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Serious Organised Crime (SOC) in Scotland: A Summary of the Evidence



CRIME AND JUSTICE



Contents

Serious Organised Crime (SOC) in Scotland: A Summary of the Evidence	2
1. Executive Summary	2
Context	2
Key findings	3
2. Introduction	5
Methods and limitations	6
Terms and definitions	7
3. The picture of SOC in Scotland	9
Snapshot of SOC in Scotland	9
4. An overview of SOC groups	10
Explaining involvement in SOC: risk factors	10
Age	11
Trusted social connections	13
Structure of SOC groups	14
SOC activities	17
5. The prevalence and impacts of SOC in Scotland	22
Overview.....	22
Drug supply and distribution	23
Child Sexual Exploitation (CSE)	27
Human trafficking and sexual exploitation	27
Fraud	28
Counterfeit goods	29
Wider harms	30
6. Public perceptions of SOC	31
7. Conclusion	36
Summary of review findings.....	36
Identified gaps in knowledge	38
8. Bibliography	38

Serious Organised Crime (SOC) in Scotland: A Summary of the Evidence

1. Executive Summary

Context

Serious Organised Crime (SOC) is responsible for causing a wide range of harms to individuals, businesses, communities and society. In Scotland, SOC is defined in the Scottish Government's refreshed strategy (2015) on SOC. This defines it as criminal activity which: involves more than one person; is organised and involves a level of control, planning and specialist resources; causes, or has the potential to cause, significant harm; and involves benefit to the individuals' concerned, particularly financial gain.¹ These distinctive features differentiate SOC from other forms of crime.

The overall aim of the Scottish Government's refreshed strategy on SOC is to reduce the prevalence and harm of SOC. This strategy notes the need for a detailed, evidence-based understanding of SOC in Scotland.² This understanding is required in order to inform approaches aimed at reducing the prevalence of SOC in Scotland, and the extent and severity of its impacts. Importantly, the success of strategies and interventions depend on an accurate conception of the problem and the specific nature of its short and long term causes and effects.

In order to contribute to this understanding, a desk based review of national and international literature on SOC, as well as national operational and mapping data on SOC was conducted. The review found that there is a relative lack of social science evidence in relation to SOC. The Scottish Multi-Agency Strategic Threat Assessment (2016), which brings together data on SOC from a range of agencies, provides a useful source of information. However, it should be borne in mind that there are inherent challenges in assessing the scale and nature of SOC, some of which relate to the rapidly evolving organisation and activity of SOC groups and the difficulties in detecting some forms of online SOC.³ Nonetheless, in drawing from a wide range of sources, this review is able to provide an overview of available evidence on SOC, and therefore contributes to developing this understanding. The following section provides a summary of the key findings.

¹ Scottish Government. (2015) *Scotland Serious Organised Crime Strategy*, Edinburgh, The Scottish Government p. 6.

² Scottish Government. (2015) *Scotland Serious Organised Crime Strategy*. Edinburgh: The Scottish Government p. 18.

³ Her Majesty's Inspectorate of Constabulary (2016) PEEL: *Police Effectiveness 2016 - A National Overview*.

Key findings

As regards this picture of SOC, available evidence shows that SOC is found in all areas of Scotland with SOC groups located throughout the country; although, there is a concentration of these groups in the west of Scotland. Most offenders involved in SOC are men and most are adults (a small percentage are under the age of 18 years old). Individuals involved in SOC form groups which take various forms and structures. SOC groups are often connected to each other, with members often involved in more than one SOC group at a given time.

There is no single pathway into SOC. Instead, there are a number of risk factors for becoming involved in SOC. These are broadly categorised by the Home Office into four categories: criminality; ability; networks and identity. The first- criminality- identifies individuals who show particular offending patterns as being at risk of becoming involved in SOC. Ability refers to the involvement of individuals with specialist skills and access or professionals being drawn into SOC to provide key services. Risk factors relating to networks entail having access to criminal networks through a range of contexts, such as through family, relationships and business contacts. Finally, risk factors relating to identity may involve individuals' upbringing (including adverse childhood events such as parental break up or drug use) or relate to personal views such as underestimating the level of harm caused by SOC or having the perception that through engagement with SOC he or she is offering a *legitimate* good or service. Relatedly, the evidence particularly highlights that trusted social connections between members of a SOC group, and with other groups and individuals, are essential to the creation and on-going success of a SOC group; age sometimes has a part to play in helping these establish.

SOC groups vary considerably in terms of their structure and composition. For example, at one end of the scale, groups are very hierarchical with a clear chain of command and are made up of longstanding members. At the other end of the scale, groups are very fluid criminal networks whose membership changes in response to emerging criminal demands and opportunities.

SOC groups are involved in a wide range of criminal activities, and are often involved in perpetrating more than one of these at a given time. These activities involve both primary and secondary activities. Primary activities are those that generate profit directly and include drug supply and distribution, human trafficking, and fraud. Secondary activities are not directly profitable in themselves but are carried out to support SOC groups' work to generate profits and need to maintain influence and profile; these include activities such as money laundering, violence and corruption.

Understanding how the public perceive SOC is important to tackling it. Given the diverse and far reaching harms associated with SOC, it is important that the public are able to identify SOC in their area and to report it. Moreover, if the public are aware of the harms associated with SOC, this may help to deter them from engaging with SOC markets; for example, from purchasing counterfeit

goods. Further, having an understanding of public perceptions helps to ensure that we have a reliable sense of the problem, directly from the people who experience it. If this is not gained, agencies may be tackling a problem that has been defined with inherited conceptions and definitions; these may not match with lived experiences.

Public perceptions of SOC are complex. The public fear SOC (and crime in general) and recognise the harms SOC is responsible for causing, though those that more obviously affect individuals are more likely to be identified or considered to be particularly damaging. However, individuals and businesses may also benefit, or *perceive* that they benefit, from some specific SOC activities (for example, from the sale of cheap counterfeit goods). SOC goods and markets may be particularly attractive to those whose financial choices are constrained by virtue of poverty and disadvantage. Nonetheless, the evidence shows that any benefits (perceived or actual) gained from SOC are substantially outweighed by the harm caused, both at an individual and societal level.

Finally, SOC has often- at least historically or within some operational cultures- been conceptualised as an aggregate of individual crimes perpetrated against a victim in a particular situation. However, this evidence suggests that this is a narrow depiction of SOC; the evidence instead highlights the variety and complexity of SOC activity and SOC groups. It demonstrates clearly that the impacts of SOC are broad and complex, and that the harms associated with SOC affect more than those directly involved or those most obviously impacted. As Croall observes, victimisation for SOC is often indirect and diffuse, and as such, is “far more complex” than that caused by other forms of crime.⁴

SOC harms individuals, businesses, the economy and communities; and more subtle harms can build up and cause further harm, as in the case of fear experienced in communities. SOC causes legitimate industries to lose sales, and governments to lose revenue, which can then have implications for tax or for the cost of goods; SOC can result in job losses through the trade of counterfeit goods⁵, and fearful individuals in communities may be deterred from reporting crime, preventing perpetrators from being caught and prosecuted, and thus from committing crime. Being afraid of crime is harmful in itself, but it also may cause further harms. For example, it may result in avoidance behaviours, where individuals leave their homes less frequently or avoid certain places. This then limits opportunities for social interaction, and social interaction helps to protect physical and mental health.⁶ Lastly, SOC is an issue for all of Scotland, but these harms often disproportionately impact those who are more vulnerable within communities.

⁴ Croall, H. (1998) *Crime and Society in Britain*, Pearson Education Limited: Harlow, England p. 238.

⁵ These examples are provided in Croall, H. (1998) *Crime and Society in Britain*, Pearson Education Limited: Harlow, England p. 238.

⁶ Stafford, M. Chandola, T., and Marmot, M. (2007) ‘Association Between Fear of Crime and Mental and Physical Functioning’. *American Journal of Public Health* 97 (11): 2076-2081.

2. Introduction

Serious Organised Crime (SOC) in Scotland comes in various forms, which includes the supply and demand of illegal drugs, organised acquisitive crime and human trafficking. Yet these varied activities tend to be underpinned by the common goal of the generation of profit.⁷ SOC in Scotland and across the UK is responsible for causing substantial economic and social harm to individuals, businesses, communities and society as a whole.

The overall aim of the Scottish Government's refreshed strategy (2015) on SOC is to reduce the prevalence and harm of SOC, and it aims to deliver this via four strands entitled: DIVERT, DETER, DETECT and DISRUPT.⁸ This strategy notes the need for a detailed, evidence-based understanding of SOC in Scotland.⁹ This understanding is required in order to inform approaches aimed at reducing the prevalence of SOC in Scotland, and the extent and severity of its impacts. Importantly, the success of strategies and interventions depend on an accurate conception of the problem and the specific nature of its short and long term causes and effects. As part of the Scottish Government's programme of work to deepen this understanding, this report reviews the existing evidence on SOC, drawing from relevant national and international literature, and from the Scottish Multi-Agency Strategic Threat Assessment (2016) ('the strategic assessment'), which brings together Scottish specific data on SOC (as well as terrorism and other emergent threats) from a wide range of agencies.

Section 1 of this report discusses how SOC is termed and defined in Scotland, and briefly compares these to those from other countries. Other countries' chosen terms and definitions vary subtly, but they share with Scotland a number of key features. These features include recognition that SOC involves: activity that is a means to an end for profit or sometimes power; activity that involves a level of cooperation and organisation between networks of people who may have specialist skills or knowledge; and activity that has harmful by-product effects in social and economic terms.

Section 2 discusses the scale of SOC and provides a snapshot of groups involved in SOC in Scotland.

Section 3 explores the evidence provided in Section 2 in more detail, and through drawing on international evidence, discusses: the importance of social connections in creating and maintaining SOC groups; the structure of SOC groups and how they operate; and the key criminal activities SOC groups engage in.

⁷ Scottish Government. (2015) *Scotland's Serious Organised Crime Strategy*. Edinburgh: The Scottish Government p.7.

⁸ Scottish Government. (2015) *Scotland's Serious Organised Crime Strategy*. Edinburgh: The Scottish Government p. 3.

⁹ Scottish Government. (2015) *Scotland's Serious Organised Crime Strategy*. Edinburgh: The Scottish Government p.18.

Section 4 discusses some of the harms of SOC (including an indication of their prevalence). These harms impact individuals, businesses and society in general.

Section 5 discusses public perceptions of SOC.

Section 6 summarises the findings from the review and re-iterates what the gaps in knowledge are in relation to SOC, as identified throughout the report.

Methods and limitations

In addition to the data provided by the strategic assessment, this report was informed by evidence generated by two sweeps of the literature carried out by the Scottish Government Library Service first in November 2014, and then again in October 2016. The searches were informed by key word search criteria submitted by two analysts within the Justice Analytical Services division of the Scottish Government in each of these sweeps. The literature generated included academic articles, government reports and surveys. The analysts also carried out their own independent searches to add to the body of work highlighted by these searches.

The literature generated was primarily from Scotland, England and Wales and a number of European Union (EU) countries. The shared characteristics included in countries' definitions justify the use of this literature in this review, although it is acknowledged that various differences exist between countries, to some extent limiting comparability.

On the subject of limitations, it is important to outline a number of points which should be kept in mind while reading this review.

Firstly, the review does not purport to provide a comprehensive and definitive account of the evidence on SOC, but rather, constitutes a collation of the material which could be identified and accessed within a relatively short space of time.

Secondly, it is limited by the fact that there are inherent difficulties in assessing the scale of a problem that is by its nature often hidden or disguised. The difficulties in measuring organised crime have long been recognised.¹⁰

Thirdly, a key source of information for this report is the strategic assessment. The data contained in this assessment are collected by a range of agencies including Police Scotland. However, this assessment can only offer partial insight into SOC. For example, agencies are limited by the nature of the information that reaches their attention, which includes the obscuring and withholding of information about SOC activity, as well as under reporting by victims of SOC.

¹⁰ For example, as noted in Von Lampe, K. (2004) 'Measuring Organised Crime: A Critique of Current Approaches', in Dyne P.C., Jager, M., Von Lampe, K. and Newell, J.L. *Threats and Phantoms of Organised Crime, Corruption and Terrorism: Critical European Perspectives.* The Netherlands: Wolf Legal Publishers. '

The Police Foundation recently identified that only a small portion of incidents categorised as organised crime in England and Wales featured individuals who were already identified by these agencies, which suggests a limitation of data collected and held by these agencies.¹¹ This means that numbers may be underestimated, but also that the emergent characteristics and trends are shaped by the intelligence that is gathered. This is not a problem that is unique to Scotland. In addition, the problem is not unique to agencies; the nature of SOC means that SOC and the groups and individuals involved are likely to remain hidden from social science researchers. This limits the available information and as a result, our understanding of the issue.

Finally, the information that *does* reach the attention of agencies or that is able to be collected by them is often limited in scope and depth, meaning important understandings cannot be gained. For example, these data which are captured in a 'live' context are likely to be focused on immediate developments and concerns, and do not offer insight into those which are less immediate. These data also cannot shed light on: the reasons underlying individuals' involvement in SOC; the less obvious impacts of SOC; the longer term impacts of SOC; how SOC links with other aspects of economic and social life; and what public perceptions and experiences of SOC are. While some evidence on these aspects is available and has been drawn from to produce this review, further research and further research focused specifically on the Scottish context is required to give a fuller picture of SOC in Scotland.

On that note, it is important to re-iterate that this review forms part of a comprehensive programme of research projects on SOC that the Scottish Government is currently engaged in. Combined, findings from these research projects should offer important insights into SOC in Scotland and as such, should help to fill some of these gaps in knowledge.

Terms and definitions

As noted by Tilley and Hopkins, criminologists, governments and law enforcement bodies have long debated how to term and define organised crime.¹² This lack of consensus has persisted, and is reflected in the variation among countries in chosen terminologies and definitions. However, as will be discussed, these tend to share a number of key characteristics.

Scotland's term, 'serious organised crime' conveys both the centrality of organisation to SOC as well as the seriousness of the harms caused by SOC. The official definition of SOC is contained in the national strategy on SOC. The

¹¹ The Police Foundation. (2016) *Reducing the impact of Serious Organised Crime In Local Communities, The Impact of organised crime on local communities Briefing 4* p. 5.

¹² Tilley, N. and Hopkins, M. (2008) Organised Crime and Local Business *Criminology and Criminal Justice*, 8 (4): 443-459.

original strategy entitled 'Letting Our Communities Flourish' was published in 2009 and refreshed in 2015.¹³ SOC is defined as crime which:

- involves more than one person;
- is organised, involving a level of control, planning and specialist resources;
- causes, or has the potential to cause, significant harm;
- involves benefit to the individuals concerned, particularly financial gain.

This definition refers to the collaborative nature, motivations, organisational structures and harmful impacts as the defining characteristics of organised crime. These characteristics distinguish SOC from other types of crime. However, as will be discussed, in order to facilitate the typically principal goal of the generation of profit, SOC may involve the commission of other crimes; crimes which in themselves would not fall into the SOC category, but committed for this goal and committed in this way do. The organisational element of SOC is central to it and differentiates groups involved in SOC from other groups or networks, for example, urban street gangs.¹⁴

The UK's chosen term, contained in Home Office publications, is 'Organised Crime' (OC). The UK definition is outlined in a strategy produced by the Home Office,¹⁵ and shares parallels with the Scottish definition. The UK definition additionally includes reference to the international dimension of OC, beyond geographical borders and national interests. It refers to the threat posed to national security, and also refers to the strategic use of other crimes such as bribery, violence, and corruption in the commission of OC. It is possible that the UK's international focus may reflect aspects of OC that relate to its remit for national security, immigration, foreign policy and defence; responsibilities that have not been devolved to Scotland. However, Scotland is not immune to the impacts of transnational OC.¹⁶

While terms vary across European Union (EU) member states, in recent years, official EU discourse has tended to use the term 'serious crime', which both reflects and emphasises the inherent negative impact of OC. Definitions across EU member states also vary and are shaped by respective legal and cultural contexts. Despite attempts in 2008 and 2013 to agree a common definition in the EU, there is no centrally agreed definition across EU member states.¹⁷ Although,

¹³ Scottish Government. (2015) *Scotland's Serious Organised Crime Strategy*, Edinburgh, The Scottish Government, 2015 p. 6.

¹⁴ Local Government Association. (2015) *Tackling serious and organised crime: a local response, Report*.

¹⁵ Home Office. (2013) *Serious And Organised Crime Strategy*, London, Home Office, 2013, p.14

¹⁶ Nonetheless, it is important to point out the complexity of the transnational organised crime phenomenon, at least in relation to immigration. A Home Office report (2010) identified that many offenders identified as being involved in organised immigration crime (as part of transnational organised crime) may in fact be victims, or may simply be illegal migrants.

¹⁷ Bakowski, P. (2013) *EU response to organised crime*, Library Briefing. Library of the European Parliament. 06/09/ 2013 p.2.

Europol notes that there is an internationally shared definition of organised crime *groups*, which is provided by the United Nations Convention against Transnational Organised Crime. This definition overlaps with some of the features mentioned in definitions of organised crime: an organised criminal group comprises of three or more persons existing over a period of time acting in concert, with the aim of committing crimes for financial or material benefit.¹⁸

For the purpose of this report, which aims to provide an overview of SOC in the context of Scotland, the Scottish term of ‘SOC’ and the definition it encompasses will be used predominantly. However, where literature is drawn from which explicitly describes the issue as ‘OC’ the source’s chosen term will be respected and ‘OC’ will instead be used; therefore there is some interchange-ability in terminology but all terms used in this review refer to the same phenomenon.

3. The picture of SOC in Scotland

This short section aims to provide a snapshot of SOC in Scotland, giving an indication of its prevalence and of some of the key characteristics of SOC and those involved in it. This brief overview is intended to help contextualise the report, and is then discussed in relation to a wider body of evidence on SOC, within the relevant sections of this report.

Snapshot of SOC in Scotland

While this review draws on a range of sources, as stated, much of the data on SOC and SOC groups come from the strategic assessment .

The strategic assessment provides key, intelligence information on various aspects of SOC groups including: the prevalence of SOC groups across Scotland; the demographic characteristics of their members, and the range of criminal activities they are involved in.

Bearing the limitations already discussed in mind, data from the strategic assessment indicate that SOC groups are active and operate throughout Scotland. There are 213 SOC groups comprising 4,033 ‘nominals’ (individuals involved in SOC) which are currently being investigated by Police Scotland and other agencies. While SOC groups operate across Scotland, they are most concentrated in the west of Scotland: 65% of groups are located in this area. By way of comparison, 21% of groups are located in the east of Scotland and 14% in the north.¹⁹ In year 2015-2016, there were 2,921 arrests of individuals involved in SOC, for a total of 4,418 offences.²⁰ Within the UK as a whole, it is estimated

¹⁸ Europol. (2015) *Exploring Tomorrow's Organised Crime* p. 11.

¹⁹ Scottish Crime Campus. (2016) *Scottish Multi-Agency Strategic Threat Assessment* p. 5.

²⁰ Scottish Crime Campus. (2016) *Scottish Multi-Agency Strategic Threat Assessment* p. 4.

that there are 5,500 active SOC groups, comprising approximately 37,000 individuals.²¹

The strategic assessment provides information about the demographic characteristics of individuals involved in SOC and basic information about SOC groups. Presented below are some findings:

It is predominantly men who are recorded as being involved in SOC, though a small proportion of women are involved too; approximately just under 90% of SOC offenders are men.²²

There are 46 individuals under the age of 18 years old who are known to be involved in SOC. This constitutes a 15% increase when compared with the previous year.²³ However, to put this into context, the vast majority of those involved in SOC (the total figure being just over 4,000) are older adults; possible explanations for this will be discussed later in this report.

In the UK, 84% of SOC groups are British. Almost 6% of individuals involved in SOC are foreign nationals.²⁴

There is substantial interconnectivity between SOC groups, with some SOC individuals connected to multiple crime groups.²⁵

4. An overview of SOC groups

Explaining involvement in SOC: risk factors

While this report goes on to describe some of the risk factors in more detail, a 2015 Home Office report provides a helpful summary of common risk factors for becoming involved in SOC. The 2015 report separates the many risk factors for individuals becoming involved in SOC into four categories: criminality; ability; networks and identity.²⁶

Firstly, individuals who show certain offending patterns may be at risk of being drawn into SOC. These include those who are involved in 'early prolific' offending and those who are involved in gangs. The report notes that involvement in early

²¹ Home Office. (2013) *Serious and Organised Crime Strategy* p. 14.

²² Scottish Serious Organised Crime Group. (2009). *Preliminary Findings on the Scale and Extent of Serious Organised Crime in Scotland: Scottish Serious Organised Crime mapping group Mapping Project*. Edinburgh: The Scottish Government.

²³ Scottish Crime Campus. (2016) *Scottish Multi-Agency Strategic Threat Assessment* p.5.

²⁴ Scottish Crime Campus. (2016) *Scottish Multi-Agency Strategic Threat Assessment* p.5.

²⁵ Scottish Crime Campus. (2016) *Scottish Multi-Agency Strategic Threat Assessment* p.5.

²⁶ Home Office. (2015) *Individuals at risk of being drawn into Serious and Organised Crime- a Prevent Guide* p. 7.

criminal experiences can result in continued involvement in adulthood, and can escalate into more serious forms of crime, such as organised crime. As regards gangs, the report notes that in some areas there are overlaps between local gangs and SOC groups. Organised criminals may use these gangs as a vehicle for drug transportation and dealing. Moreover, street gangs may exploit vulnerable children and young people and effectively groom them into becoming involved in SOC groups, and gang involvement may provide members with skills that can be transferred to SOC.²⁷ However, the Home Office notes that many young people stop being involved in gangs as they get older. It also identifies that some SOC offenders begin offending (and in SOC specifically) later on in life; this will be discussed shortly.

Secondly, individuals with specialist skills and access or who work in particular professions are at risk of being targeted by SOC groups for their involvement. The assistance of these professionals is required to disguise profits or convert illegitimate gains into legitimate assets.²⁸

Thirdly, those who have access to criminal networks through links in various contexts (for example, via families, via friendships, and via relationships) may be at risk of becoming involved in SOC.

Finally, an individual's upbringing and lifestyle shapes identity and in turn can either increase or decrease the likelihood of his or her involvement in SOC depending on the nature of each of these. For example, the report notes if an individual has a 'pro criminal' attitude (in the sense that he or she does not see the harm in criminal activities), this may incline him or her to become involved in SOC; individuals who lack a sense of belonging may be drawn into a SOC group to provide this, and the experience of potentially disruptive events during upbringing such as parental break up or parental drug use may be a risk factor.²⁹

It is beyond the scope of this review to discuss all of the explanations for people becoming involved in SOC, but the influence of age and the importance of social connections were two findings that emerged in the review, which will now be discussed in some more detail.

Age

In criminology, the 'age crime curve' demonstrates that offending peaks in early adolescence and in the early adulthood years, before declining sharply in the mid

²⁷ Home Office. (2015) *Individuals at risk of being drawn into Serious and Organised Crime- a Prevent Guide* p.8.

²⁸ Scottish Parliament. (2009) *Criminal Justice and Licensing (Scotland) Bill, Policy Memorandum*, Section 28, Paragraph 117.

²⁹ Home Office. (2015) *Individuals at risk of being drawn into Serious and Organised Crime- a Prevent Guide*.

-twenties years, and then declining more steadily after this age.³⁰ Yet data on criminal proceedings in Scotland over the last decade (2005-2015) indicate that this picture is complex. Over this period, there was a decrease in the number of people (both men and women) who faced criminal prosecution who were under 21, and between 21 and 30, and an increase in the numbers facing criminal prosecution who were over 30.³¹ Data reveal that in year 2005-2006, the age with the highest conviction rate was those aged 18, at 102 convictions per 1,000 population. However, since 2005-06 the age with the highest conviction rate has “shifted upwards”. In 2014-15, the highest conviction rate was for those aged 26-30 (51 convictions per 1,000).³² This may therefore suggest that offenders are getting older. However, it is not possible to state this conclusively given the limitations and obvious complexity of this. For example, the data demonstrate fluctuations between each year over the period, and the nature of the offence an individual is proceeded against for is not provided; it may be the case that different types of offence attract different ages of offender. This includes any differences in age between SOC offenders and general offenders.

A striking finding from a Dutch study suggests that the age crime curve does not apply to *organised* criminals. In the Netherlands, the Ministry of Justice developed a monitoring system to provide data on the ‘criminal careers’³³ of OC members. Data were collected from the criminal offending histories of a sample of 1000 organised criminals.³⁴ In this study, there were no offenders under the age of 18 and there was a distinct over-representation of older offenders: 43% were aged between 30 and 39 years old. The distribution of offending generally increased with age, decreasing again at the age of 40, though notably later than the early adulthood years often associated with general offenders. Subsequent work by other Dutch criminologists also found a substantial and distinct group of ‘adult onset’ organised criminals.³⁵

A Home Office study uncovered a similar though more nuanced picture of the age profile of SOC offenders. The researchers categorised SOC offenders into five different groups, entitled ‘low rate early starters’; ‘high rate early starters’; ‘high rate persisters’; ‘first offenders’; and ‘low rate persisters’.³⁶ While they

³⁰ Scottish Centre for Crime and Justice Research. (2010) *Youth Violence in Scotland: Literature Review*. Edinburgh: Scottish Government Social Research p. 42.

³¹ Scottish Government. (2015) *Criminal Proceedings in Scotland, 2014-2015*, Crime and Justice. A National Statistics Publication for Scotland p. 64.

³² Scottish Government. (2015) *Criminal Proceedings in Scotland, 2014-2015*, Crime and Justice. A National Statistics Publication for Scotland p. 32.

³³ ‘Criminal careers’ is a criminological term which refers to an individual’s long term involvement in crime as a source of income.

³⁴ Kleemans, E.R. and de Poot, C.J. (2008) Criminal Careers in Organized Crime and Social Opportunity Structure. *European Journal of Criminology* 5(1) 69-98.

³⁵ Van Koppen et al. (2010) Criminal Trajectories in Organised Crime. *British Journal of Criminology* 50 (1) 102-123.

³⁶ Francis, B. et al. (Home Office). (2013) *Understanding criminal careers in Organised Crime, Research Report 74* p. 38.

identified that the age crime curve could be applied to some of the SOC offenders, other offenders had either zero or few precursor offences or a less identifiable spike in offending with age; they consequently concluded that based on the data, no single pathway exists into OC.³⁷ Data on Scottish nominals also indicates that the age crime curve cannot be applied straightforwardly to SOC offenders, with offenders typically older than late adolescence or early adulthood. Future research could examine patterns of SOC offenders in more detail, to see if they replicate patterns found elsewhere; and could draw further on qualitative data sources (for example of the characteristics of different types of criminal career trajectory), to continue to develop our understanding of this dimension of SOC. Therefore, the evidence suggests that offenders involved in SOC may be older than general offenders, but also that the older age profile of SOC offenders may be reflective of an older profile of offenders across all types of crime.

Trusted social connections

In terms of how SOC groups emerge and function, evidence points to the importance of social connections in the development and work of SOC groups. Age may assist in the establishment of these social connections.

The authors of the Dutch study Kleemans and de Poot argue that strong social connections are central to the formation and on-going success of OC groups; how these are made varies (and as such there is no 'one' pathway), but age may help create these. They note that the success of an OC group relies upon: sharing good social relations with others involved in OC (who include suppliers, customers and clients); the members in the group having the ability to access transnational contacts where required; and the members in the group having the ability to carry out complex activities. Age is likely to be an advantage in allowing these strong social connections with those involved in OC to be established and to develop. However, age is somewhat of a distraction from a key insight into OC which the authors of this study make: that strong social connections are required in order for offenders to become involved in OC in the first instance, and are critical to the on-going success of an OC group. As regards where these connections originate, the Home Office report identifies potential networks in the family; in intimate relationships; via associates; through prison, and via the internet.³⁸

Accordingly, the authors refer to the 'social opportunity structure', which they suggest helps to explain people's involvement in OC: social ties provide access to lucrative criminal opportunities. This explains how general offenders 'progress' to OC as they develop their connections. It also explains how some offenders only become involved in OC later in life due to the time it takes to develop these connections, and how individuals who have never been involved in crime, become involved in OC as 'late starters', again as they develop these social ties.

³⁷ Francis, B. et al. (Home Office). (2013) *Understanding criminal careers in Organised Crime, Research Report 74* p. 41.

³⁸ Home Office. (2015) *Individuals at risk of being drawn into Serious and Organised Crime- a Prevent Guide* p. 10-11.

Specifically regarding the latter group, often the catalyst for becoming involved in OC is the experience of (acute) financial difficulty.³⁹ It is also important to bear in mind both the difficulties of breaking the cycle of involvement in crime, as well as securing stable work in the legitimate economy with a criminal record; such difficulties may make continued involvement in crime (of whichever form) more likely.⁴⁰

Another finding from research, which also relates to the structure of SOC groups, is the importance of these social connections also being trustworthy ones. Von Lampe notes that given the risks stemming from the association with other criminals (and the constant risk of exposure), SOC groups must reduce the risk of betrayal. There are various strategies which SOC groups employ to minimise this risk which include building on these social connections (whether they be friendship, family, business or community based) which are trusted. Another strategy is the use of violence, though Von Lampe suggests it is more appropriate to assume that violence is generally avoided rather than is something which characterises these groups.⁴¹ Violence will be discussed in more detail later in this report. McIlwain also emphasises the importance of these social connections to SOC groups and comments that human relationships *form the basis* [emphasis added] for organised criminal activity. Consequently, he advises that better understanding the dynamics underlying these relationships and the ensuing social networks can allow us to gain a clearer picture of organised criminal activity.⁴²

The evidence therefore suggests that involvement in SOC and the success of a SOC group depends on there being strong and trusted social connections with: other members within the group; members from other SOC groups; suppliers; clients and customers; and with any other individual or group involved. Further, these connections can originate from a wide range of contexts.

Structure of SOC groups

Data from the strategic assessment does not provide information on how SOC groups are structured, but evidence from other countries can offer insights here. Researchers in their respective countries have attempted to develop typologies to enable international comparisons and categorisation of different models of SOC.

³⁹ Kleemans, E. and de Poot C.J. (2008) Criminal Careers in Organized Crime and Social Opportunity Structure, *European Journal of Criminology*, 5 (1): 69-98.

⁴⁰ Scottish Government. (2015). *What Works to Reduce Reoffending: A Summary of the Evidence*, Scottish Government Social Research.

⁴¹ Von Lampe, K. (2016) *Organised Crime: Analyzing Illegal Activities, Criminal Structures and Extra-Legal Governance* Sage Publications: London p. 123.

⁴² McIlwain, K. (1999) Organised Crime: A Social Network Approach. *Crime, Law and Social Change* 32 (4): 301 – 323.

As Vy Le outlines, in order to disrupt and weaken SOC activity, a fuller understanding of the structure, operation and behaviour of SOC groups is required.⁴³ However, there is growing recognition that the structure of SOC groups varies considerably, and that there is a “changing landscape” in relation to the structure of SOC groups.⁴⁴ At one end of the scale, groups have a rigid hierarchy with a clear chain of command, while at the other end of the scale, groups have a far more “amorphous, free floating and flatter” structure.⁴⁵ As Finckenauer also observes, SOC groups not only comprise distinct, strongly hierarchical groups, but also involve much more fluid criminal networks which form in response to emerging criminal opportunities.⁴⁶

Commissioned by the United Nations (UN), the Centre for International Crime Prevention (CICP) conducted a survey of forty SOC groups across sixteen countries.⁴⁷ These groups were compared using ten main variables covering various aspects of SOC groups including structure, operations and identity. Vy Le observes that while other studies have explored the organisation and activities of SOC groups, this UN study is “likely to be the most comprehensive”.⁴⁸ This study identified five main typologies of SOC groups. Through drawing on Vy Le’s analysis and the UN study itself, these are summarised shortly. However, it is important to acknowledge that while these are the main typologies, given the diversity of SOC groups, they are not exhaustive. Moreover, other work also offers insights into how these groups fit into wider society (for example Von Lampe’s work on how SOC groups fit or are integrated into society).⁴⁹

Standard hierarchy: According to this UN study, the standard hierarchy structure is the most common structure and is characterised by a formal hierarchy with clear positions of command and clearly defined roles. The group’s hierarchy is maintained through violence (how this works in practice will be discussed in more detail later, albeit knowledge of this remains quite limited). Standard hierarchy groups tend to be comprised of members who are of the same ethnicity or who share similar personal backgrounds.

⁴³ Vy Le., *Organised Crime Typologies: Structure, Activities and Conditions* (2012), *Internal Journal of Criminology and Sociology*. Law and Justice Research Centre, Australia, 12 121-131 p.121.

⁴⁴ Local Government Association (2015) *Tackling serious and organised crime: a local response*, Report p. 9

⁴⁵ Finckenauer, J. (2005), Problems of Definition: What is Organised Crime? *Trends in Organised Crime*, 8 (3): 63 -83 p. 65.

⁴⁶ Hobbs, D. (1998) Going Down the Glocal: The Local Context of Organised Crime. *Howard Journal* 37 (4): 407-422.

⁴⁷ United Nations Office on Drugs and Crime. (2002) *Results of a Pilot Survey of Forty Selected Organised Criminal Groups in Sixteen Countries*.

⁴⁸ Vy Le. (2012) *Organised Crime Typologies: Structure, Activities and Conditions*. *Internal Journal of Criminology and Sociology*, Law and Justice Research Centre, Australia, 12 121-131 p. 124.

⁴⁹ Von Lampe, K. (2004) ‘Measuring Organised Crime: A Critique of Current Approaches’, in Dyne P.C., Jager, M., Von Lampe, K. and Newell, J.L. ‘*Threats and Phantoms of Organised Crime, Corruption and Terrorism: Critical European Perspectives*.’ The Netherlands: Wolf Legal Publishers.

Regional hierarchy: The regional hierarchy structure is similar to the standard structure in terms of there being a clear chain of command, internal discipline and members sharing common social or ethnic identities. What differentiates a regional hierarchy group from a standard hierarchy group is the “decentralisation of power”, where limited autonomy is given to local leaders.⁵⁰ The structure allows groups to broaden their membership and participate in various OC activities across a wide geographical area. This kind of structure is particularly beneficial to those groups that are involved in transnational OC.

Clustered hierarchy: A clustered hierarchy structure comprises of groupings of small SOC groups acting under a central body. The groupings or ‘clusters’ are coordinated in terms of their criminal enterprise by a central coordination body, but retain independence in terms of their activities and identity. These clustered hierarchy structures are uncommon and most likely to develop in unique social environments, such as within a prison system.

Core group: These are unstructured groups of OC criminals who are surrounded by a larger network of associate members. The ‘core’ itself is small, which makes it easier to maintain internal discipline. Unlike hierarchical structures, power is shared among all its members. From a law enforcement perspective, firstly identifying and secondly tackling these groups is problematic: their lack of a strong ethnic or social identity complicates identification further. In addition, these groups may also operate behind the façade of legitimate businesses that are managed by a small group of people.

Criminal network structure: These networks are highly fluid and adaptable. The individuals within these networks have various skills and characteristics, and they are recruited to undertake particular jobs on the basis of these. The ‘pooling of resources’ is beneficial to the group, and the success of these very loose structures depend on members’ shared personal ties and loyalties. Yet the fluid nature of these structures means that key individuals can be replaced should they leave, or should individuals come to the attention of law enforcement agencies (thus risking exposure). While these groups represent a small proportion of the sample in the UN study, the report notes that it is likely that they are actually common, and possibly even increasing in number.

In summary, it is important to recognise that while SOC groups are often very hierarchical and highly structured, SOC groups come in a variety of shapes and forms, which also includes very loose networks of criminal actors. The traditional or stereotypical conception of a SOC group may be of a Sicilian Mafia style group which is, among other things, familial in origin.⁵¹ However, the evidence presented here suggests that SOC groups can be comprised of members who can be connected to one another in different ways and with varying degrees of

⁵⁰ Vy Le. (2012) Organised Crime Typologies: Structure, Activities and Conditions (2012). *Internal Journal of Criminology and Sociology*, Law and Justice Research Centre, Australia, 12 121-131 p.123.

⁵¹ Local Government Association. (2015) *Tackling serious and organised crime: a local response*, Report p. 9.

closeness. It is crucial that trusted social connections, both internally and externally exist, yet the origins of these social connections are varied and do not emerge solely, for example, from family units. Recognising the diverse structures and compositions of SOC groups is critical to understanding how SOC can be tackled.

SOC activities

This section provides information on some of the key criminal activities SOC groups are involved in although it should be recognised that it is not an exhaustive list of all SOC related activity. SOC groups are involved in a diverse range of criminal activities, which span activities that SOC groups have had traditional involvement in, such as the supply and distribution of illegal drugs, to new and emerging criminal activities⁵² such as human trafficking. It is beyond the scope of this report to discuss all of these activities, or discuss them in great detail. However, the diverse list suggests the adaptability of SOC groups to respond to new demands and trends. Strategic assessment data⁵³ also reveal that just under half of SOC groups are involved in multiple types of criminal activity; this again is demonstrative of the adaptability of SOC groups. However, on this note, it is also important to point out that broader literature (for example, from the EU) identifies other areas of involvement for SOC groups; for instance, in relation to human trafficking and sexual exploitation (which is discussed in Section 5). These groups are likely to be involved in even more activities than is suggested by the following list, which relies on evidence primarily from Scotland and from the wider UK.

It is worth re-iterating that there is a lack of detailed information on SOC groups' involvement in these activities, beyond that provided by the strategic assessment. However, that which does exist offers insight into SOC group activities in Scotland:

- **Drug supply and distribution:** As will be discussed, despite declining illegal drug consumption in Scotland in general (as indicated by findings from the Scottish Crime and Justice Survey which will be discussed later), the supply and distribution of illegal drugs is a common activity for SOC groups to be engaged in; 65% of Scottish SOC groups are estimated to be involved in this. Heroin is the most popular commodity, followed by cocaine, cannabis, amphetamine and tranquilisers. According to Europol, New Psychoactive Substances (NPS) as a commodity are likely to emerge as the most significant drug related issue in the EU.⁵⁴ Links in relation to drug trafficking

⁵² Or alternatively, some new and emerging activities may in fact be neither; instead they may have only recently received widespread public and political attention, and therefore may simply appear new.

⁵³ Scottish Crime Campus. (2016) *Scottish Multi-Agency Strategic Threat Assessment*.

⁵⁴ Recognition of this is reflected in the creation of new legislation specifically targeting NPS: namely the Psychoactive Substances Act. This legislation created a range of civil and criminal offences in relation to NPS, covering production, supply, possession, importation and exportation. It also outlines a wide range of penalties for these offences, including fines and custodial

exist between Scotland and the north west of England, but links also exist at a European and global level.⁵⁵ The cost and impacts of drug supply and distribution will be discussed in more detail in Section 5, but it is worth noting here that even with declining drug consumption, the scale of the drugs market (estimated at £1.4 billion in 2009⁵⁶) means that there are likely to be significant numbers of individuals involved in various aspects of this market, including importing, selling, transporting drugs, as well as laundering proceeds, and other related activities.

- **Acquisitive crime:** This includes a wide range of crimes including cash-in-transit crimes, organised shoplifting, metal theft, ‘tiger kidnappings’⁵⁷, and aggravated burglaries. The most common type of property stolen in organised acquisitive crime is motor vehicles. SOC groups are also known to be involved in organised ‘bogus crime’ where the vulnerable and/or elderly are targeted for the purposes of extorting cash.⁵⁸
- **Counterfeiting:** SOC groups are involved in the trade of counterfeit goods. SOC groups are involved in counterfeiting various goods including tobacco and alcohol. As will be discussed, counterfeiting also involves the unauthorised taking of intellectual property which affects, among others, businesses.⁵⁹
- **Immigration crime:** SOC groups are involved in immigration crime, which includes forging documents and arranging sham marriages.⁶⁰
- **Environmental crime:** SOC groups are involved in environmental crime, which covers a broad span of activities including the illegal dumping of waste products. Products include construction and demolition waste (including hazardous materials such as asbestos), ‘end of life’ vehicles and metal, and

sentences. In this sense, this legislation constitutes another means to disrupt SOC while putting in place safeguards for potentially vulnerable populations who may use these substances.

⁵⁵ Scottish Crime Campus. (2016) *Scottish Multi-Agency Strategic Threat Assessment*.

⁵⁶ Casey et al. (2009) *Assessing the scale and impact of illicit drug markets in Scotland*. Edinburgh, Queens Printers of Scotland. 2009 p. 31.

⁵⁷ A tiger kidnapping is one which involves the captors not only committing the crime of abduction (kidnapping), but also of captors demanding that the captive commit a crime on their behalf.

⁵⁸ Scottish Crime Campus. (2016) *Scottish Multi-Agency Strategic Threat Assessment*.

⁵⁹ Scottish Crime Campus. (2016) *Scottish Multi-Agency Strategic Threat Assessment*.

⁶⁰ Scottish Crime Campus. (2016) *Scottish Multi-Agency Strategic Threat Assessment*.

also electronic or 'e-waste'. E-waste materials can be stripped down in order to reclaim valuable materials such as gold and silver.⁶¹

- **Fraud:** SOC groups involved in fraud have the aim of either making or laundering money. Common fraud types include excise duty evasion, VAT repayment and mortgage fraud.⁶² More detail on fraud, as well as its impacts, will be discussed in Section 5.
- **Extortion:** Extortion is the use of blackmail or violence to force victims into making illegal payments. SOC groups are known to be involved in extortion but prevalence is difficult to estimate; for example, other types of SOC activity, such as those discussed here, may involve using extortion but the prevalence is unknown.⁶³
- **Cybercrime:** The UK Government's '*Serious and Organised Crime Strategy 2013*'⁶⁴ divides cybercrime into two distinct types: cyber-dependent and cyber-enabled crime. Cyber-enabled crime utilises technology to facilitate the crime, and can be committed both offline and online. Cyber-dependent crime, or 'pure cybercrime', can only be carried out through computers or similar devices, and includes: hacking, denial of service attacks (for example, via the flooding of internet servers), and the distribution of malicious software. Due to the evolving and inherently complex nature of both forms of cybercrime and all that this category encompasses, it is very difficult to assess the level of threat posed to Scottish communities. Cybercrime is "intrinsically linked" to SOC, and cyber *enabled* crime is considered to be a "significant threat" to Scotland.⁶⁵ However, not all forms of cybercrime are associated with SOC. While this report does not discuss the harms associated with cybercrime, it is important to note that cybercrime has the potential to affect individuals within society in a more geographically widespread way than other forms of crime. Given this, and given its relatively recent and emerging nature, further investigation is required.
- **Human trafficking:** Some SOC groups traffic individuals for profit and for a range of purposes including for sexual exploitation, prostitution, illegal labour (including domestic servitude) and sham marriages.⁶⁶

⁶¹ Home Office. (2013) *Understanding organised crime: estimating the scale and the social and economic costs*.

⁶² Scottish Crime Campus. (2016) *Scottish Multi-Agency Strategic Threat Assessment*.

⁶³ Home Office. (2013) *Understanding organised crime: estimating the scale and the social and economic costs*.

⁶⁴ Home Office. (2013) *Serious Organised Crime Strategy*, London, Home Office, p. 22.

⁶⁵ Scottish Crime Campus. (2016) *Scottish Multi-Agency Strategic Threat Assessment*.

⁶⁶ Scottish Crime Campus. (2016) *Scottish Multi-Agency Strategic Threat Assessment*.

- **Child sexual exploitation (CSE):** Although not all child sexual exploitation may be organised for financial profit, intelligence suggests that some organised crime groups are involved in CSE. Given the nature of CSE (as well as the issue of under-reporting and the changing and new means by which it can be perpetrated) obtaining an accurate picture of the scale and nature of it in Scotland is problematic.⁶⁷ However CSE is a known activity that SOC groups are involved in. The Police Foundation (based in England and Wales) estimates that the true scale of CSE is under estimated and also observes that while SOC groups are involved in CSE, CSE is not always attributed to SOC, but determining who exactly is responsible is a difficult exercise.⁶⁸ This complexity will be discussed later, but given these issues, it is likely that the scale and nature of CSE, including that which is perpetrated specifically by SOC groups in Scotland, is also under-estimated.

SOC groups may undertake other types of crimes that are ‘secondary’, and not directly profitable in themselves, but carried out to support their organisations’ need to bank profits, and maintain influence and profile. The following are some of the commonly identified facilitating crimes that SOC groups may become engaged in:

- **Money laundering:** Money laundering (converting proceeds of crime into tangible and usable, ‘legally’ held assets) is often essential to the operation of SOC groups. Money laundering includes the concealment, movement and legitimisation of money made from criminal activities. SOC groups in Scotland are involved in various means of money laundering. Common means are via cash based businesses, use of third party bank accounts and investing in property. The largest numbers of businesses linked to SOC groups are licensed premises, restaurants, construction, shop/retail and garage repairs/maintenance businesses. The majority of SOC groups that are involved in money laundering have links to quasi-legitimate businesses, providing opportunities to launder the profits stemming from SOC activity.⁶⁹
- **Firearms:** There are strong links between SOC groups, the drugs market and the use of firearms. It is not uncommon for SOC groups to have access to firearms, and SOC groups are also known to sell firearms to other SOC groups.⁷⁰ In terms of understanding the importance of this connection, if a group is known to be able to access firearms, this can bolster the power of a SOC group and thus contribute to its success.

⁶⁷ Scottish Crime Campus. (2016) *Scottish Multi-Agency Strategic Threat Assessment*.

⁶⁸ The Police Foundation (2016) *Reducing the Impact of Serious Organised Crime in Local Communities, Organised crime and child sexual exploitation in local communities, Briefing 3*.

⁶⁹ Scottish Crime Campus. (2016) *Scottish Multi-Agency Strategic Threat Assessment* p. 8.

⁷⁰ Scottish Crime Campus. (2016) *Scottish Multi-Agency Strategic Threat Assessment* p. 7.

- Violence:** By its nature, violence encompasses a broad range of harms, from the threat of violence and minor assaults, through to murder. Violence specific to SOC (as opposed to violence committed for other reasons) is difficult to isolate and distinguish within crime and victimisation datasets (such as the Scottish Crime and Justice Survey). The strategic assessment notes that violence is often employed by SOC groups, but the full extent and range of this is unknown.⁷¹ Violence (including fear of violence) may be deemed essential to the operation of SOC groups to protect their reputation, business interests and profits. Violence can be used to either facilitate a criminal enterprise or to control elements of a criminal market. As a facilitator, violence can enable crime and also may be used alongside other crimes with the ultimate goal of the generation of profit. However, as outlined by Von Lampe, it is important not to over-state the role of violence; Von Lampe suggests alternatively SOC groups *avoid* resorting to violence.⁷² Although, findings from Campana and Varese's study suggest an underlying complexity to this, and indicate that SOC groups may use violence in a strategic way. For example, a violent act committed by one member can be purposely hidden or revealed, and knowledge of a violent act can be used against the perpetrator (for example, it can be reported to the police). Groups (and members within them) can also develop a *reputation* for violence, limiting the need to resort to actually using violence. In these ways, violence can be used to encourage co-operation within groups.⁷³ Lastly, it is important to consider too how *fear of violence* (created, for example, through reputation) is also a form of violence, and may also help to achieve the goals of a SOC group. For example, fear may inhibit a community from reporting SOC activity.
- Corruption:** This is the process of irregular influence with the goal of allowing participants to gain profit and resources through the breaking of established rules. A study by the Center for the Study of Democracy (CSD) provides an account of different types of corruption covering various spheres that SOC groups can engage in. These include private sector corruption, political corruption, judicial corruption, police corruption and customs corruption. Corruption can take various forms depending on the context, and can range in severity, from sporadic and low level bribery, to infiltration, to even becoming the leaders of agencies.⁷⁴ Scottish SOC groups are known to be involved in corruption.

Finally, the complexity required to undertake this range of operations and activities requires SOC groups to have members performing various roles, many

⁷¹ Scottish Crime Campus. (2016) *Scottish Multi-Agency Strategic Threat Assessment* p. 5.

⁷² von Lampe, K. (2016) *Organised Crime: Analyzing Illegal Activities, Criminal Structures and Extra-Legal Governance* Sage Publications: London p. 123.

⁷³ Campana, P. and Varese, F. (2013) Co-operation in criminal organizations: Kinship and violence as credible commitments. *Rationality and Society* 25 (3): 263-269.

⁷⁴ Center for the Study of Democracy. (2010) *Examining The Links Between Organised Crime And Corruption*. European Commission. p. 34.

of which require specialisation. While the roles are varied, common specialist roles include being a car thief, a financial specialist and a money launderer.⁷⁵

This overview of SOC activity reveals the broad range of activities SOC groups are involved in. Some of these activities overlap, and as stated, over half of SOC groups are involved in the commission of more than one of these activities at a given time, which is demonstrative of how adaptable SOC groups tend to be.

5. The prevalence and impacts of SOC in Scotland

Overview

This section discusses some of the criminal activities SOC groups are involved in, and gives an indication of the prevalence and social and economic harm caused by these.

As outlined, by the Home Office,⁷⁶ the impacts and harms associated with OC are generally not well mapped; meaning discussion of these is inherently limited. Further evidence on the nature of harms is required to inform efforts to tackle SOC.

However, the evidence that is available gives an indication of the serious social and economic impacts SOC has both on Scotland and on the UK as a whole. The total estimated social and economic cost of SOC each year to the UK is at least £24 billion which the Home Office considers to be a conservative estimate.⁷⁷ This can be broken down into a number and variety of criminal markets. For example, drug supply and distribution is estimated to cost £10.7 billion per year; organised fraud £8.9 billion and organised immigration crime £1 billion.⁷⁸ In Scotland, it is estimated that SOC costs the Scottish economy alone (i.e. excluding the social cost) £2 billion per year.⁷⁹

Evidence demonstrates that SOC encompasses a range of criminal activities, and in turn impacts a diverse range of victims, and is responsible for causing a wide range of harms. Indeed, the Home Office notes that the harms associated

⁷⁵ Scottish Crime Campus. (2016) *Scottish Multi-Agency Strategic Threat Assessment* p. 5.

⁷⁶ Home Office. (2013) *Understanding organised crime: estimating the scale and the social and economic costs*. Home Office p. 9.

⁷⁷ Home Office. (2013) *Understanding organised crime: estimating the scale and the social and economic costs*. Home Office p. 19.

⁷⁸ Home Office. (2013) *Understanding organised crime: estimating the scale and the social and economic costs*. p. 2.

⁷⁹ Scottish Police Authority. (2013), 'Item Number 5' Presented By Assistant Chief Constable Nicolson For Approval Meeting SPA Board Meeting December 2013.

with SOC translate into harms to society, harms to individuals and businesses.⁸⁰ It is beyond the scope of the review to discuss the nature of all of these harms and the groups impacted. However, some of the harms associated with some of the criminal activities outlined earlier in this review are now discussed. As will be shown, these varied activities affect some or all of these different groups: for example, individuals, businesses and society as a whole.

Drug supply and distribution

Given that around two thirds of SOC groups are involved in the supply and distribution of illegal drugs, the social harms associated with the sale and consumption of illegal drugs are one of the main social harms of SOC. This section aims to give an indication of both of these through drawing on a number of sources.

First, to put the issue into context, a 2009 report estimated the total social and economic cost of illegal drug use in Scotland to be just under £3.5 billion.⁸¹ This report also identified particularly high costs to be associated with problem drug use specifically; this accounts for 96% of the total cost, which equates to just under £61,000 per problem drug user. In comparison, recreational drug use accounts for 4% of the total estimated cost, equating to £134 per user.⁸² More recent figures for the UK estimate the total social and economic cost to be £10.7 billion, of which almost half (£6 billion) can be attributed to drug related crime.⁸³

The Scottish Crime and Justice Survey (SCJS) provides the most reliable indication of the prevalence of drug consumption across Scotland, which includes an indication of the prevalence of new psychoactive substances.⁸⁴ Evidence from the SCJS suggests that drug consumption may be reducing but that it is still a large and profitable commodity in Scotland.

The most recent SCJS (2014-2015) found that around 6.0% of adults in Scotland reported having used one or more illegal drugs *in the last year*.⁸⁵ This figure represents a statistically significant decrease over time: for example, this stood at 7.6% in the 2008-09 survey.

⁸⁰ Home Office. (2009) *Extending our Reach: A Comprehensive Approach to Tackling Serious Organised Crime*. p. 9.

⁸¹ Casey et al. (2009), *Assessing the scale and impact of illicit drug markets in Scotland*. Edinburgh, Queens Printers of Scotland.

⁸² Casey et al. (2009) *Assessing the scale and impact of illicit drug markets in Scotland*. Edinburgh, Queens Printers of Scotland. p. 2.

⁸³ Home Office. (2013) *Understanding organised crime: estimating the scale and the social and economic costs*. Home Office p. 34.

⁸⁴ More detail on the SCJS can be provided here <http://www.gov.scot/Topics/Statistics/Browse/Crime-Justice/crime-and-justice-survey>.

⁸⁵ Scottish Government. (2016), *Scottish Crime and Justice Survey 2014/15: Drug Use*. Edinburgh, Scottish Government p. 7.

As regards drug use among young people, who have often been the focus of attention in this context, findings from the most recent SALSUS⁸⁶ (Scottish Schools Adolescent Lifestyle and Substance Use Survey) supports the general trend of declining drug use among 13 and 15 year olds since 2002, though there was a small increase in the proportion of 15 year old boys who consumed drugs in the month prior to the study (from 11% in 2013 to 13% in 2015). The survey found that 3% of 13 year olds and 11% of 15 year olds reported using drugs in the last month.⁸⁷

However, closer scrutiny of the 2014-2015 SCJS also suggests that, set against this overall trend, drugs markets are concentrated within certain populations or locations. Firstly, people were more likely to have been *offered* illegal drugs if they worked in routine and manual occupations, lived in urban areas, or lived in the 15% most deprived areas of Scotland.⁸⁸ While recording different data, findings from the Scottish Household Survey (2015) suggested that there is a relationship between area deprivation and perceptions of the prevalence of drug misuse in the area. The survey found that for Scotland as a whole, 12% of respondents thought that drug misuse is a 'very' or 'fairly' common problem in their neighbourhood for Scotland. However, this figure rose to 29% for those living in the most deprived neighbourhoods, based on SIMD scores. Indeed, there is a relationship between the perception of drugs misuse problems and the deprivation levels of neighbourhoods.⁸⁹ These findings suggest that SOC drug markets have a greater presence or visibility in deprived areas than in areas experiencing lower levels of deprivation, possibly exacerbating other neighbourhood problems as well as negatively affecting wellbeing and overall quality of life.

The SCJS reveals that self-reported illegal drug *use* (i.e. consumption patterns rather than the experience of *being offered* illegal drugs) in *the last year*⁹⁰ was significantly associated with socio-economic classification, urban or rural classification, victim status and area deprivation based on the SIMD.⁹¹ Finally, this variation is also reflected in rates of drug dependency. The 2014-2015 SCJS found that within the category which asked about usage within the last month (the category particularly focused on drug dependency)⁹², there was greater

⁸⁶ Scottish Government. (2015) *Scottish Schools Adolescent Lifestyle and Substance Use Survey (SALSUS) Drug use Report 2015*, A National Statistics Publication.

⁸⁷ Scottish Government. (2015) *Scottish Schools Adolescent Lifestyle and Substance Use Survey (SALSUS) Drug use Report 2015*, A National Statistics Publication p. 2.

⁸⁸ Scottish Government. (2016) *Scottish Crime and Justice Survey 2014/15: Drug Use*. Edinburgh, Scottish Government p. 39-40.

⁸⁹ Scottish Government. (2016) *Scotland's People Annual Report: Results from the 2015 Scottish Household Survey*. Edinburgh: Scottish Government p. 74 and 75 (Tables 4.5 and 4.6).

⁹⁰ According to the SCJS, this particular time frame is generally regarded as the most stable measure of current drug use.

⁹¹ Scottish Government. (2016), *Scottish Crime and Justice Survey 2014/15: Drug Use*. Edinburgh, Scottish Government, p.33- 34.

⁹² Scottish Government. (2016) *Scottish Crime and Justice Survey 2014/15: Drug Use*. Edinburgh, Scottish Government p. 12.

dependence on drugs among people who had never worked or were long-term unemployed: 29% compared to 11% of routine and manual occupations⁹³; and among those people living in the 15% most deprived areas of Scotland which stood at 31% compared to 12% of those living in the rest of Scotland.⁹⁴ It is important to point out too that the SCJS cannot capture all problematic drug use. It is a survey of private households and therefore excludes those who may take drugs who live in other circumstances; for example, those living in institutions or communal residences (e.g. student accommodation, or prisons). It also does not capture those with no fixed abode (for example, the homeless population).⁹⁵ Moreover, it may even exclude drug users who *do* live in private households whose chaotic lifestyles mean they are either not at home or may be unable to take part when the survey interview takes place.⁹⁶ Therefore, the estimates on problematic drug use provided by the SCJS are likely to under-estimate the scale of the problem. Findings from the NHS can give some indication of prevalence: it estimates that there are approximately 61,600 problem drug users in Scotland aged between 15 and 64. Expressed as a percentage of the population, the rate of problem drug use is 1.68%. However, these most recent prevalence estimates are from 2012-13.⁹⁷

Data from these sources therefore suggest that the effects of drug supply and demand are not evenly distributed, and that individuals living in deprived areas or those who may be disadvantaged in other ways are more likely to have been *offered* illegal drugs; are more likely to *use* drugs; and are more likely to experience drug *dependency* than those not living in these areas or not disadvantaged in other ways.

The relationship between socio-economic disadvantage and problem drug use and of how these also link with general health inequalities is often acknowledged.⁹⁸ Indeed, recognition of the connections between these is also built into Scotland's Strategy for Drugs, published in 2008 (which will soon be refreshed).⁹⁹ This link requires closer examination and further research to offer additional insights. It is also complex: underlying disadvantage may lead to problem drug use, but it may also be a consequence of it, compounding problems. Indeed, the 2009 report defined 'problem drug use' as illegal drug use that often results in users requiring social or medical intervention into their

⁹³ Scottish Government (2015) *Scottish Crime and Justice Survey 2014-2015 Data Tables*, Volume 3, Drug Modules, Demographic Tables, Table 36.

⁹⁴ Scottish Government (2016), *Scottish Crime and Justice Survey 2014/15: Drug Use*. Edinburgh, Scottish Government, p. 52.

⁹⁵ Scottish Government. (2016) *Scottish Crime and Justice Survey 2014/15: Drug Use*. Edinburgh, Scottish Government, 2016 p. 11.

⁹⁶ Scottish Government. (2016) *Scottish Crime and Justice Survey 2014/15: Drug Use*. Edinburgh, Scottish Government, 2016 p. 67.

⁹⁷ NHS ISD (2016) *Estimating the National and Local Prevalence of Problem Drug Use in Scotland 2012/13*.

⁹⁸ For example, in NHS. (2016) NHS Health Scotland, *Drugs*.

⁹⁹ Scottish Government (2008) *The Road to Recovery*. Edinburgh, UK: Scottish Government.

lives.¹⁰⁰ It noted that problem drug users characteristically are not in employment, may have criminal justice issues, and often other social/medical issues relating to the injection of drugs.¹⁰¹ As stated, this link is a very complex one, but an appreciation of this link is important when considering the impacts of SOC; specifically which groups of people are more likely to be impacted, or to be impacted disproportionately.

On the note of impacts, it is worth briefly outlining some of the harms associated with problem drug use. There were 867 drug related deaths registered in Scotland in 2016, (23%) more than in 2015. This was the highest number ever recorded and more than double the figure for 2005 which was 336. Men accounted for 68% of drug related deaths in 2015, and 73 % of drug related deaths were among those aged 35 and over.¹⁰² It is thought that the upward trend in drug related deaths is due to an ageing cohort of problem drug users with multiple and complex needs.¹⁰³

In response to these trends, on 26th July 2017, the Minister for Public Health announced her intention to refresh Scotland's (2008) Drug Strategy entitled 'Road to Recovery'.¹⁰⁴ The refresh will build upon the foundations of the current strategy while taking cognisance of the change in pattern of contemporary drug use, and the challenges for treatment providers in retaining patients. In addition, the refresh will evidence that problem drug use is a product of wider health, social and economic inequalities. It will aim to provide leadership while also reinvigorating and reenergising the sector against a clear set of priorities, with an associated action plan.

While much more should be explored in relation to the link between problem drug use and the experience of socio-economic disadvantage, there is recognition that the relationship between the two is complex. In summary, the evidence suggests that the harms associated with problem drug use are disproportionately felt by those already disadvantaged. Consequently, this suggests that the harms of SOC- at least in relation to drug supply and distribution- are not evenly distributed across sections of the population. Therefore while SOC exacerbates inequality, it also is a symptom of it, having a greater presence in areas that are socially and economically disadvantaged, and being more likely to affect individuals who already experience or have experienced some form of disadvantage.

¹⁰⁰ Casey et al. (2009), *Assessing the scale and impact of illicit drug markets in Scotland*. Edinburgh, Queens Printers of Scotland. p. 16.

¹⁰¹ Casey et al. (2009) *Assessing the scale and impact of illicit drug markets in Scotland*. Edinburgh, Queens Printers of Scotland all p. 16. The authors also acknowledge the problems with categorising users and the limitations of so doing.

¹⁰² National Records of Scotland. (2015) *Drug-related deaths in Scotland in 2015: Statistics of drug-related deaths in 2014 and earlier years, broken down by age, sex, selected drugs reported, underlying cause of death and NHS Board and Council areas*, A National Statistics publication, p. 5.

¹⁰³ NRS (2017) Drug related deaths in Scotland in 2016.

¹⁰⁴ Scottish Government. (2017) Treating Scotland's changing drug problem <https://news.gov.scot/news/treating-scotlands-changing-drug-problem>

Child Sexual Exploitation (CSE)

As discussed, CSE is complex, and there is difficulty associated with mapping perpetrators (including groups of perpetrators) and identifying that which is related to SOC. The Home Office categorises CSE into three distinct types, and in this way, the CSE which is attributed to SOC groups is more easily identified. These categories are: inappropriate relations; the 'boyfriend' model of exploitation including peer exploitation; and organised/networked sexual exploitation or trafficking.¹⁰⁵

This third category is entirely organised in nature and therefore connected to SOC, and involves the grooming and abuse of children and young people by organised groups and networks.¹⁰⁶ Organised CSE alone (excluding other forms of CSE) is estimated to cost the UK £1.1 billion per year.¹⁰⁷ CSE causes a wide range of often long lasting harms to the young victims as well as to their parents and families, and wider society.

Human Trafficking and Sexual Exploitation

Human trafficking is the exploitation of humans for profit. The Home Office estimates that the total social and economic cost to the UK of human trafficking for the purposes of sexual exploitation alone are £890 million; other forms of human trafficking include criminal exploitation, domestic servitude and forced labour. These forms are excluded from this estimation due to a lack of data; therefore the cost is likely to be substantially higher than this.¹⁰⁸ In 2015, the UK National Referral Mechanism Statistics received 145 referrals of potential victims of human trafficking¹⁰⁹, though this is likely to be an under-estimation due to issues of under-reporting.¹¹⁰ Often those who are trafficked are already vulnerable, and stay hidden through physical isolation, language or cultural barriers.¹¹¹ Victims of trafficking report experiencing extreme levels of trauma, fear, anxiety alongside physical and other mental health problems; moreover,

¹⁰⁵ Home Office. (2013) *Understanding organised crime: estimating the scale and the social and economic costs* p. 30.

¹⁰⁶ Home Office. (2013) *Understanding organised crime: estimating the scale and the social and economic costs* p. 31.

¹⁰⁷ Home Office. (2013) *Understanding organised crime: estimating the scale and the social and economic costs* p. 31.

¹⁰⁸ Home Office. (2013) *Understanding organised crime: estimating the scale and the social and economic costs* p. 40.

¹⁰⁹ Who were first encountered in Scotland

¹¹⁰ National Crime Agency (2015) *National Referral Mechanisms Statistics- End of Year Summary Statistics 2015*, Annex C, Scotland p. 22.

¹¹¹ Scottish Parliament. (2015) *Human Trafficking and Exploitation (Scotland) Bill Briefing* p. 3.

these are often experienced at the same time, and affect victims in their daily lives.¹¹²

In terms of how sexual exploitation is perpetrated by SOC groups in the UK, analysis of police data by the Police Foundation suggested that OC had “significant presences” in this particular market (with business like structures required to manage brothels in order to ensure maximum profitability and to minimise the risk of exposure to the police) strongly suggestive of a link to OC. However, according to the practitioners consulted in its study, exploitation in the off street adult sex market (within brothels) was far more prevalent than that recorded in police databases.¹¹³ Lastly, 2009 figures from Scotland estimated that around 5% of all crime groups known at that time were involved in prostitution.¹¹⁴

Fraud

The Annual Fraud Indicator estimated the annual cost of fraud to the UK using data provided by stakeholders, and suggests that fraud costs the private sector £5.7 billion, from a total annual loss of £15.5 billion. Estimates are also provided for the public sector (£702 million), individuals (£9.1 billion) and charities (£30 million).¹¹⁵ As discussed previously, SOC groups are known to be involved in fraud in Scotland. While precise details on the financial impact of SOC group’s fraud related activities are not available, it is suggested that Scottish SOC groups contribute to these losses, including to businesses.

Based on the findings from its study, the Police Foundation categorises *organised* fraud (i.e. fraud committed by SOC groups) into seven distinct types. These are: identity fraud; fraudulent sales (occur when a victim purchases a good or service- these often occur through online auction or selling websites); mass marketing fraud (where victims are contacted via email, letter, phone or advertisements); fraudulent sales in person (when a victim purchases a good or service from the perpetrator in person); abuse of trust (where a victim’s trust is abused and the victim’s position is taken advantage of); fraudulent applications where the perpetrator deliberately misrepresents themselves or position (for example, lying on a claims application form); and investment fraud.¹¹⁶ The Police Foundation report that the scale of organised fraud committed by SOC groups is substantially higher than is suggested by Home Office estimates. They also

¹¹² Easton, H. and Matthews, R. (2012) Equality and Human Rights Commission Research Report 82, *Investigating the experiences of people trafficked into commercial sexual exploitation in Scotland* p. 10.

¹¹³ The Police Foundation. (2016) *Reducing the Impact of Serious Organised Crime in Local Communities*, The role and impact of organised crime in the local off-street sex market, Briefing 2 p. 1-5.

¹¹⁴ Scottish Government. (2017a) *Exploring Available Knowledge and Evidence on Prostitution in Scotland in Practitioner-Based Interviews*. Scottish Government Social Research. p. 6.

¹¹⁵ National Fraud Authority. (2013), *Annual Fraud Indicator* p.11. The National Fraud Authority closed in March 2014, meaning it is not possible to provide more recent UK figures.

¹¹⁶ The Police Foundation. (2016) *Reducing the Impact of Serious Organised Crime in Local Communities*, *Organised fraud in local communities*, Briefing 1 p. 2.

report that *organised* fraud causes greater financial harm than fraud which is not organised.¹¹⁷ It is important to bear in mind that even if individuals do not experience direct victimisation, organised fraud on this scale results in losses to, as mentioned, the public, private and voluntary sector. However, findings from the Crime Survey for England and Wales indicate that fraud is numerous and widespread at an individual level, with fraud accounting for 3.8 million offences of a total of 5.8 million incidents of fraud and computer misuse experienced by adults over 16 in England and Wales for the year ending March 2016 (recorded by this survey). It is important to point out that most money stolen is reimbursed and it is for relatively small amounts, but the aggregate effect of this is significant.¹¹⁸

Counterfeit goods

Businesses may be particularly impacted by SOC through the unauthorised taking of intellectual property through the use of counterfeit goods. The Home Office estimates the scale (or market size) of organised intellectual property crime and counterfeiting to be £90 million; this reflects the revenues (not profit) earned by organised criminals from this activity. The Home Office estimates the total economic and social cost (i.e. in terms of total harm) of this type of SOC activity to be £400 million; this estimate attempts to take account of the wide range of impacts of SOC on society.¹¹⁹ Included in this figure are physical counterfeiting and the piracy of specific goods (namely CDs, DVDs, games, business software, clothing and footwear); notably excluded are digital goods and digital piracy¹²⁰ which are likely to also be responsible for significant losses in revenue. The Home Office estimates that the total costs are likely to be far higher.¹²¹ In its assessment of total economic and social cost, the Home Office includes loss of profit and sales to business, lost revenue to the exchequer, loss of jobs, additional payment resulting from this loss of jobs and enforcement costs by media stakeholders for pirated CDs and DVDs; although this is not an exhaustive list of costs. Once again, the Home Office suggests this estimation is conservative.¹²² While figures from Scotland are not disaggregated in the Home Office data, given the extent of SOC activity in Scotland, it is likely that the scale and the total economic and social cost of these activities alone (excluding the various other SOC activities which impact businesses) are significant.

¹¹⁷ The Police Foundation. (2016) *Reducing the Impact of Serious Organised Crime in Local Communities, Organised fraud in local communities, Briefing 1* p. 4.

¹¹⁸ Office for National Statistics. (2016) *Overview of fraud statistics: year ending March 2016*, Section 2 and Section 4.

¹¹⁹ Home Office. (2013) *Understanding organised crime: estimating the scale and the social and economic costs*. p. 10 (definitions of 'scale' and 'social and economic cost' are found on p. 6).

¹²⁰ Digital goods include software, music, DVDs and videos. Digital piracy is the illegal trade of these goods.

¹²¹ Home Office. (2013) *Understanding organised crime: estimating the scale and the social and economic costs* p. 92-93.

¹²² Home Office. (2013) *Understanding organised crime: estimating the scale and the social and economic costs* p. 94-96.

Wider harms

The harms discussed caused by these different types of activity cause ripple effects for wider society. SOC also causes other societal harms, such as fear of crime, the loss of revenue for public services and the associated increase in taxation to replace this loss.¹²³ Given the hidden nature of SOC, it is impossible to estimate the exact financial cost of SOC in terms of the loss of revenue for public services, and the associated increase in taxation to make up for this shortfall. However, given the extent of SOC activity in Scotland, it is likely that the financial impact is significant.

As regards fear of crime, a finding from a 2013 Scottish Government commissioned survey of public perceptions of SOC indicates that fear of SOC is of concern to the Scottish public. The telephone survey (part of an omnibus survey conducted by Ipsos MORI) of 1,000 adults explored various aspects of SOC including (but not limited to) public awareness of SOC, personal experiences of SOC, assessment of the prevalence of SOC and an assessment of who was responsible for tackling SOC.

The survey found that in response to the question: 'What do you think the main impacts of organised crime in Scotland are?' 21% viewed fear in the community as the main impact. 17% thought this was drug abuse, and 12% thought that this was less money available for public services.¹²⁴ Therefore, fear in the community was perceived as a main impact of organised crime by just over one fifth of respondents. Yet, the survey also asked respondents if they had experienced organised crime themselves. Only 10% said they had been personally affected by organised crime in the last three years¹²⁵; although it is acknowledged that this time frame is limiting. This suggests that although individuals may not be personally affected by organised crime, they have an appreciation of the general sense of worry and unease within communities which SOC can create.

In terms of understanding how SOC can cause this, witnessing or even hearing about violence in the community can contribute to a climate of fear. In addition, being aware of the presence of SOC groups and fearing their influence and profile may raise concerns that SOC groups may infiltrate services; indeed, this is supported by the evidence which demonstrates that SOC groups can directly and indirectly infiltrate procurement processes (for example, through winning a contract to provide a good or service).¹²⁶ As discussed previously, strategic assessment data suggests that Scottish SOC groups engage in violence

¹²³ Home Office. (2009), *Extending our Reach: A Comprehensive Approach to Tackling Serious Organised Crime*. p. 9.

¹²⁴ Scottish Government. (2013) *Public perceptions of organised crime in Scotland*. Scottish Government Social Research, p.6.

¹²⁵ Scottish Government. (2013) *Public perceptions of organised crime in Scotland*. Scottish Government Social Research, p.3.

¹²⁶ Leacock, V. (2014) *Public Procurement Reform - a rapid evidence review*. Scottish Procurement and Commercial Directorate. Scottish Government.

(ranging from mild threats to serious and fatal violence) and corruption. A Police Foundation study found that while the violent incidents which occurred were primarily between members of rival SOC groups, they tended to take place in residential streets, which undermined feelings of safety and well-being within communities; specifically the interviewees in this study cited that there was a “pervasive atmosphere of fear and menace” and they also shared their experience of verbal and physical violence.¹²⁷ The wording of the question in the Ipsos MORI survey does not provide an answer to whether or not respondents were actually fearful of SOC, but it gives an indication that people associate SOC with fear in communities. Therefore, the evidence suggests that there are a number of societal harms associated with SOC. These include (but are not limited to) fear of crime as well as the financial impacts of loss of revenue and associated increases in taxation.

In conclusion, this section’s discussion of just a handful of the diverse range of individual, business and societal harms associated with SOC has raised an important point for our understanding of SOC. While SOC may be considered to simply be an aggregate of individual crimes perpetrated against a particular individual, the evidence suggests an alternative picture: instead, the impacts of SOC are broader and more complex, and SOC imposes secondary harms on, for example, communities and the economy.

6. Public perceptions of SOC

Following on from the discussion of public fear surrounding crime, part of understanding SOC (including its impacts) and addressing SOC relies on having a full understanding of how the public perceive SOC. Given the diverse and far reaching harms associated with SOC, it is important that the public are able to identify SOC in their area and to report it. Moreover, if the public are aware of these harms, this may help to deter them from engaging with SOC markets: for example, from purchasing counterfeit goods. Further, having an understanding of public perceptions helps to ensure that we have a reliable sense of the problem, directly from the people who experience it. If this is not gained, there is a risk that the agencies may be tackling a problem that has been defined by ideas and definitions that do not necessarily fit with how SOC is actually experienced.

While again there is a lack of research on this, there is some evidence to draw from, that supports other findings that SOC is concentrated within certain socio-economic -groups and locations, and is connected to other elements of disadvantage. Among the findings from the 2013 Ipsos MORI survey was the finding that people in Scotland think that OC affects some groups of individuals

¹²⁷ The Police Foundation and Perpetuity Research (2016) *Reducing the impact of Serious Organised Crime In Local Communities, The Impact of organised crime on local communities*, Briefing 4. p. 3.

to a greater degree than others, and also that some groups of people view OC to be a more serious problem than others.

To give some detail on this, in this survey people thought that the groups most impacted by OC were young people (38% of respondents), older people (25%) and those from poorer economic backgrounds (16%).¹²⁸ The high proportion who considered young people to be most impacted may be partly explained by the fact that when asked 'What types of illegal activity do you associate with organised crime?', 72 % said drug dealing or trafficking; drug misuse may be thought to disproportionately affect young people when compared with older adults. The relatively high proportion of respondents that thought older people were most at risk may be reflective of public concerns about rogue traders or doorstep crime, which may be considered to disproportionately affect the elderly. Although, given the lack of further explanation provided by the survey these explanations are tentative only.

It also seems to be connected directly with disadvantaged neighbourhoods. This survey also revealed that while seven in ten people in Scotland (69%) think that OC is *not* a serious problem in their neighbourhood, just over a quarter (27%) perceive it to be a serious issue, with those living in urban (31%) and the most deprived areas (46%) most likely to regard it as a problem.¹²⁹ Higher levels of concern about SOC in particular may be due to individuals living in these areas being more likely to witness, hear about or directly experience crime in general (SOC is not disaggregated) than those living in other areas of Scotland. Despite the relative lack of concern at a neighbourhood level in general (excluding these differences discussed), the majority (84%) perceived OC to be a serious issue in Scotland as a whole.¹³⁰ This is also reflected in findings from a 2016 national public participation survey from Police Scotland, which suggested that SOC is of concern to the Scottish public, featuring in the top five national priorities.¹³¹ This national concern is further reflected in the 2014-2015 SCJS which indicated that national crime rates were of greater concern than local crime rates.¹³² However, it is important to consider that since only 10% of respondents reported having experienced organised crime personally (the limited scope and timescales already acknowledged); these concerns may originate from media coverage¹³³,

¹²⁸ Scottish Government (2013) *Public perceptions of organised crime in Scotland*. Scottish Government Social Research p. 6.

¹²⁹ Scottish Government (2013) *Public perceptions of organised crime in Scotland*. Scottish Government Social Research p. 5.

¹³⁰ Scottish Government. (2013) *Public perceptions of organised crime in Scotland*. Scottish Government Social Research p. 5.

¹³¹ Police Scotland. (2017) *Your View Counts Survey Policing 2016-2017*, Quarter 3: April 2016 to March 2017, Prepared by Analysis and Performance Unit, May 2017. Although, it should be noted that this survey has some methodological limitations: for example, it is a self-selection survey.

¹³² Scottish Government. (2016) *Scottish Crime and Justice Survey 2014-2015 Main Findings* Edinburgh: The Scottish Government p. 63.

¹³³ Media coverage of crime can influence public opinion of crime; some researchers have applied this to organised crime specifically- see Dubois, J. (2002) *Media Coverage of Organized Crime: Impact on Public Opinion?* (See Bibliography for full citation).

witnessing or hearing about SOC, rather than from personal experience of victimisation. As discussed, the variation in perceptions of SOC rates in local areas may be due to witnessing or hearing about SOC to greater or lesser degrees.

Evidence suggests that the public might perceive SOC on a wider spectrum of crime, rather than as a specific and distinct form. In terms of understanding perceptions of *the level of harm* caused by SOC, a Home Office study on public perceptions of OC offers some insights.¹³⁴ The study identified that the public in general do not differentiate between the harms caused by OC and harms caused by general crime. In this study, harm to individuals (in terms of physical and emotional damage) was seen to be most harmful, followed by community impacts (such as reputational damage to the community), followed finally by harms to wider society (for example, loss of revenue to businesses and to the Treasury). Perceptions of the harm caused, combined with the perception of the likelihood of occurrence, appeared to underlie assessments of harm. As the authors note, this explains why some forms of OC were considered to be less harmful than forms of general crime: for example the effects of fraud were seen to harm wider society rather than individuals. An exception to a general under estimation of the harms caused by OC was the public perception of drug dealing. Drug dealing was believed to be responsible for causing a broad range of harms to individuals as well as wider society, but was also more likely to be visible in respective communities.¹³⁵ The 2013 survey mentioned, while not directly comparable, revealed that the top five responses in terms of the main perceived impacts of SOC in Scotland were fear in the community (21%) followed by drugs/drug abuse (17%), less money available for public services (12%), violence in the community (11%) and damage to victims health (11%). One in five respondents however, were not able to name any impacts of SOC.

Other research also supports the finding that there are complex perceptions on SOC among the public, and demonstrates that while the public are likely to view SOC as being harmful or problematic at a general level, there is nuance and complexity to this view. Work by Tilley and Hopkins¹³⁶ revealed that for businesses located in areas characterised as 'high crime residential neighbourhoods', receiving offers of stolen or counterfeit goods is a normal feature of business life. The authors noted that very few of these businesses reported such offers to the police, and suggested that it is likely that at least some of these businesses accepted such offers given the frequency at which these offers are made. They suggest that it may be the case that businesses and residents in these areas see themselves as beneficiaries of SOC; businesses are able to generate higher profits and residents derive benefit from cheaper goods.

¹³⁴ All Bullock, K., Chowdhury, R. and Holdings, P. (Home Office). (2009) *Public concerns about Organised Crime Research Report 16, Key Implications*.

¹³⁵ All Bullock, K., Chowdhury, R. and Holdings, P. (Home Office). (2009) *Public concerns about Organised Crime Research Report 16, Key Implications* p. 10

¹³⁶ Tilley, N., Hopkins M., with assistance from Adam Edwards and Jan Burrows, Home Office. (2008) *Business views of organised crime, Second Edition*, Research Report 10, Key Indications and Tilley, N. and Hopkins, M. (2008) *Organised Crime and Local Business Criminology and Criminal Justice*, 8 (4): 443-459

PricewaterhouseCoopers (PWC) commissioned an external provider to undertake a small scale survey of adult consumers about their attitudes to and familiarity with counterfeit goods. Its findings suggested that there were variations in the experience of having purchased counterfeit goods across both region and age, but also across socio-economic groups, with those in lower social grades¹³⁷ seeming more inclined to purchase counterfeit goods. It did not offer an explanation for this and its findings were suggestive only, but it may be the case that those who experience financial disadvantage may be more inclined because this disadvantage limits their choices, and counterfeit markets enable the purchase of otherwise financially unattainable goods. This is supported by a qualitative study conducted by the Joseph Rowntree Foundation which found that those experiencing poverty sometimes relied on black markets to obtain goods that they could otherwise not afford.¹³⁸ On the other hand, the other variations suggested by the PWC survey (such as between regions and across age ranges) are worthy of further exploration. Moreover, arguably the desire for 'a bargain' may be widespread and not limited to particular sub groups of the population.

Another perceived benefit of SOC may be the employment opportunities it offers. A Joseph Rowntree Foundation report into contemporary workless families found that sometimes those in the areas studied who had limited opportunities for legitimate employment (due to a lack of qualifications or limited formal education) instead found opportunities to work in the drug trade to be more "abundant and attractive". The individuals who made use of these opportunities lived in areas with "thriving drugs markets", offering easy opportunity to become involved and profit from these.¹³⁹

Given these findings, Mackenzie and Hamilton-Smith¹⁴⁰ suggest that it is not always appropriate to portray the community (including businesses and residents) as a 'victim' and as opposed to the presence of SOC in their areas. Both individuals and business may gain various types of benefit from SOC activity, or perceive that they are benefitting. Moreover, it is also worth highlighting that in order for SOC groups to be successful (as outlined earlier in this review), they must have a ready client or customer base for their products; for example, for drugs or counterfeit goods.

Von Lampe stresses the complexity of this. For example, he highlights that there are OC activities such as theft and fraud, which involve a SOC group targeting a victim. These activities are not influenced by supply and demand, meaning that

¹³⁷ PWC referred to the Office for National Statistics' classification to gauge these.

¹³⁸ Green, M. (2007) *Voices of people experiencing poverty in Scotland: Everyone matters?* Joseph Rowntree Foundation. York p. 9

¹³⁹ Shildrick, T., MacDonald, R., Furlong, A., Roden, J. and Crow, R. (2012) *Are 'cultures of worklessness' passed down the generations?* Joseph Rowntree Foundation p. 31-32.

¹⁴⁰ Mackenzie, S. and Hamilton-Smith, N. (2011) Measuring police impact on organised crime: performance management and harm reduction. In: *Policing: An International Journal of Police Strategies and Management*, 34 (1): 7-30.

this explanation cannot be applied to all SOC activities. Von Lampe also observes that illegal markets are variable across space and time; therefore there is not always a steady demand for a particular good or service. On the other hand, as he notes, there is an “obvious link” between SOC and society with both connected through voluntary transactions between suppliers and consumers. In other words, firstly, individuals and businesses are willing participants in this exchange; and secondly, there is a demand for SOC activities precisely because they fill a gap or meet a need otherwise unfilled or unmet by society.¹⁴¹ However, it is important to bear in mind that individual choices may be constrained by financial disadvantage, which brings into question the voluntariness of the consumption of illegal goods or services. SOC groups may recognise these constraints and take advantage of individuals and certain groups within society. Finally, while there may be a *perceived* benefit associated with SOC- for example, a financial benefit from buying a product at a discounted price- any benefit (whether perceived or actual) is outweighed by the diverse range of harms associated with SOC. As mentioned, one of the four strands of the strategy is DETER which includes the aim to raise awareness of threats posed and harms inflicted.

In summary, it is important to emphasise that, as with other aspects of SOC, there is a lack of detailed evidence on the complex ways that the public perceive SOC, but this seems to be an important evidence gap. Specifically, there is a lack of qualitative insight into public perceptions of SOC which constitutes a significant limitation. However, there is a sense that public perceptions of SOC are complex. The public in general may fear the consequences of SOC markets, and this fear may be equally, if not more strongly, felt by those living in communities which are disproportionately impacted by SOC. The evidence, even in relation to perceptions of SOC, suggests that SOC thrives on and may exacerbate inequality. It exploits individuals who have vulnerabilities and causes far reaching harms, affecting more than those directly involved or those most obviously impacted.

The evidence suggests that the public tend to assess level of harm caused by any crime (whether it is organised or not) on the basis of the extent to which individuals are harmed physically or emotionally; crimes which have a less obvious victim are less likely to be considered harmful.

Lastly, it seems that despite this fear and despite recognition of harms, SOC may also generate benefits (or perceive to generate benefits) for individuals and for communities. For example, individuals may benefit from cheaper consumer goods (that are stolen, smuggled or counterfeit), or may benefit from gaining lucrative employment in the drugs market. Nonetheless, these benefits whether perceived or actual, must be placed in the broader context of harm associated with SOC.

¹⁴¹ Von Lampe, K. (2016) *Organised Crime: Analyzing Illegal Activities, Criminal Structures and Extra-Legal Governance*. London: Sage Publications p. 234-235.

It is emphasised that further, particularly qualitative, research is required to deepen understanding. However, the findings presented within this report may have implications for our understanding of the impacts of SOC and may also impact the efficacy of interventions to prevent, minimise and tackle SOC.

7. Conclusion

This report has aimed to provide an overview of SOC in Scotland. It has drawn from national and international literature, as well data from the multi-agency strategic assessment to provide an overall picture of SOC.

It has:

- Discussed how SOC is termed and defined in Scotland and elsewhere.
- Provided an overview on the prevalence on SOC in Scotland and provided some basic information on SOC groups and the demographic characteristics of members.
- Provided an overview of the workings of SOC groups, including consideration of the importance of social connections, how groups are structured, and the key criminal activities SOC groups engage in.
- Discussed the social and economic harms SOC inflicts on individuals, businesses and communities/wider society.
- Provided insight into public perceptions of SOC, and demonstrated the complexity of public attitudes which may have a bearing on prevention.

However, it has been emphasised throughout this review that there is lack of evidence across aspects of SOC, meaning some conclusions are tentatively drawn.

Summary of review findings

A key finding of this review is that there is a lack of social science evidence on SOC, and that current views are heavily based on operational and administrative data, which is designed for other primary functions, and has important limitations as a source of evidence, due to the way it is collected and analysed.

There is a need to develop the social science evidence base on SOC, from more varied perspectives, to deepen understanding of SOC and in turn to prevent and disrupt SOC; a need which is recognised in the 2015 refreshed strategy. This review contributes to this understanding by bringing together the various sources of evidence on SOC. In so doing, it helps to provide a more comprehensive overall picture of SOC, although this picture remains incomplete and limited.

In terms of the characteristics of who is involved in SOC and the nature of SOC groups, strategic threat assessment data suggest that most offenders involved in SOC are men and most are adults (a small percentage are under the age of 18 years old). Individuals involved in SOC form groups which take various forms

and structures. These groups are found across Scotland but there is a concentration of these groups in the west of Scotland. SOC groups are often connected to each other, with members often involved in more than one SOC group at a given time. Although, as has been discussed, this data have a number of limitations.

There is no single pathway into SOC. Instead, there are a number of risk factors for becoming involved in SOC, which relate to, among other things, individual views, circumstances, opportunities and networks. On the subject of networks, trusted social connections between members of a SOC group, and with other groups and individuals are essential to the creation and on-going success of a SOC group. These can originate from a range of contexts, including from family, relationships and business associates.

SOC groups vary considerably in terms of their structure and composition. For example, at one end of the scale, groups are very hierarchical with a clear chain of command and are made up of longstanding members. At the other end of the scale, groups are very fluid criminal networks whose membership changes in response to emerging criminal demands and opportunities. SOC groups are involved in a wide range of criminal activities, and are often involved in perpetrating more than one of these at a given time. This reveals the adaptability of SOC groups and gives an indication of the wide range of harms SOC groups cause by virtue of their involvement in such a wide range of criminal activities.

Understanding how the public perceive SOC is important to tackling it. Public perceptions of SOC are complex. The public fear SOC (and crime in general) and recognise the harms SOC is responsible for causing, though those that more obviously affect individuals are more likely to be identified or considered particularly damaging.

However, individuals and businesses may also benefit, or *perceive* that they benefit, from some specific SOC activities (for example, from the sale of cheap counterfeit goods). SOC goods and markets may be particularly attractive to those whose financial choices are constrained by virtue of poverty and disadvantage. Nonetheless, any benefits (perceived or actual) gained from SOC are substantially outweighed by the harms SOC causes.

Finally, SOC has often- at least historically or within some operational cultures- been conceptualised as an aggregate of individual crimes perpetrated against a victim in a particular situation. While this is the case in some circumstances, this is just one representation of SOC and the evidence highlights the variety and complexity of SOC activity and SOC groups. It demonstrates clearly that the impacts of SOC are broad and complex, and that the harms associated with SOC affect more than those directly involved or those most obviously impacted. SOC harms individuals, businesses, the economy and communities. For instance, individuals may be victims of human trafficking, fraud or doorstep crime, legitimate industries lose sales and have fewer jobs to offer members of the public; and governments lose vital funds for public services, affecting

individuals and communities. Lastly, while SOC is an issue for all of Scotland, it has a disproportionate effect on those who are vulnerable within communities.

Identified gaps in knowledge

While it is not possible to know everything about SOC, it is possible to continue to build on developing our understanding of SOC and the evidence base surrounding it, particularly social science evidence. This review has highlighted some key gaps in knowledge, which further research should help to fill:

- A lack of detailed evidence on the reasons why people become involved in SOC.
- A lack of detailed evidence on the workings of Scottish SOC groups: for example, how SOC groups operate in Scotland, and how they are structured.
- A lack of evidence on the impacts and harms of particular criminal activities associated with SOC. These include cybercrime and fraud.
- A lack of qualitative evidence on public perceptions and experiences of SOC, particularly within communities. For example, public attitudes towards particular forms of SOC activity, and understandings of how individual communities experience SOC on a day to day basis.

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