley, 2010: pp. 170–171; Kerr, 2016b: p. 110). Former policemen also work in the private sphere, applying their previous experience in private investigations not too dissimilar from police work (Kerr, 2016a: p. 91; Pryor, 2016: pp. 95–96). Thus, varied entities engage in cultural property crime policing, forming a pluralised policing landscape. Interaction between private entities and the police can be considered the third major form of cooperation in cultural property crime policing. But what is the relationship between these entities? The twin theories of nodal governance and anchored pluralism can provide models.

Theories of private policing: Nodal governance and anchored pluralism

Governance is “the management of the course of events in a social system” (Burris et al., 2005). In nodal governance theory, policing is done by and within networks of organisational sites called nodes (Shearing & Johnston, 2003: pp. 146–147). There is no locus of power within these networks (Boutellier & van Steden, 2011: p. 464; Burris et al., 2005: pp. 11–16; Shearing & Johnston, 2003: p. 147;). As such, governance is “the property of networks rather than the product of any single centre of action” (Shearing & Johnston, 2003: p. 148). The constituent nodes vary in size, circumstance, and goals, while the overall governance matrix continuously evolves (Kerr, 2016b: p. 107; Shearing & Johnston, 2003: p. 147). John Kerr has applied nodal governance to the securitisation and policing of art in London (Kerr, 2016a, 2016b). He connects Cinti’s description of cultural clusters within major cities to Mclaughlin’s concept of security bubbles, which are securitised conclaves within a society (Kerr, 2016a: pp. 22–23). Between these security bubbles, security corridors are created. For example, a collector buys an object at auction, which then gets transported from one security bubble (the auction house) to another (the collector’s home) via a corridor (the securitised lorry). These security bubbles are in effect governing nodes. Kerr’s research led him to conclude that the co-production of art security in the British capital is an example of a nodal governance framework in an actual setting: A “complex, pluralised securitisation terrain that has no locus of power” (Kerr, 2016a: p. 24).

The theory of anchored pluralism, developed by Loader and Walker, responds to nodal governance by emphasising that the state (police) does have a specific, controlling role to play. They opine that it should remain a controlling force, functioning as the anchor in the pluralised landscape (Loader & Walker, 2006: pp. 194–195). Loader and Walker see the state as the “meta-regulator” creating the framework in which nodal networks operate (Loader & Walker, 2006: pp. 177–180). The state steers the network, by for example developing regulation and policy for non-state policing (Loader & Walker, 2006: pp. 191–192; Boutellier & van Steden, 2011: p. 468). In other words, there is a locus of power, and it lies with the state. In an anchored pluralism-inspired approach to policing, the dedicated arts and antiques unit would be the crucial nexus in cultural

property crime policing: The primary recipient of information and the foremost responder to any cultural property crime perpetrated.

Both theories grapple with the relationship between the actors in a pluralised context. They both acknowledge a pluralised landscape involving public and private actors. Where they differ is that anchored pluralism emphasises a vertical structure, with the state a controlling force, in contrast with nodal governance's horizontal and overlapping division of power. As with the distinction between public and private, nodal governance and anchored pluralism are not an either/or scenario, and other approaches are possible (Kerr, 2016a: p. 54). But like the former distinction, the clarity in the opposition between the two facilitates comparative analysis. The theories are used here as frameworks with which to approach cultural property policing in Europe. The rest of this chapter applies these theories to the operation of two art crime police units: Belgium's section ART and Italy's Comando Carabinieri per la Tutela del Patrimonio Culturale, or Carabinieri TPC. One unit is disbanded, while the other is considered the most well-equipped in the world. This sample thus consists of two extremes in the cultural property crime police unit spectrum.

Belgium: The Bureau of Art and Antiques

The Belgian specialised police unit known as the “Bureau of Art and Antiques”³ was established in 1991, employing four individuals (Belgian Senate, 2018b: p. 25). Their activities were supported by officers of the investigative units incorporated in the districts of the Belgian Judicial Police. These officers dealt with art crime alongside their other responsibilities. A thorough 2001 police reform retained the Bureau, which had grown to seven officers, while the judicial districts were redesigned following the reorganisation of the threefold structure of Municipal Police, Judicial Police, and Gendarmerie into a twofold Local and Federal police structure (Devroe & Ponsaers, 2013: p. 3/15). The number of officers with cultural property crime expertise left per redrawn district varied. In the following decade, cultural property crime policing was gradually deprioritised and thus the unit's staffing declined. By 2014, it was manned by just two officers, one of them exclusively dedicated to the upkeep of Belgium's stolen art database, which is estimated to contain information on over 20,000 objects (Block, 2014: p. 198). Expertise at the district level also dwindled, due to redeployment and retirement, and eventually the curtailed Bureau of Art and Antiques was left to deal with all cases on its own.

On March 26, 2014, it was announced the unit would be discontinued (Belgian Senate, 2018a: p. 6). Officially, this decision was made to “maximise human resources” (Dendooven, 2016). The idea of “optimisation” of resources had gained traction with decision-makers. This meant, amongst other measures, the discontinuing of units at the Federal Police level that were not incorporated in the National Safety Plan⁴, which outlines the police's priorities. Official channels spoke of needing a more flexible police force (Maerevoet, 2016; Werkgroep Optimalisatie Federale Politie, 2013). Political considerations also played a role.

Belgium has been through a process of federalisation as its constituent communities gained more autonomy. This tension between the federal and devolved levels is ongoing within Belgian politics. This political debate also influenced the discussion surrounding the unit, whose competences sit at the intersection of the federal and devolved levels. In late 2017 the Belgian Senate held hearings on art theft (Belgian Senate, 2018a). The resultant Senate report contained recommendations including the establishment of cooperation agreements between police and cultural stakeholders and the reinstatement of the Bureau (Belgian Senate, 2018b: pp. 39–40). There has been only very limited follow-up so far.

After its closure, the unit's tasks were to be taken up by local police forces. However, none of them were willing to do so: The local forces had no expertise and limited personnel themselves (Belgian Senate, 2018a: p. 6). Quickly, this situation became problematic. Internally, police procedure guidelines still required local forces to report cultural property crime to a unit which no longer functioned (Belgian Senate, 2018b: p. 24). Externally, Belgium risked defaulting on its international obligations, which led to international pressure on Belgium to address the issue. Following concern voiced in 2017 by Edouard Planche, 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), the Belgian government indicated that a contact point at the Federal Police level for cultural property crime cases had been (re)installed (Knack, 2017). A reference was appointed by the Federal police to handle cultural property crime cases. The disbandment of the unit has since been presented as a downsizing operation rather than a full closure (De Standaard, 2017). The message remains mixed, however, as the Senate report (2018: p. 23) states that Belgium does not operate a “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”.

Cooperation was important for the Bureau of Art and Antiques. The unit had good relationships with local chapters of international organisations. These organisations have a valuable internal and external network alongside their own expertise and liaised with the Bureau. Amongst other activities, the Flemish UNESCO commission has supported measures to protect Syrian heritage while the “Commission belge francophone et germanophone pour l'UNESCO”⁵ has organised single-day conferences on art crime topics, in which the unit participated (Belgian Senate, 2018b: p. 31). Belgium also houses two ICOM⁶ chapters (Belgian Senate, 2018b: pp. 32–33). The unit could also call on the advice of local museums and art law professionals, and it cooperated with related organisations. This network was crucial in providing forms of expertise the unit lacked and by providing information on possible criminal activity. Such information was crucial for effectively curtailing cultural property crime (Belgian Senate 2018a: pp. 21–23, 38; Belgian Senate, 2018b: p. 26; Interpol, 2016: pp. 9–11). Many of these contacts, especially art insurance companies and gallerists, also contributed by running appropriate due diligence (Belgian Senate, 2018a: pp. 41–51). The unit also relied heavily on cooperation with local police forces. On the one hand,

because it was dependent on them to pass on the information on art thefts they investigated. On the other hand, local forces were needed to perform investigations and provide support for international requests as the central unit's personnel constraints prohibited it from conducting all these activities itself (Belgian Senate, 2018b: pp. 9, 25).

A particular example of close cooperation was the relationship the unit established with the Centre for Religious Art and Culture (CRKC).⁷ This Centre was an expertise hub recognised by the Flemish government, specialising in religious heritage located in Flanders and Brussels (CRKC, 2018). Since 1999, the Centre registered thefts of cultural objects from churches and other religious buildings; both the number of thefts and the number of objects stolen were catalogued. In 2008, a module was added on the Centre's website that allowed users to notify the Bureau of Art and Antiques of thefts. Site visitors could submit a form with the necessary information, which then arrived directly at the Bureau. This measure led to a large increase in registered cases: In 2009 nine thefts of 36 pieces were registered, whereas previously the annual maximum of registered thefts had been three (Belgian Senate, 2018b: p. 11). This setup was an example of a formalised, direct channel of communication between the unit and an external, non-police entity.

The incentive to keep this cooperation network alive is arguably even stronger today, given the limited resources. If a unit of three or more officers needed to liaise with other entities to fully execute its mandate, then that is even more so the case for a single officer who alone has to manage most of the former unit's tasks. The reference officer previously worked as part of the unit. The knowledge and network the unit built up as described above were thus not completely lost, and within the realm of possibility the officer still kept up the information network. For example, the officer still attended regular security meetings at the CRKC, now part of religious heritage expertise centre PARCUM, in an advisory capacity. These meetings involved PARCUM employees as well as other relevant stakeholders. But it is hard for the officer to perform effectively alone. The Senate report states there is little cultural property expertise present within the Belgian police, evidenced by the reference officer having had to, in his own time and with his own money, take an antiquarian course (Belgian Senate, 2018b: p. 23). No detailed cultural property crime guidelines for local police services have been drafted. This is not to say there is no expertise elsewhere, and in other areas of government there are entities and individuals that do engage in what can be termed cultural property policing, such as heritage officers. The same is true for local departments of organisations such as UNESCO and ICOM, academics, and private entities.

Due to the closure of the unit, a policing gap has emerged (Belga, 2017; Belgian Senate, 2018b: pp. 25–26). To address this issue, the Belgian Senate recommends cooperation with the insurance sector regarding an inventory of stolen objects and generally strengthening private actors' own prevention programmes (Belgian Senate, 2018b: pp. 49–51, recommendations 73 and 96). The report also specifically highlights the successful cooperation between the

unit and the Centre, and its strong information network (Belgian Senate, 2018a: p. 21; Belgian Senate, 2018b: p. 49 recommendations 82 and 83). The subtext is that it sees private involvement as a method to strengthen cultural property crime policing in Belgium. As such, it is apparent that the Belgian police now function as one node amongst others in the fight against cultural property crime. The police currently lack the capacity and, given the progressive deprioritisation of the work of the Bureau of Art and Antiques, the desire at the policy level, to lead the charge against cultural property crime. Recalling Kerr's comments on the configuration of the policing network in London, the Belgian situation, too, seems to be an example of "a nodal governance framework in an actual setting" (Kerr, 2016a: p. 239). Cultural property crime policing seems to have become "the property of [the network] rather than the product of any single centre of action", as Shearing and Johnston put it (2003: p. 148). It is through and within the network of these entities of varying size, expertise, and capacity, (semi) public and private, that cultural property crime is policed. In so far as the unit previously was the locus of power in the network, it certainly no longer seems to be so at the moment, and no alternative locus seems to have taken its place.

Italy: The Comando Carabinieri per la Tutela del Patrimonio Culturale

"Il Nucleo Tutela Patrimonio Artistico" was founded by General Arnaldo Ferrara on May 3, 1969. In 1975 it was incorporated into the Ministry for Cultural and Environmental Heritage. The unit was then renamed the Carabinieri TPC in 1992, which remains its current designation (Block, 2014: p. 192; Carabinieri, 2021). In the same year its role was formally established by a ministerial decree which was later followed and confirmed by a presidential decree in 2001 (Interpol, 2017: p. 10). The unit is regarded as the largest and most active art crime police force in the European Union, if not the entire world (Block, 2014: p. 192; Kerr, 2020: p. 445; Oosterman, 2019: p. 222; Rush & Benedettini, 2015: p. 10).

At its inception the unit counted 16 members. It has since expanded and currently employs about 300 officers (Block, 2014: p. 192; Kerr, 2020: p. 445; Oosterman, 2019: p. 222; Rapley, 2016: p. 36). The unit is comprised of a Staff Office and an Operational Department. The Operational Department itself comprises three divisions: Archaeology, Antiques, and Contemporary Art and Counterfeiting (Block, 2014: p. 192; Carabinieri, 2021; Rapicavoli, 2016). The unit has a central bureau located in Rome as well as a number of regional jurisdictions throughout Italy (Carabinieri, 2021; Kerr, 2020: p. 446; Oosterman, 2019: p. 222). Each of these regional branches has its own personnel and specialised regional expertise. They are, however, subordinated to the central bureau. The Carabinieri TPC is both a police force and a military agency, as are all of the Carabinieri's branches. The unit is primarily tasked with investigating, preventing, and prosecuting all crimes that affect the nation's cultural patrimony (Block, 201: p. 192; Rush & Benedettini, 2015: pp. 11–12).

To that end, since the 1980s, the Carabinieri TPC has managed the “Leonardo” database, which was the first digital database for stolen cultural property (Block, 2011: p. 17; Rush & Benedettini, 2015: p. 15). This instrument is legally entrenched by Article 85 of the Code of Cultural and Landscape Heritage (Carabinieri, 2021). The database is, like the unit, the largest of its kind (Bazley, 2010: p. 15; Block, 2014: p. 192). It contains information on artefacts to recover, provenance information, and related criminal events. It has picture recognition, being able to compare (portions of) photographs and fragments of works to objects (Rush & Benedettini, 2015: p. 15). It serves as a reference point for not only Italian law-enforcement agencies, but also foreign units (Pastore, 2009: pp. 113–120). Leonardo operatives trawl the internet in search of illicit cultural property.

The unit also pursues activities that go further than what might be considered the conventional remit of a police force, even going outside the Italian boot. The Carabinieri TPC has extensively cooperated with both specialised and non-specialised police forces in other countries, including French, Swiss, and Dutch police forces (Block, 2011: p. 17; Rush & Benedettini, 2015: pp. 38, 123). Its activities go beyond cooperation, however. Foreign countries can submit a request for the Carabinieri TPC to train police officers and customs officials for cultural property crime-related matters (Interpol, 2017; Carabinieri, 2021). The unit has also been deployed abroad subject to technical agreements with UNESCO (UNESCO, 2016; Interpol, 2017). The three scenarios in which it can be deployed are peacekeeping missions, natural disasters, and pre-/post-conflict situations. By 2019, 26 countries from all over the world had benefitted from training courses for their police forces and customs agents (UNESCO, 2019). The relations the unit builds during its support activities in peacekeeping missions can stretch over a long period of time. One example of this is a September 2011 agreement to help renovate one of the halls of the Iraq National Museum to exhibit Islamic material in the wake of the unit’s peacekeeping efforts in the country in the 2003–2006 period.

The peacekeeping missions also showcase that the unit can cooperate on the international level, in that case with UNESCO. The Protection System for Cultural HERitage (“PSYCHE”) project does the same for the unit’s relationship with Interpol (Carabinieri TPC, 2019). This project improved Interpol’s database on stolen works of art, to facilitate member country interaction, and enabled automatic data transfer between the Leonardo and Interpol databases (Interpol, 2017: p. 23). The Leonardo database is to be further incorporated into the Interpol Works of Art database and other national databases within the European Union (Oosterman, 2019: p. 223). Engagement with international stakeholders is not limited to international organisations: For example, the Carabinieri TPC has successfully agreed a deal with eBay to gain access to the identity of vendors offering suspicious items (Rush & Benedettini, 2015: pp. 21–22). Other private entities, including insurance companies, the private security sector, the art market, and security consultancy/technology companies, are also part of the unit’s network (Kerr, 2020: p. 446).

Finally, the Carabinieri TPC runs extensive outreach programmes, which are not limited to educational and awareness projects, but also include dispensing security advice and guidance to private individuals and museums (Rush & Benedettini, 2015: pp. 32–52). The unit has for example organised and hosted seminars on museum management practices for their Iraqi colleagues (Rush & Benedettini, 2015: p. 174). Moreover, the Carabinieri can enforce local museums' adherence to standard security measures (Rapicavoli, 2016). The unit interacts with many private collectors, galleries, businesses, and enterprises (Rush & Benedettini, 2015: pp. 157–158; Kerr, 2020: p. 446). It acts as an advisory council to the Ministry of Culture (Interpol, 2017; Carabinieri, 2021). The unit thus carries a broad and demanding responsibility, but it is given the tools to perform its duties. The unit is in other words a global nexus for cultural property crime policing (Interpol, 2017: pp. 9–11; Kerr, 2020: pp. 445–446).

The Carabinieri TPC is thus equipped with hundreds of officers working at both the local and central levels, a state-of-the-art database, and a wide array of tools and competences with which to combat art crime. It does not depend on other entities and instead takes an active global leadership role in cultural property crime policing (Kerr, 2020: p. 446). Compared to the Belgian situation described above, the Italian Arts and Antiques unit takes up a much more assertive role. When outlining anchored pluralism, Loader and Walker (2006: pp. 194–195) state that the public authority has both a positive and a negative role to play. A positive role, by ensuring “the widest possible community consistent with the minimum affective ties necessary to deliver the regulatory and cultural infrastructure of a single security space”, thus enabling plural policing. A negative role, by ensuring that “other ordering and cultural sites” operate in a way that does not conflict with the larger community's overall goals and policing framework. The Carabinieri uptake of these roles is evidenced by its training of other police forces and its extensive education of public and private entities. Moreover, it can force museums to follow standard security measures (Rapicavoli, 2016), and its database has been used as somewhat of a blueprint for other such databases through the PSYCHE project. In doing so, it seems to support rather than limit plural policing through its education and training programmes, while still setting the standards and the framework of the overall network, driving and shaping the policing of cultural property in Italy and abroad. The Italian situation thus aligns with anchored pluralism: The Carabinieri TPC very much appear to function as the locus of power within the pluralised policing network. It might even be argued the unit goes beyond being a controlling force in a pluralised network, instead functioning as a monopolist in cultural property crime policing in Italy (Kerr, 2020: p. 446). The Carabinieri TPC and Italian police overall have indeed historically had a manifestly state-centred approach to policing.

Conclusion

This analysis focused on a discontinued unit and one of the largest in the world. It is unsurprising that there is great divergence in their approach to public-private

cooperation; the aim in selecting these two units was to demonstrate sharp contrasts. Both units engage with non-police entities, but they do so in markedly different ways. Utilising the lens of nodal governance and anchored pluralism theory, with their emphasis on the hierarchical relationship between the different actors, helped accentuate these different approaches. The conclusion is that in Belgium the police have become increasingly dependent on other entities to police cultural property crime, while in Italy the police decisively shape cultural property crime policing. The Belgian situation thus aligns with nodal governance, while the situation in Italy is more akin to anchored pluralism. These theoretical models can thus help us to understand cultural property crime policing today.

As evidenced by the recommendations in the Belgian Senate report, leveraging public-private cooperation for cultural property crime policing is being considered by states. Nodal governance and anchored pluralism present basic templates for the roles of police and non-police in pluralised cultural property crime policing networks. While this chapter takes the premise that public-private cooperation is a reality in art crime policing, and it emphasises the point that these units are not the only ones doing cultural property crime policing, it is evident that there are obstacles to public-private policing cooperation. Such obstacles include a lack of interest in, expertise about, or capacity for public-private cooperation, and for cultural property crime policing as a whole. These units do not operate in a vacuum. Divergences are borne out of multiple disparities, such as available resources, political environment, social environment, police culture, and legislative context. These contextual factors can prove crucial in shaping the relationship between the public and the private in this context.

A state that wants to adopt an anchored pluralism-like approach to cooperation in cultural property crime policing will likely have to ensure its ability to be the locus of power in the network, and/or take responsibility in developing the broader framework for such policing. A state looking at a nodal governance approach will have to make sure the relationship between the public and private can develop amicably. Whether this is possible, or what framework the state or police may prefer, is influenced by the broader political, economic, and societal context. But it is important policymakers understand these factors lest they jeopardise the effectiveness of an adopted approach. For example, it is unlikely calls for increased police engagement with private entities in Belgium for cultural property crime policing will be successful without addressing the resources afforded to the police in combatting cultural property crime, while Adopting a nodal governance-based approach in Italy would be difficult without engaging with the police's strongly state-centrist culture.

Cultural property crime policing needs more dedicated research. This chapter attempted to shine a spotlight on one aspect of cultural property crime policing, but public-private cooperation is but one topic among many to be explored. Additional research could consider the legal impediments to public-private cooperation, the economic considerations, and/or the ethical dimension of such schemes, but also generate more information on other units operating in other parts of the world. There can be no doubt that the study of cultural property

crime policing would benefit. Hopefully, this chapter can be one step towards a larger body of cultural property crime policing discourse. And one step along the road to eradicating cultural property crime for good.

Notes

- 1 The Association for Research into Crimes Against Art is a “research and outreach organisation that works to promote the study and research of art crime and cultural heritage protection”. More information can be found at: <https://www.artcrimeresearch.org/our-work/>.
- 2 Which the 1954 Convention mentions explicitly.
- 3 “Cel Kunst & Antiek”.
- 4 “Nationaal Veiligheidsplan”.
- 5 Belgium is the only United Nations member state to house two UNESCO commissions, one based in Flanders and the other covering the French- and German-speaking parts of the nation.
- 6 “The International Council of Museums”.
- 7 “Centrum voor Religieuze Kunst en Cultuur”.

References

- Albertson, L. (2016) Belgian federal police eliminating its art crime police squad due to reported budgetary constraints. *ARCABlog*. [Online]. Available from: <http://art-crime.blogspot.com/2016/04/belgian-federal-police-eliminating-its.html> [Accessed 13 October 2021].
- Artive (2021) Home. *Artive.org*. [Online]. 2021. Available from: <https://www.artive.org/> [Accessed 13 October 2021].
- Bailey, M. (2017) Scotland Yard’s art and antiques unit heading for closure. *The Art Newspaper*. [Online]. Available at: <https://www.theartnewspaper.com/news/scotland-yards-art-and-antiques-unit-heading-for-closure> [Accessed 13 October 2021].
- Bazley, T. (2010). *Crimes of the Art World*. Santa Barbara: ABC-CLIO.
- Belga (2017) Geen enkele kunstdiefstal opgelost sinds inkrimping cel Kunst en Antiek (Not a single art theft solved since Bureau of Art and Antiques downsized). *vrtnws.be*. [Online]. Available at: <https://www.vrt.be/vrtnews/nl/2017/11/06/ophelderingsgraad-kunstdiefstallen-tot-0-procent-gedaald-na-inkr/> [Accessed 13 October 2021].
- Belgian Senate (2018a) Informatieverslag betreffende de optimalisering van de samenwerking tussen de federale overheid en de deelstaten inzake de bestrijding van kunstroof (Report on the optimisation of the cooperation between the Federal Government and the Federal States as concerns the fight against art theft). [Online]. Available from: <https://www.senate.be/www/webdriver?MItabObj=pdf&MIcolObj=pdf&MInamObj=pdfid&MItypeObj=application/pdf&MIvalObj=100663917> [Accessed 13 October 2021].
- Belgian Senate (2018b) *Verslagrapport Bestrijding van Kunstroof (Report on Fighting Art Crime)*. Brussels: Belgian Senate. Available at: http://www.senate.be/informatieverslagen/6-357/Senaat_verslag_kunstroof-2018.pdf [Accessed 13 October 2021].

- Block, L. (2011) European police cooperation on art crime: A comparative overview. *Journal of Art Crime*, 4(1), pp. 13–25.
- Block, L. (2014) Policing art crime in the European Union. In Chappell, D. and Hufnagel, S. (eds.), *Contemporary Perspectives on the Detection, Investigation and Prosecution of Art Crime: Australasian, European and North American Perspectives*. 1st edn. London: Routledge, pp. 187–205.
- Boutellier, H. & van Steden, R. (2011) Governing nodal governance: the ‘anchoring’ of local security networks. In Crawford, A. (ed.), *International and Comparative Criminal Justice and Urban Governance*. Cambridge: Cambridge University Press, pp. 461–482.
- Burris, S., Drahos, P., & Shearing, C. (2005) Nodal governance. *Australian Journal of Legal Philosophy* 30, 30–58.
- Button, M. (2019) *Private Policing*. 2nd edn. London: Routledge.
- Carabinieri. (2021) The Carabinieri TPC. [Online]. Available at: <http://www.Carabinieri/multilingua/en/the-carabinieri-tpc> [Accessed 13 October 2021].
- Carabinieri TPC. (2019) PSYCHE: The protection system for cultural heritage. [Online]. <http://tpcweb.Carabinieri/SitoPubblico/psyche/generic?lang=EN> [Accessed 13 October 2021].
- Charney, N. (2009) Four art crimes and their effect on the art trade. In Charney, N. (ed.), *Art and Crime: Exploring the Dark Side of the Art World*. Santa Barbara: Praeger/ABC-CLIO, pp. 107–111.
- Chesters, L. (2017a) Former met art crime boss pleas for art and antiques unit to reform. *Antiques Trade Gazette*.
- Chesters, L. (2017b) Scotland Yard art and antiques unit re-formed. *Evening Standard*.
- Conklin, J. E. (1994). *Art Crime*. Westport: Praeger.
- The Centre for Religious Art and Culture, CRKC. (2018) *Missie en Opdracht* [online]. Available at: <https://web.archive.org/web/20180917174734/http://crkc.be/missie-en-opdracht> [Accessed 13 October 2021].
- De Sanctis, F.M. (2013) *Money Laundering through Art: A Criminal Justice Perspective*. Switzerland: Springer International Publishing.
- De Standaard. (2017) *Kunstdiefstallen in België blijven onopgelost (Art thefts in Belgium remain unsolved)*. [online] Available at: http://www.standaard.be/cnt/dmf20171106_03173380 [Accessed 13 October 2021].
- Dendooven, L. (2016) *La cellule Art de la police fédérale supprimée, une aubaine pour les terroristes? (The Federal Police's Art Unit Abolished, a Boon for Terrorists?)* [Online] RTBF Info. Available at: https://www.rtbef.be/info/belgique/detail_la-cellule-art-de-la-police-ferale-supprimee-une-aubaine-pour-les-terroristes?id=9266654 [Accessed 13 October 2021].
- Devroe, E. & Ponsaers, P. (2013) Reforming the Belgian police system between central and local. In N. R. Fyfe, J. Terpstra, and P. Tops (eds.), *Centralizing Forces? Comparative Perspectives on Contemporary Police Reform in Northern and Western Europe*. The Hague: Eleven International Publishing.
- Drent, D. (2009) Exhibition security: Regular, customized or tailor fit. In Charney, N. (ed.), *Art and Crime: Exploring the Dark Side of the Art World*. Santa Barbara: Praeger/ABC-CLIO LLC, pp. 143–152.
- Europol. (2017) 3561 artefacts seized in operation pandora. [WWW Document] europol.europa.eu. URL <https://www.europol.europa.eu/newsroom/news/3561-artefacts-seized-in-operation-pandora> [Accessed 13 October 2021].

- Europol. (2018) Over 41 000 artefacts seized in global operation targeting the illicit trafficking of cultural goods [WWW Document]. *europol.europa.eu*. URL <https://www.europol.europa.eu/newsroom/news/over-41-000-artefacts-seized-in-global-operation-targeting-illicit-trafficking-of-cultural-goods> [Accessed 13 October 2021].
- Europol (2019) Over 18 000 items seized and 59 arrests made in operation targeting cultural goods. [Online] URL <https://www.europol.europa.eu/newsroom/news/over-18-000-items-seized-and-59-arrests-made-in-operation-targeting-cultural-goods> [Accessed 13 October 2021].
- Goldman, A.H. (1993) Art historical value. *The British Journal of Aesthetics* 33, 17–28.
- Hardy, S. (2018) Antiquities dealers, Jaume Bagot Peix and Oriol Carreras Palomar, arrested on suspicion of jihadi terrorist financing by illicit antiquities dealing. [online] conflict antiquities. Available at: <https://conflictantiquities.wordpress.com/2018/04/04/libya-spain-terrorist-financing-arrests/> [Accessed 13 October 2021].
- Interpol (2016) *Protecting Cultural Heritage; an Imperative for Humanity*. [Online]. Available from: <http://www.unesco.se/wp-content/uploads/2016/09/2016-Protecting-cultural-heritage.-An-imperative....pdf> [Accessed: 25 October 2021].
- Interpol (2017) *Creating a National Cultural Heritage Unit*. [Online]. Available from: <https://www.interpol.int/News-and-media/Publications2/Leaflets-and-brochures/Creating-a-National-Cultural-Heritage-Unit> [Accessed 13 October 2021].
- James, M. (2000) *Art Crime*. Australian Institute of Criminology: Trends & Issues in Crime and Criminal Justice, p. 170.
- Jones, T. & Newburn, T. (2006) *Plural Policing: A Comparative Perspective*. London: Routledge.
- Kerr, J. (2016a) The role of the police in the coproduction of art security in London. In Charney, N. (ed), *Art Crime: Terrorists, Tomb Raiders, Forgers and Thieves*. 1st edn. London: Palgrave Macmillan, pp. 105–117.
- Kerr, J. (2016b) *The Securitisation and Policing of Art Theft: The Case of London*. London: Routledge.
- Kerr, J. (2020) The state of heritage and cultural property policing in England & Wales, France and Italy. *European Journal of Criminology*. [Online] 17(4), pp. 441–460.
- Kila, J.D. (2014) From crimes against art to crimes against cultural property: New perspectives and dimensions in art crime. In Kila, J.D. and Balcells, M. (eds.), *Cultural Property Crime: An Overview and Analysis of Contemporary Perspectives and Trends*. Leiden: BRILL, pp. 167–205.
- Knack. (2017) België is 'zwakke schakel' in strijd tegen illegale kunsthandel (Belgium is 'weak link' in fight against illegal art trade). [online] Available at: <http://www.knack.be/nieuws/belgie/belgie-is-zwakke-schakel-in-strijd-tegen-illegale-kunsthandel/article-normal-877509.html> [Accessed 13 October 2021].
- Loader, I. & Walker, N. (2006) Necessary virtues: The legitimate place of the state in the production of security. In Wood, J. and Dupont, B. (eds.), *Democracy, Society and the Governance of Security*. Cambridge: Cambridge University Press, pp. 165–195.
- Maervoet, E. (2016) 'Wegvallen van Kunstcel catastrofe voor ons land' ('Loss of Art Bureau catastrophe for our country'). *Deredactie.be* [online] Available at: <http://>

- deredactie.be/cm/vrtnieuws/cultuur%2Ben%2Bmedia/kunsten/1.2645331 [Accessed 13 October 2021].
- Oosterman, N. (2019) Regional overviews of the policing of art crime in the European Union. In Hufnagel, S. and Chappell, D. (eds.), *The Palgrave Handbook on Art Crime*. London: Palgrave Macmillan, pp. 213–237.
- Pastore, G. (2009) Defending art. In N. Charney (ed.), *Art and Crime: Exploring the Dark Side of the Art*. Santa Barbara: Praeger/ABC-CLIO, pp. 115–121.
- Pickford, J. (2016) Sotheby's creates forensic art unit to detect forgeries. *The Financial Times*. [online] Available at: <https://www.ft.com/content/d24323c4-bad2-11e6-8b45-b8b81dd5d080> [Accessed 13 October 2021].
- Pryor, R. (2016) *Crime and the art market*. 1st edn. London: Lund Humphries.
- Rapicavoli, S. (2016) *The Carabinieri for the Protection of Cultural Heritage (TPC)*. Available at: http://www.lmedia/law/docs/events/TPC_London_QMU.compressed.pdf [Accessed 13 October 2021].
- Rapley, V. (2016) The police investigation of art fraud. In Charney, N. (ed.), *Art Crime: Terrorists, Tomb Raiders, Forgers and Thieves*. 1st edn. London: Palgrave Macmillan, pp. 33–40.
- Reiner, R. (2010). *The Politics of the Police*. Oxford: Oxford University Press.
- Rush, L. & Benedettini, L. (2015) *The Carabinieri Command for the Protection of Cultural Property: Saving the World's Heritage*. Woodbridge: The Boydell Press.
- Shearing, C.D. & Johnston, L. (2003) *Governing Security: Explorations of Policing and Justice*. London: Routledge.
- Sneddon, A. (2015). Symbolic value. *The Journal of Value Inquiry* 50(2), 395–413.
- Stapley-Brown, V. (2016) Belgium eliminates federal taskforce to fight trafficking in cultural property. *The Art Newspaper*. [online] Available at: <http://old.theartnewspaper.com/news/news/belgium-eliminates-federal-taskforce-to-fight-trafficking-in-cultural-property/> [Accessed 13 October 2021].
- Straus, D. (2016) Insurance and art crime. In Tompkins, A. (ed.), *Art Crime and Its Prevention*. London: Lund Humphries, pp. 134–147.
- United Nations Educational, Scientific, and Cultural Organization, UNESCO (2016). Italy creates a UNESCO emergency task force for culture. [Online]. Available at: <https://en.unesco.org/news/italy-creates-unesco-emergency-task-force-culture-1> [Accessed 13 October 2021].
- United Nations Educational, Scientific, and Cultural Organization, UNESCO (2019). The Italian Carabinieri department for the protection of cultural heritage. [Online]. Available at: <https://en.unesco.org/mediabank/24813/> [Accessed 13 October 2021].
- Werkgroep Optimalisatie Federale Politie (2013) *Optimalisatie Federale Politie: Rapport in opdracht van de Minister van Binnenlandse Zaken Joëlle Milquet*.