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SERIOUS ORGANISED CRIME IN SCOTLAND:

THE ROLE OF COMMUNICATIONS IN REDUCING DEMAND, VICTIMISATION AND FEAR

AN EVIDENCE REVIEW AND TOOLKIT FOR COMMUNICATORS

**Serious organised crime in Scotland:
The role of communications in reducing demand, victimisation and fear**

An evidence review and toolkit for communicators

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**Scottish Government
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CONTENTS

EXECUTIVE SUMMARY

- Organised crime is evolving rapidly. Public opinion, deep-seated and informed by images of gangs, glamour and violence in the news and entertainment media, lags some way behind the reality.

- There are many real threats which the public either do not perceive as being related to organised crime, or do not consider a threat at all. This lack of awareness matters for several reasons.

- Firstly, the majority of people do not consider themselves affected by or at risk from organised crime; it is something that happens elsewhere and to others. They are therefore less likely to take steps to protect themselves from organised crime. In general, those without personal experience of crime – or who do not believe they have personal experience of crime – are more likely to rely on portrayals in the news or entertainment media, which in turn are more likely to focus on violent or other interpersonal crime.

- Secondly, organised crime is largely funded by the general public, either through the purchase of controlled drugs or other illicit goods, or through unwilling victimisation. Without this source of funds, the capacity of organised crime to inflict physical or economic harm would wither.

- Thirdly, 'organised crime' as a concept already attracts widespread condemnation, and most people state that they would report it if they saw it. However, as many organised crimes would go unrecognised as such, public goodwill is not being fully translated into reports to law enforcement.

- In response to this awareness gap, strategies dealing with the threat of organised crime are increasingly focused on the need for preventative as well as punitive remedies, in the hope of more effectively reducing victimisation, fear, and the flow of money to organised crime groups. Communications is seen as a key element of this prevention strategy, with its role often summarised as 'raising awareness of the threats', or 'educating the public'.

- However, high-level strategies rarely discuss practical ways in which meaningful prevention messaging can be delivered.

- This newer goal of prevention sits alongside the traditional communications objective of increasing public confidence in the justice system and its constituent agencies. These two projects can be summarised as the 'prevention' agenda and the 'reputation' agenda.

- While there is overlap between crime prevention and reputation management messaging, in some circumstances they exist in competition with each other.

- The reputation agenda frames its messages by specifying the threat, condemning the crime, and promoting the capability of the agencies involved in tackling it. The tone of these messages tends to be one of a warning to perpetrators, or reassurance of operational effectiveness. Where guidance is offered, it is often in the form of a referral to other sources, and places responsibility on the reader to follow through and educate themselves.

- The prevention agenda seeks to more actively influence attitudes, support the development of positive behaviours, and encourage workable responses to threats. In practice it seeks to go beyond 'awareness raising' by undermining the attitudes which drive active engagement with organised crime, by empowering the public to protect themselves from victimisation, or by encouraging them to recognise and report organised crime.

- While prevention is the clear priority of Scotland's Serious Organised Crime Strategy and other high-level strategies both in Scotland and elsewhere, in practice reputation remains the most frequent focus of current media statements. While public statements have moved away from the language of war and conflict, they still tend to emphasise the threat of crime and the capability of law enforcement in tackling it.

- Evidence suggests that this blend of messaging may generate a positive view of and trust in the criminal justice system itself, but may also to contribute to a general fear of crime, a lack of practical understanding, and inaction in terms of personal protection. This appears to be close to the current reality.

- Where a crime is misunderstood or unknown, the threat must be explained. However, threat is often given prominence in media statements regardless of existing public awareness or knowledge. This may be due to a perception that such framing is required to make a story newsworthy, or that it drives audience interest in what is to follow. While in some circumstances this assessment is accurate, such statements are also often delivered alongside already newsworthy events, for instance at the conclusion of criminal cases. Their perceived efficacy as drivers of media interest may be overestimated in these cases, and their effectiveness in driving appropriate action may be misjudged if the threat is not also accompanied by specific, achievable behaviours which could mitigate risks.

- Emphasis on threat alone may make an audience decide simply to abandon efforts to protect themselves, or mitigate their fear by denying the existence of the problem.

- Behaviour change is driven not solely by exposure to information, but by the context and framing of that information and a complex range of environmental and psychological factors. There is little evidence of the efficacy of messages relating to serious organised crime having been tested on target groups prior to their use.

- The success or otherwise of media campaigns is generally judged by the 'reach' or readership of the messages, rather than their practical impact. There therefore appears to be an underlying assumption that reach automatically equates to attitude change, and attitude change to behaviour change. This is not the case.

- The relationship between the key strands of organised crime messaging in 2017 can therefore be summarised as below:

Threat awareness

(If absent, Inaction)

Personal capability

(If absent, Fear and/or Avoidance)

Operational capability

(If absent, a lack of Confidence and Trust)

Proposed crime messaging model, I. Campbell, 2017

- In order to achieve the goals of the prevention agenda, the language of public statements and campaigns should be rebalanced. While maintaining public confidence in operational work, our public statements and campaigns should also seek to become more useful to the public: better informed by specific threats and risks rather than generic crime types; founded on evidence of what works and what has worked; framed and delivered in ways which focus more on supporting individual capacity than they do on highlighting risk, particularly when the risk is already well established; targeted so as to be more likely to be adopted (see Annex A); and seen as ongoing, multi-year projects rather than individual events.

- Success should be measured, and campaigns informed, by indicators of behaviour change, rather than the degree of exposure to the messages. For instance, this could include assessing trends in crime reports; tracing trends in victimisation and crime levels; phrasing perceptions surveys to ask questions about behaviours as well as attitudes; and monitoring engagement with specific services.

1. INTRODUCTION

A fundamental shift in the nature of organised crime is underway.

Crime groups are diversifying.[1] No longer limited to traditional local networks, they have begun to pursue profit in an increasing variety of illicit trades. At the same time they are growing increasingly global, with criminal networks now more deeply integrated across borders and around the world than ever before.[2] Many are branching out into the new frontier of online dark markets.

Stereotypes of organised crime, driven by many years of public statements, popular fiction and the news media, still paint a picture primarily of drugs, glamour and violence. The perpetrators are imagined as gangs of closely-knit individuals, perhaps united along family or regional ties, who live a life of relative luxury while evading law enforcement. However, a true picture of organised crime is far broader, and its effects reach out and touch many aspects of our lives and almost every arm of government.

It is a human rights issue, with victims trafficked to Scotland to work as prostitutes or unpaid labourers. It is an economic problem, with Scottish taxpayers paying £3.5 billion every year to deal with drug misuse alone[3], while fraud drains as much as £3,000 per person from the UK's economy.[4] It is a problem for schools, which must help educate young people to be safe online and help divert them from criminal lifestyles. It is a health concern, with drug-related deaths in Scotland having doubled in the past decade.[5] It is a problem for businesses, which must protect their copyrights and patents from counterfeiters and their computer systems from hackers. And, in particular with the advent of cybercrime, it is a problem that can profoundly impact each and every one of us without warning. We do not need to have an interest in organised criminals for them to have one in us.

It is clear that the public perception of organised crime has not kept pace with these changes. New or previously under-reported crimes appear to exist at either end of a spectrum – they are either barely recognised, or the threat is so well publicised that the public feel powerless to protect themselves.

The response to this problem has been wide-ranging. When Scotland's Serious Organised Crime Strategy was published in 2015, it reinforced the importance of preventative work as well as the detection, disruption and prosecution of those involved. It also made clear the importance of working together, of uniting in our efforts, and on widening those involved in tackling organised crime beyond the traditional law enforcement agencies, to include other

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[1] 'Serious crime gangs in Scotland 'diversifying'', BBC News, 18 June 2015, http://www.bbc.co.uk/news/uk-scotland-33183471 [accessed 18 October 2016]
[2] 'Emerging Crimes', United Nations Office for Drugs and Crime, https://www.unodc.org/unodc/en/organized-crime/emerging-crimes.html [accessed 18 October 2016]
[3] Casey, Jane, et al; 'Assessing the Scale and Impact of Illicit Drug Markets in Scotland', Scottish Government Social Research, 2009, p. 66
[4] 'UK fraud costing '£193bn a year', new study suggests', BBC News, 25 May 2016 http://www.bbc.co.uk/news/uk-36379546 [accessed 10 October 2016]
[5] 'Drug-related Deaths in Scotland', National Records of Scotland, 17 August 2016, http://www.nrscotland.gov.uk/files//statistics/drug-related-deaths/15/drugs-related-deaths-2015.pdf [accessed 20 September 2016]

groups such as local authorities, young peoples' charities and environmental protection bodies.

In addition, and underlying almost every aspect of this strategy, is the need for adequate communication and awareness-raising.[6] To foster a confident, safe Scotland with a reducing fear of crime, the argument goes, the public need to know what organised crime really looks like.

The growing recognition of the importance of this aspect of prevention comes up again and again. In Scotland's 2015 Cyber-Resilience Strategy, "public attitudes and perceptions" stand as one of the four key strategic themes for tackling cybercrime.[7] In Europol's most recent Serious and Organised Crime Threat Assessment, they are highlighted as a key enabler of crime, while "reducing a lack of general awareness" is recommended as a future consideration for all agencies.[8] The United Nations Office for Drugs and Crime believes that "raising awareness of the complexity of the drug problem… across all relevant State institutions" is a key part of any successful drug strategy.[9] The list goes on.

These strategies are ambitious, and describe wide-ranging communications targets far beyond the traditional focus of increasing public confidence in the justice system and its constituent agencies.

However, if communications is to become a valuable strategic tool in this way, rather than only a method of reputation management and information sharing, then we must ensure that communicators and public figures have the tools to do the job. If we wish to encourage behaviour change, then we need to understand the psychology of such campaigns; if we are tasked with educating the public, then we must understand what they already know and how they come to know it; if we are asked to deter criminals from operating in Scotland, we must understand their motivations.

There is perhaps a tacit assumption that telling people something is enough, that sending information into the public domain or announcing successful enforcement work is the extent of our collective responsibility. This paper seeks to challenge that view. By providing a broad evidential base for communicators from all backgrounds to draw on, it will identify opportunities for refining our language and our tactics.

This paper is not intended to be a strategy in itself. There are already many overlapping strategies dealing with organised crime, and as threats and communications channels continue to evolve, the specifics of these strategies and the methods of their delivery will be updated. Rather, it aims to gather and analyse a broad base of evidence regarding threat, current communications practices and strategies, public perceptions and the psychology of

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[6] 'Scotland's Serious Organised Crime Strategy', 18 June 2015, p. 9 http://www.gov.scot/Resource/0047/00479632.pdf [accessed 5 October 2016]
[7] 'Safe, Secure and Prosperous: A cyber resilience strategy for Scotland', Scottish Government, 17 November 2015, p. 17 http://www.gov.scot/Resource/0048/00489206.pdf [accessed 17 October 2016]
[8] 'EU Serious and Organised Crime Threat Assessment (SOCTA)', Europol, 19 March 2013, pp. 15, 37
[9] 'World Drug Report 2016', United Nations Office for Drugs and Crime, p. xxiii http://www.unodc.org/doc/wdr2016/WORLD_DRUG_REPORT_2016_web.pdf [accessed 17 October 2016]

effective behaviour change, in order to provide a resource and toolkit to help guide best practice in the discussion of organised crime.

2. THREATS

In order to decide how best to discuss and present organised crime, we must first understand what it is.

This chapter sets out recent research on those involved in organised crime and their motivations, and summarises the major threats to Scotland from organised criminals in 2017 and beyond.

The categories of crime below are adapted from the serious organised crime priorities for 2013-2017 as set out by Europol, and the Police Scotland Annual Plan for 2016/17.[10] [11]

2.1 PROFILING THE ORGANISED CRIMINAL

Organised crime groups in recent years have come to be defined less by the traditional vision of local mafias divided along lines of ethnicity or nationality, and more by their capacity to operate on an international basis. Their trading networks are now broad and complex, involving many linked groups operating across borders and dealing in a wide range of commodities.[12]

In Scotland, based on estimates made in 2015, there are 232 operating organised crime groups, made up of around 3,700 individuals. 70% of these are located in the west of Scotland, and almost half are involved in more than one type of crime. The majority of these groups are also linked to 'front' businesses including restaurants, shops, garage repairs, and taxi companies, through which cash can be laundered and money made by operating outwith regulations.[13]

The makeup of these groups is also more complex than stereotypes might have us believe. There are many factors which contribute to the likelihood of an individual being drawn into involvement with organised crime. Those with specialist professional skills, for instance computer expertise or knowledge of accountancy, can find themselves recruited or corrupted into organised crime. Personal experience, such as an established family association with organised criminality or financial difficulties, can also be a driving factor, as can a perception that the criminal lifestyle will provide a sense of belonging or power.[14] A perceived lack of impact of crime can also play a role, with as many as 25% of offenders

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[10] 'EU Serious and Organised Crime Threat Assessment (SOCTA)', Europol, 19 March 2013, p. 37 https://www.europol.europa.eu/sites/default/files/documents/socta2013.pdf [accessed 12 October 2016]
[11] 'Annual Police Plan 2016/17', Police Scotland, p. 27 http://www.scotland.police.uk/assets/pdf/138327/150739/police-scotland-annual-police-plan-2016-17?view=Standard
[12] 'EU Serious and Organised Crime Threat Assessment (SOCTA)', Europol, 19 March 2013, pp. 5, 33 https://www.europol.europa.eu/sites/default/files/documents/socta2013.pdf [accessed 12 October 2016]
[13] 'Serious crime gangs in Scotland 'diversifying'', BBC News, 18 June 2015, http://www.bbc.com/news/uk-scotland-33183471 [accessed 12 December 2016]
[14] 'Individuals at risk of being drawn into Serious and Organised Crime – a Prevent Guide', Home Office, March 2015, pp. 9 – 13 https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/408585/6_162_HO_SOC_PI_Guidance_Mar2015_v10_FINAL_270215_WEB__2_.pdf [accessed 14 December 2016]

believing there is no victim of their offence.[15] Evidence suggests that addressing this misperception, and more actively highlighting the harm that their actions cause, may help in dismantling some of the justifications for becoming involved in crime.[16]
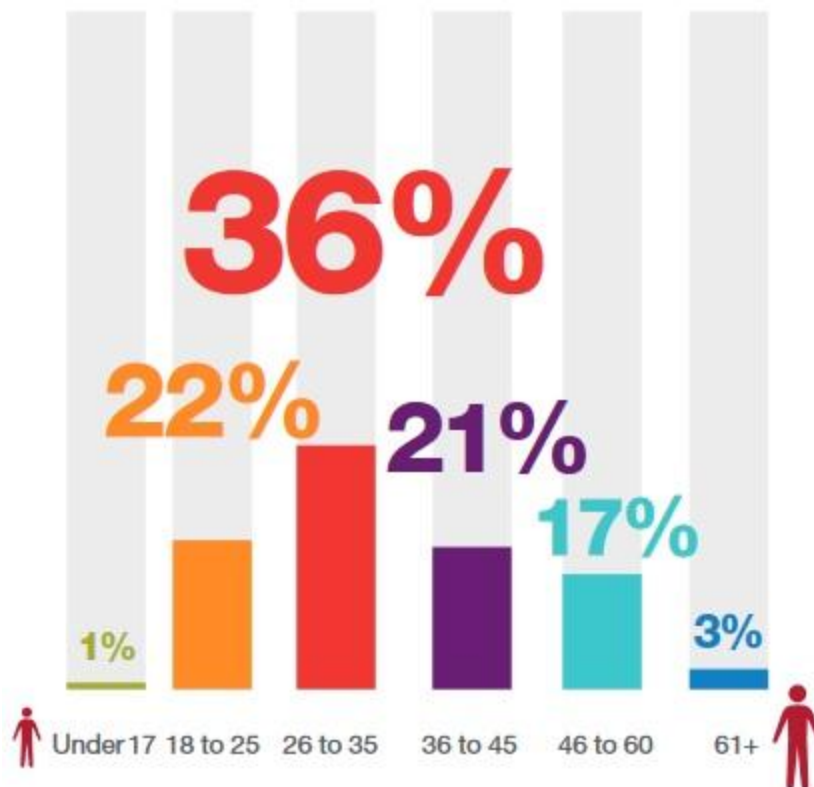
Age breakdown of individuals involved in organised crime, Home Office, 2015[17]

While it generally takes longer for an individual to become involved in organised crime itself than other serious offences, the beginnings of the criminal career which lead to it can begin much earlier. The average age for first offence of any kind, at around 19, is the same for general offenders as it is for those who go on to commit organised crime offences. However, the average age for a first conviction for organised crime itself is 32. In short, organised criminals, while older, do not necessarily begin their criminal lifestyle later, but rather they progress towards organised criminality over time. Over half of those who went

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[15] 'Transforming Rehabilitation: a Summary of Evidence on Reducing Offending Ministry of Justice', Ministry of Justice, 2013, p. 35
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/243718/evidence-reduce-reoffending.pdf [accessed 14 December 2016]
[16] Levy, L. et al, 'What Works to Reduce Crime?: A Summary of the Evidence', Scottish Government Social Research, 2014, p.35
[17] 'Individuals at risk of being drawn into Serious and Organised Crime – a Prevent Guide', Home Office, March 2015, pp. 9 – 13
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/408585/6_162_HO_SOC_PI_Guidance_Mar2015_v10_FINAL_270215_WEB__2_.pdf [accessed 14 December 2016]

on to become organised crime offenders had received some form of criminal sanction before the age of 18.

These averages also to some extent disguise the variety of paths that can lead into organised crime. There is no single picture that can be applied, but research by the Home Office identified several key sub-groups:

No sanctions – the largest group (29% of all organised crime offenders) had received no sanctions in the 5 years before the inclusion offence.[18] This group was made up of older offenders, with an average age of 37 years at the inclusion offence.

Versatile and very prolific – in contrast, the second largest group (23%) was made up of prolific offenders who had received on average 15 sanctions in the five year period and who offended across a range of offence types. This group was made up of younger offenders, with an average age of 27 years.

Mixed prolific – this group had a mix of offences (principally driving offences, but with some sanctions for drugs and breaches). Although they were sanctioned quite frequently, they had one-half the average number of sanctions of the versatile / prolific group (seven) and had a higher average age (30 years). Neither violence nor acquisitive offences featured heavily, and less than one-half had been sanctioned for a drugs offence.

Mainly violence – this group was dominated by sanctions for violence offences; four in five had received sanctions for violence offences. Nearly one-third had received a sanction for a drugs offence (31%), while 39 per cent had sanctions for 'other' offences.

Two smaller groups were identified, each with quite distinctive profiles in terms of their prior offending in the five years before the inclusion offence. Each was dominated by sanctions for specific crime-types, namely acquisitive and drugs offences. Neither group was especially prolific and the average age of both groups was similar, at around 30 years of age.[19]

The data for this study, however, largely focused on drugs gangs and crucially pre-dated the recent surge in cybercrime, about which more specific work has since been conducted. While all organised crime is motivated by the pursuit of some benefit to the perpetrator, and it is often assumed that this benefit is purely financial, cybercriminals are sometimes inspired by other factors – whether simply by boredom, the desire to control or manipulate others, to achieve recognition of their skills from their peers, or for the amusement of hacking or humiliating others.[20] [21]

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[18] 'Inclusion offence' in this context refers to the offence committed which warranted the accused's inclusion in the study into organised crime groups
[19] Francis, B. et al, 'Understanding Criminal Careers in Organised Crime', Home Office, October 2013, pp. 4-9 https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/246392/horr74.pdf [accessed 2 December 2016]
[20] Coleman, G. 'Hacker, Hoaxer, Whistleblower, Spy: The Many Faces of Anonymous', Verso, 3 November 2015, p. 49

Cyber-attacks themselves can come from within a company or from the other side of the world, and the networks in which such criminals operate are generally looser and flatter than the traditional crime groups, with the division of labour carried out according to specific skill sets rather than adhering to a strict pyramidal power structure.[22]

A key commodity common across all organised crime groups, just as with legitimate businesses, is reputation.[23]   Before they can become involved in major organised crimes, potential recruits must establish for themselves a reputation for reliability and for whatever other skills they may be required to perform.[24]   Perhaps even more so, reputation is of crucial importance to many cybercriminals, and must be accumulated in order to successfully operate on dark markets. As their business is conducted remotely and anonymously, cybercriminals face no, or at least a significantly reduced, threat of a personal attack should promises fail to be kept. As such they must actively accumulate a positive reputation in order to continue to attract business, in many ways mirroring legitimate online marketplaces.[25]   One online drug dealer in California even went so far as producing branded merchandise to promote his wares.[26]

2.2 DRUGS AND NEW PSYCHOACTIVE SUBSTANCES

The trade in illegal drugs continues to constitute a substantial portion of global organised crime. Across Europe, it is estimated that 30% of organised crime groups are involved in drug trafficking, and their networks are often far more complex than the traditional local mafias of the past.[27]

Drug use around the world has, on average, remained at roughly the same level for the past five years, after a growth in users from 2008 to 2011[28], while in Scotland the number of users has even begun to decline.[29]   However, the number of drugs deaths in Scotland has doubled since 2006, and the growing use of new psychoactive substances (NPS), or "legal highs", further complicates the picture. The emergence and broadening use of online marketplaces to facilitate the trade in illegal drugs is also of increasing concern.

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[21] Bada, M. and Nurse, J., 'Profiling the Cybercriminal', Global Cyber Security Capacity Centre, 18 April 2016, https://www.sbs.ox.ac.uk/cybersecurity-capacity/system/files/ICIAC16_4A_NurseBada.PDF [accessed 2 December 2016]
[22] Wall, D.S. 'Cybercrime, Media and Insecurity: the shaping of public perceptions of cybercrime', International Review of Law, Computers and Technology, 2008, vol. 22, nos. 1-2, pp. 45–63
[23] Burn-Callander, R., 'Company reputation worth £1.7 trillion to the UK but quarter of firms ignore it', The Telegraph, 6 January 2016, http://www.telegraph.co.uk/finance/businessclub/12084710/Company-reputation-worth-1.7-trillion-to-the-UK-but-quarter-of-firms-ignore-it.html [accessed 14 December 2016]
[24] Levi, M. 'Money for Crime and Money from Crime: Financing crime and laundering crime proceeds', European Journal on Criminal Policy and Research, 21 (2), 2015, pp. 275-297
[25] Glenny, Misha, 'Darkmarket – How hackers became the new mafia', 2011, pp. 190, 281-282
[26] 'Shedding light on the dark web', The Economist, 16 July 2016, http://www.economist.com/news/international/21702176-drug-trade-moving-street-online-cryptomarkets-forced-compete [accessed 17 November 2016]
[27] 'EU Serious and Organised Crime Threat Assessment (SOCTA)', Europol, 19 March 2013, p. 7 https://www.europol.europa.eu/sites/default/files/documents/ql3013253ene.epub [accessed 12 October 2016]
[28] World Drug Report 2016', United Nations Office for Drugs and Crime, p.1 http://www.unodc.org/doc/wdr2016/WORLD_DRUG_REPORT_2016_web.pdf [accessed 17 October 2016]
[29] 'Scottish Crime and Justice Survey 2014/15: Drug Use', The Scottish Government, 28 Jun 2016, p. 21

Among traditional controlled drugs used in Scotland, cannabis remains by far the most popular, with over 5% of the population reporting having taken it in the past year. The next two most widely-used controlled drugs, cocaine and ecstasy, were taken by 1.3% and 1.8% of the population respectively. Heroin was used by 0.2%.[30]

It is perhaps easy to forget that the trade in such drugs is inherently international. While some cannabis can be produced in Scotland, such farms can be manned by individuals trafficked to Scotland from far afield and forced into the criminal trade.[31] Ecstasy production in Europe is predominantly centred around the Netherlands and Belgium, while other drugs must rely on truly intercontinental drug trading networks to reach Scotland, as they cannot be grown in the northern European climate.[32] For example, cocaine most frequently originates in South and Latin America, while heroin is produced in Afghanistan and neighbouring regions. Geopolitical changes in those areas can impact the flow of such drugs into Scotland, and regardless of source, our jurisdiction covers only the very last few miles of their journey from origin to consumer.[33]

NPS is a blanket term which covers a huge variety of synthetic substances, often grouped according to their chemical make-up or by their intended effect on the user.[34] Evidence from national surveys suggests that NPS use in general is low compared to other controlled substances, but that they are disproportionately popular with younger age groups and other distinct sub-sections of the population, including users of other more traditional drugs. They have been known to cause deaths, though most frequently when taken in combination with other controlled substances.[35] Less widely reported are their physical and psychological effects, which can be profound, with the potential to cause a range of serious issues from kidney failure to psychosis.[36]

Many have their own brand names, and most originate from Asia or Europe.[37] In Scotland, NPS could be found being sold openly in headshops and a variety of other retailers across the country until the enforcement of the new Psychoactive Substances Act in the summer of 2016, when a staged tactical approach by Police Scotland rapidly reduced the overt sales outlets operating in Scotland from 90 to zero.[38]

However, it is perhaps too soon to declare a victory. In Ireland and Poland, where NPS were criminalised in 2010, evidence suggests that in the long term the sustained demand has forced a shift in the marketplace, in particular into online trading hubs hidden behind

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[30] 'Scottish Crime and Justice Survey 2014/15: Drug Use', The Scottish Government, 28 Jun 2016, p. 28
[31] 'Inquiry into Human Trafficking in Scotland', Equality and Human Rights Commission, 2011, p 30 https://www.equalityhumanrights.com/en/file/626/download?token=yym5UGG6 [accessed 15 October 2016]
[32] 'EU Drug Markets Report - In-depth Analysis', EMCDDA/Europol, 2016, p. 12 http://www.emcdda.europa.eu/system/files/publications/2373/TD0216072ENN.PDF [accessed 19 October 2016]
[33] World Drug Report 2016', United Nations Office for Drugs and Crime, pp. xiii – xiv http://www.unodc.org/doc/wdr2016/WORLD_DRUG_REPORT_2016_web.pdf [accessed 17 October 2016]
[34] Fraser, Fiona, 'New Psychoactive Substances – Evidence Review', Scottish Government Social Research, 2014, p. 4 http://www.gov.scot/Resource/0045/00457682.pdf [accessed 19 October 2016]
[35] 'Drug-related deaths in Scotland in 2015', National Records of Scotland, 17 August 2016, p. 38 https://www.nrscotland.gov.uk/files//statistics/drug-related-deaths/15/drugs-related-deaths-2015.pdf [accessed 12 December 2016]
[36] Fraser, F., 2014, p.1, 8
[37] Fraser, F., 2014, p. 4
[38] 'Ban on legal highs has 'significant effect' in Scotland', BBC News, 26 August 2016, http://www.bbc.co.uk/news/uk-scotland-37191023 [accessed 19 October 2016]

encryption, or to illegal street markets.[39] Sometimes they are sold disguised as more traditional drugs, for instance Valium or ecstasy, and so the user may be unaware that they are consuming an NPS at all.[40] Six years after their ban, Ireland still has the highest level of NPS use in Europe, and in the four years following the Polish ban, the number of NPS-related poisonings trebled.[41] [42] While there is not yet any indication that these trends are being replicated in Scotland, further monitoring will be required before the long-term impact of the recent Act is known.

Just as the internet has come to play a role in the trade of NPS, so too is it influencing the market for other controlled drugs. A recent global survey indicated a dramatic rise in the percentage of users purchasing drugs via the internet, rising from 1.2% in 2000 to 25.3% in 2014. Scotland came 6th in the countries surveyed, with 11.6% having purchased drugs on the dark net in the past 12 months.[43] This trend is not a gradual one - in the two years from 2012 to 2014 alone, the number of recent drug users accessing the dark web to purchase drugs in the UK almost doubled.[44]

While successful law enforcement operations, such as the joint EU/US Operation Onymous in 2014, have taken down many of the main marketplaces, this does not appear to have substantially impacted the overall demand. As the most popular marketplace closes, the next most credible simply steps up and absorbs the displaced business.[45] [46]

Though cybercrime is discussed in more detail below, it is important to note that it enables a fundamental change in the relationship between drug users and dealers. Such marketplaces allow for contact between users and sellers far beyond Scottish jurisdiction, and by their very nature afford far more anonymity and personal safety than traditional street deals.

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[39] Travis, Alan, 'Bans on legal highs will drive booming trade underground, drug experts warn', Guardian, 4 June 2015 https://www.theguardian.com/society/2015/jun/04/bans-legal-highs-drive-booming-trade-underground-drug-experts-warn-eu-report

[40] 'Identifying the so-called legal highs', United Nations Office for Drugs and Crime, 1 July 2013, https://www.unodc.org/unodc/en/frontpage/2013/July/identifying-the-so-called-legal-highs.html

[41] 'New psychoactive substances in Europe - An update from the EU Early Warning System', European Monitoring Centre for Drugs and Drug Addiction, March 2015, p. 7

[42] '2014 National Drug Report: Poland – New developments, trends, and in-depth information on selected issues,' European Monitoring Centre for Drugs and Drug Addiction, 2015, p. 131. http://www.emcdda.europa.eu/publications/national-reports/poland-2014

[43] 'Global Drug Survey 2015', https://www.globaldrugsurvey.com/the-global-drug-survey-2015-findings/

[44] 'World Drug Report 2016', United Nations Office for Drugs and Crime, p. 24 http://www.unodc.org/doc/wdr2016/WORLD_DRUG_REPORT_2016_web.pdf [accessed 17 October 2016]

[45] 'Global Action Against Dark Markets on Tor network', Europol, 7 November 2014, https://www.europol.europa.eu/content/global-action-against-dark-markets-tor-network [accessed 25 September 2016]

[46] 'Darknets', Europol, https://www.europol.europa.eu/iocta/2015/darknets.html [accessed 19 October 2016]

2.3 CYBERCRIME

We are increasingly dependent on the internet in countless aspects of our lives. The UK's digital economy makes up a higher proportion of our GDP than it does for any other member of the G20, and key elements of our national infrastructure, from the power grid to the benefits and tax systems, are increasingly digitised.[47] [48] The so called 'Internet of Things', an umbrella term for the countless everyday items and structures that now have an inbuilt network connection, creates increasing opportunities for hackers.[49] Both this deepening interconnection and the growing glut of data about ourselves which we place online means that the internet now carries within it, alongside huge opportunities for information sharing and business, a substantial threat.[50]

Accordingly, cybercrime is a topic of increasing importance to law enforcement agencies and governments around the world. Scotland published its Cyber Resilience Strategy in late 2015, setting out several key targets for the coming years.[51] In October 2016, GCHQ launched the National Cyber Security Centre, which will take a more active approach in defending against such attacks than has traditionally been the case, while the following month £1.9 billion of investment was committed to underpin the UK's cyber security.[52]

The term 'cybercrime' in isolation can be so broad as to convey very little about the specifics of an offence; it merely denotes that the internet has been a key aspect of the offending. From one perspective, cybercrime is any crime that involves a computer and a network; on another, it is online crime which uses the computer either as a tool or as target. The former type tends to target individuals in the real world and does not require particular technical expertise, while the latter focuses on electronic data itself and often necessitates a sophistication of knowledge and organisation.[53]

Another possible categorisation of cybercrime is to divide it into three very roughly equal categories: financially-targeted acts, such as computer-related fraud or forgery; content-targeted acts, such as the trade in indecent images of children or intellectual property fraud; and system-targeted acts, including attacks on the confidentiality, integrity and accessibility of computer systems.[54]

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[47] 'A new approach to cyber security in the UK', GCHQ, 4 October 2016 https://www.gchq.gov.uk/news-article/new-approach-cyber-security-uk [accessed 14 December 2016]
[48] Palin, A., 'HMRC signals the end of the tax return', Financial Times, 29 January 2016, https://www.ft.com/content/f5547c98-becd-11e5-9fdb-87b8d15baec2 [accessed 17 January 2017]
[49] Wall, M., '2017 tech trends: 'A major bank will fail'', BBC News, 6 January 2017 http://www.bbc.co.uk/news/business-38517517 [accessed 6 January 2017]
[50] Glenny, Misha, 'Darkmarket – How hackers became the new mafia', 2011, p. xxi
[51] 'Safe, Secure and Prosperous: A cyber resilience strategy for Scotland', Scottish Government, 17 November 2015, http://www.gov.scot/Resource/0048/00489206.pdf [accessed 17 October 2016]
[52] 'Britain's cyber security bolstered by world-class strategy', HM Treasury, 1 November 2016 https://www.gov.uk/government/news/britains-cyber-security-bolstered-by-world-class-strategy [accessed 14 December 2016]
[53] Bada, M. and Nurse, J., 'Profiling the Cybercriminal', Global Cyber Security Capacity Centre, 18 April 2016, https://www.sbs.ox.ac.uk/cybersecurity-capacity/content/profiling-cybercriminal [accessed 2 December 2016]
[54] 'Comprehensive study on cybercrime: Draft', United Nations Office on Drugs and Crime, 2013, p. 26
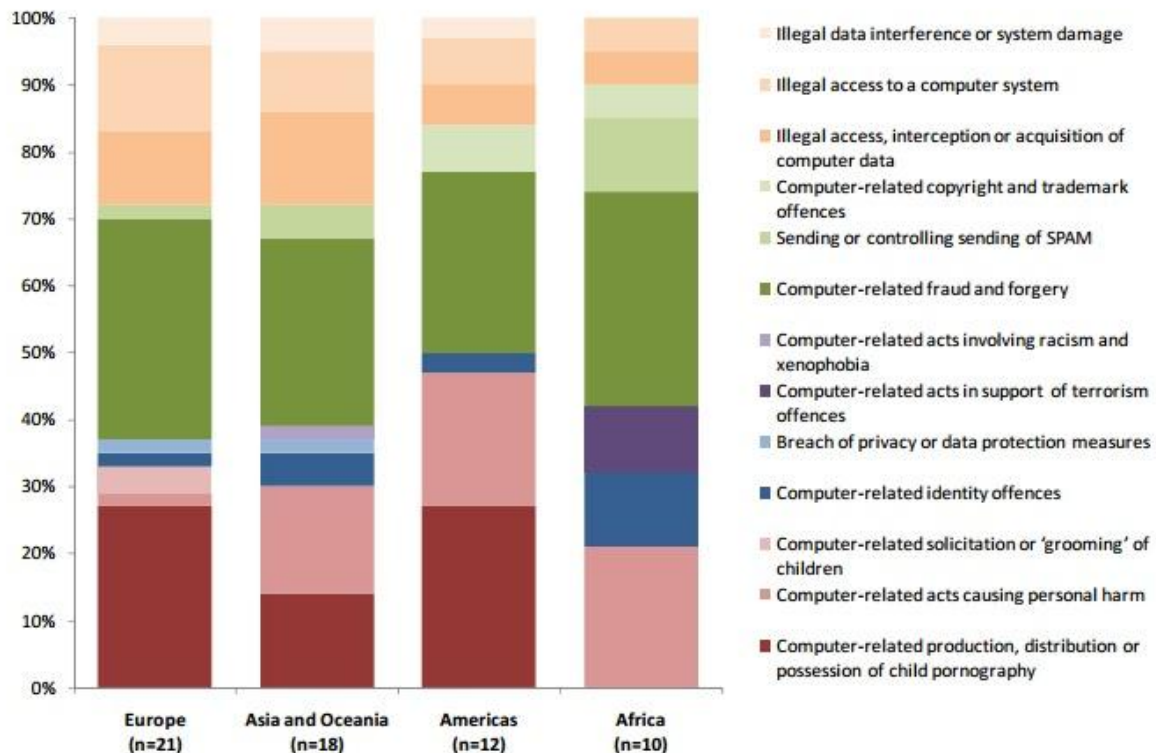
'Most common cybercrime acts encountered by national police', United Nations Office on Drugs and Crime, 2013[55]

Many more traditional crimes now also involve a "cyber" element – whether an assailant's movements are proved because of GPS functions on their phone, a stalker communicates primarily via social media, or messages sent online after an incident give away key information. The gathering of this electronic evidence and its effective presentation in court is one aspect of "cyber" law enforcement which is of great and increasing importance. However, this report will focus specifically on organised cybercrime, that is, serious organised crime that is either helped or made possible by the use of the internet. This includes everything from the sexual exploitation of children to identity theft and banking frauds.

2.3.1 The dark net

Those who willingly conduct criminal business online, such as the purchase of controlled drugs or the trade in indecent images of children, increasingly make use of the "dark net". The dark net is a small subsection of the "deep web", though the two terms are often inaccurately conflated. The deep web is a broad term which encompasses all parts of the internet which are not publicly available via search engines, and includes everything from personal online banking pages to databases and academic journals. Some estimates suggest that this deep web constitutes over 90% of the internet.[56]

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[55] Ibid. p. 26
[56] Pagliery, J., 'The Deep Web you don't know about', CNN, 10 March 2014, www.money.cnn.com/2014/03/10/technology/deep-web/index.html [accessed 10 October 2016]

The dark net is a subsection of this deep web, and stems from the use of services such as The Onion Router (TOR), a tool initially developed in 2002 by the US Naval Research Laboratory to ensure anonymity online, or the Invisible Internet Project (I2P), which shares similar goals.[57] TOR remains the more popular of the two, though both may come to be subverted by the use of direct peer-to-peer networks, which do not involve a central website at all and which are already favoured by those who seek to exchange indecent images of children.[58]

The key principle and attraction of such services to cybercriminals is the perceived assurance of anonymity and the potential to evade law enforcement. The marketplaces often make use of cryptocurrencies such as Bitcoin to further evade detection, and trade not only in drugs, indecent images of children and other illegal merchandise but also in viruses, stolen credit card details and programs necessary to conduct further types of cyber-attack.[59] A criminal no longer needs the skills to design viruses themselves, or even have sufficient technical knowledge to do so. They can simply be bought "off the shelf".[60] A 2016 report found that credit card details could be purchased online for $30 USD, remote computer access toolkits for as little as $5 USD, and Distributed Denial-of-Service attacks for $5 USD an hour.[61] Nor does access to the markets themselves require particular technical knowledge, with detailed guides readily available online. [62]

2.3.2 Threats against individuals

The true scale of the personal threat of cybercrime is a matter under active debate. In September 2016, the President of the Association of Scottish Police Superintendents, Gordon Crossan, raised concerns that the ongoing reported fall in crime in Scotland was to some degree masking the impact of an undetected and underreported system of criminal networks operating online. He referred to the internet as "arguably the biggest enabler of crime in the UK."[63]

These concerns are supported by experimental data sets currently being produced by the Office for National Statistics (ONS). In their surveys of crime in England and Wales, the ONS had not routinely included sufficient questions to capture the full scale of cybercrime, but this changed in 2015 when new questions relating to fraud and computer misuse were

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[57] Ibid.
[58] 'Internet Organised Crime Threat Assessment', Europol, 2016, p. 48
https://www.europol.europa.eu/content/internet-organised-crime-threat-assessment-iocta-2016 [accessed 20 October 2016]
[59] 'Shedding light on the dark web', The Economist, 16 July 2016,
http://www.economist.com/news/international/21702176-drug-trade-moving-street-online-cryptomarkets-forced-compete [accessed 17 November 2016]
[60] Glenny, Misha, 'Darkmarket – How hackers became the new mafia', 2011, p. 72
[61] 'The Cybercrime Ecosystem: How the Internet May Support Criminal Behaviour Online', Global Cyber Security Capacity Centre, 22 July 2016, https://www.sbs.ox.ac.uk/cybersecurity-capacity/content/cybercrime-ecosystem-how-internet-may-support-criminal-behaviour-online-0 [accessed 5 December 2016]
[62] 'What is the Dark Web? How to access the Dark Web. What's the difference between the Dark Web and the Deep Web?', PC Advisor, http://www.pcadvisor.co.uk/how-to/internet/what-is-dark-web-how-access-dark-web-deep-joc-beautfiulpeople-3593569/ [accessed 21 October 2016]
[63] 'Cyber crime 'evolving' ahead of Police Scotland', The Scotsman, 7 September 2016,
http://www.scotsman.com/news/cybercrime-evolving-ahead-of-police-scotland-1-4223489 [accessed 20 October 2016]

added into the survey.[64] Initial results indicate that the scale of cybercrime, and in particular fraud conducted online, is of an unprecedented scale, with 10% of the population having been victims in the past 12 months alone, and with the likelihood of victimisation the same regardless of social class or whether someone lived in a deprived or affluent, urban or rural area.[65]

The figures indicate that fraud is the most prevalent of all crime, eclipsing more traditional theft by ten times, and that the likelihood of being mugged in the street is now far less likely than being robbed online.[66] Across the UK, reports of financially-motivated, cyber-enabled blackmails rose from nine in 2011 to over 850 in 2016.[67]

The impacts of cybercrime are not only financial. In November 2016 it was announced that four men in the UK had committed suicide in the past year after having been targeted by online "sextortion" scams run by international gangs of online blackmailers, and the following month Police Scotland warned that hundreds of men in Scotland were potentially at risk of such schemes.[68]

In January 2017, it was reported that there had been 3,889 victims of so-called 'romance fraud', in which victims are targeted by fake profiles on online dating sites, in the preceding year. The victims had paid out £39m.[69]

"The internet is playing an increasing role in the sexual abuse of younger children in Scotland and across the UK as a whole."

Matt Forde, Head of Service for NSPCC Scotland[70]

Children, too, are increasingly becoming targets for organised criminals operating online. Child sex offenders have been found to initially target social networks, online games and forums used by children, before encouraging the child to continue communication on encrypted platforms that allow the sharing of chat, video and photographs.[71] When the Sexual Offences (Scotland) Act was introduced in 2010, there were 15 offences recorded which related to communicating indecently with a child under 13.   In 2013-14 there were 103; the following year there were 165.

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[64] 'Crime in England and Wales: year ending June 2016', Office for National Statistics, 20 October 2016, http://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/bulletins/crimeinenglandandwales/yearendingjune2016/pdf [accessed 20 October 2016]

[65] Travis, A., 'Cybercrime figures prompt police call for awareness campaign', Guardian, 21 July 2016 https://www.theguardian.com/uk-news/2016/jul/21/crime-rate-online-offences-cybercrime-ons-figures [accessed 19 December 2016]

[66] Evans, M., 'Cyber crime: One in 10 people now victim of fraud or online offences, figures show', The Telegraph, 21 July 2016

[67] Massey, N. 'Sextortion: Rise in blackmail-related suicides over sexual images shared online', The Independent, 30 November 2016, http://www.independent.co.uk/news/uk/home-news/sextortion-rise-suicides-blackmailing-sexual-images-sharing-social-media-a7446776.html [accessed 1 December 2016]

[68] 'Hundreds of men in Scotland at risk of 'sextortion'', BBC News, 14 December 2016, http://www.bbc.co.uk/news/uk-scotland-38313090 [accessed 19 December 2016]

[69] Cacciottolo, M. and Rees, N., 'Online dating fraud victim numbers at record high', BBC News, 23 January 2017, http://www.bbc.co.uk/news/uk-38678089 [accessed 24 janaury 2017]

[70] Naysmith, Steven, 'Figures show more young children are being targeted online', The Herald, 21 June 2016, http://www.heraldscotland.com/news/14569168.Figures_show_more_young_children_are_being_targeted_online/ [accessed 21 October 2016]

[71] Europol report reveals rise in child sex abuse online, BBC News, 28 September 2016, http://www.bbc.co.uk/news/world-europe-37494784 [accessed 21 October 2016]

The issue has come under increasing scrutiny in recent years – in 2015, Police Scotland launched the specialist National Child Abuse Investigation Unit (NCAIU); in January 2016 the Education Secretary Angela Constance launched the first TV campaign in the UK focused on child sexual exploitation; and in their strategic plan for 2016/17, the National Crime Agency (NCA) specified child sexual exploitation and abuse as one of the five national priorities for tackling serious organised crime.[72] [73] [74]

However, the true scale of the problem continues to emerge. A report by the National Society for the Prevention of Cruelty to Children (NSPCC) in November 2016, extrapolating conclusions made by a recent German study which assessed self-reported sexual interest in children, concluded that as many as 2.4%, or 500,000 males aged 18–89 in the UK, may have at some point viewed child sexual abuse images.[75]

2.3.3 Threats to business

> "I am convinced that there are only two types of companies: those that have been hacked and those that will be. And even they are converging into one category: companies that have been hacked and will be hacked again."
>
> Robert Mueller, Director of the FBI, March 2012[76]

Two-thirds of large UK businesses were hit by a cyber-attack in 2015-16. However, only a fifth of businesses yet understand key dangers such as the sharing of information with third parties, and many smaller businesses in Scotland do not appreciate the value of the data they hold, whether their own or that of their customers.[77] [78] The true numbers may well be higher, as many companies do not fully disclose the full extent of their data breaches.[79] Key

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[72] 'Child sexual exploitation', Scottish Government, 28 January 2016,
[accessed 20 October 2016]
[73] 'Child Sexual Exploitation', Police Scotland, http://www.scotland.police.uk/keep-safe/young-people/supporting-children-and-young-people/child-sexual-exploitation [accessed 21 October 2016]
[74] NCA Annual Plan 2016-17, National Crime Agency, p. 10
http://www.nationalcrimeagency.gov.uk/publications/683-nca-annual-plan-2016-17/file [accessed 21 October 2016]
[75] 'Online Child Sexual Abuse Images – Doing More to Tackle Demand and Supply', NSPCC, November 2016, https://www.nspcc.org.uk/globalassets/documents/research-reports/online-child-sexual-abuse-images.pdf
 [accessed 8 November 2016]
[76] Mueller, R., 'Combating Threats in the Cyber World: Outsmarting Terrorists, Hackers, and Spies', Federal Bureau of Investigation, 1 March 2012, https://archives.fbi.gov/archives/news/speeches/combating-threats-in-the-cyber-world-outsmarting-terrorists-hackers-and-spies [accessed 15 August 2016]
[77] 'Cyber attacks: Two-thirds of big UK businesses targeted', BBC News, 8 May 2016,
http://www.bbc.co.uk/news/uk-36239805 [accessed 2 December 2016]
[78] Russel, Greg, 'Firms befuddled by cybercrime advice, says new report', The National, 1 June 2016,
http://www.thenational.scot/business/firms-befuddled-by-cybercrime-advice-says-new-report.18230 [accessed 15 October 2016]
[79] 'Over Half a Billion Personal Information Records Stolen or Lost in 2015', Symantec, April 2016,
https://www.symantec.com/content/dam/symantec/docs/infographics/istr-reporting-breaches-or-not-en.pdf
[accessed 2 December 2016]

elements of the Scottish Government's recent Cyber-Resilience Strategy seek to urgently rectify the lack of awareness of this threat.[80]

Tactics used against business range from scams which target individual employees, who are deceived into providing information or access, to highly sophisticated cyber-attacks.[81] Recent data suggests that half of worst breaches in company security were caused by inadvertent human error, and that the UK is the most targeted nation for "spear-phishing" scams, which attempt to steal data by scamming employees within the organisation.[82] [83] Ransomware, with which hackers target individuals or companies, encrypt their files, and then demand payment to "unlock" them, led to British people paying over £4.5million to cyber-criminals last year alone.[84]

A shapshot of recent cases illustrates the breadth and frequency of the cyberattacks which businesses and organisations face.

In October 2016, a massive attack affected many of the world's largest websites. Hackers had infected countless networked devices, potentially including baby monitors, internet routers and cameras, with the 'Mirai' worm.[85] These devices had then been deployed simultaneously as a single, co-ordinated network, or 'botnet', to direct a terabit (125,000 megabytes) of data every second at the targeted servers until they could no longer function. Some speculated that access to the tools to carry out such an attack could have been purchased on a dark web marketplace for around $7,500 USD.[86]

The following month, a similar network of devices, also suspected of being infected with the Mirai worm, was used in an attack on Deutsche Telekom, a German internet provider. The attack disrupted internet, broadcast and telephone signals for almost 1 million people.[87] A week later, the same worm was involved in an attack against at least 100,000 customers of the Post Office and Talk Talk in the UK.[88]

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[80] 'Safe, Secure and Prosperous: A cyber resilience strategy for Scotland', Scottish Government, 17 November 2015, http://www.gov.scot/Resource/0048/00489206.pdf [accessed 17 October 2016]
[81] 'Serious Organised Crime & Counter Terrorism', Scottish Crime and Business Resilience Centre, https://www.sbrcentre.co.uk/about-us/our-focus/soc-ct [accessed 20 October 2016]
[82] 'Information security breaches survey 2015', HM Government, p. 7 https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/432412/bis-15-302-information_security_breaches_survey_2015-full-report.pdf [accessed 20 October 2016]
[83] Reynold, M,. 'Half a billion identities were stolen or exposed online in 2015', Wired Magazine, 12 April 2016, http://www.wired.co.uk/article/identity-theft-symantec-security-2015-amount [accessed 2 December 2016]
[84] 'The dangers of "ransomware"', BBC News, http://www.bbc.co.uk/news/technology-38123403 [accessed 28 November 2016]
[85] A worm is a malicious computer program which self-replicates and spreads across computers and other devices
[86] Mathews, L. 'Angry Gamer Blamed For Most Devastating DDoS Of 2016', Forbes, 17 November 2016 http://www.forbes.com/sites/leemathews/2016/11/17/angry-gamer-blamed-for-most-devastating-ddos-of-2016/#758a135839e4 [accessed 1 December 2016]
[87] Reynolds, M. '900,000 routers hit by huge Mirai worm cyber attack', Wired Magazine, 29 November 2016, http://www.wired.co.uk/article/deutsche-telekom-cyber-attack-mirai [accessed 1 December 2016]
[88] Rawlinson, K. 'UK homes lose internet access after cyber-attack', The Guardian, 1 December 2016, https://www.theguardian.com/technology/2016/dec/01/uk-homes-lose-internet-access-after-cyber-attack [accessed 2 December 2016]

Attacks can also disrupt in other ways. In November 2016, San Francisco's Municipal Transportation Agency was hit with a hack that allowed customers to travel for free, with the hackers demanding a ransom of 100 Bitcoin (£56,000) to return the service. [89]

2.3.4 Other threats

> "It seems increasingly evident that a major cyberevent is coming. As the 9/11 commission pointed out, the fall of the Twin Towers was not a failure of intelligence – it was a failure of imagination."
>
> Admiral James Stavridis, former NATO Supreme Allied Commander Europe, 2016[90]

It is worth also touching on the extreme end of cybercrime, where cyberattacks, including cyber-terrorism and state-sponsored hacks, are growing in complexity. As yet, the potential nature and even definitions of cyberterrorism and cyberwarfare remain under debate, but the potential impact of cyber-attacks in some form, regardless of the motivation, has already been demonstrated.

As early as 1999, the 'Midnight Maze' hack stole huge quantities of sensitive and classified data from the US Departments of Defense and Energy, as well as from contractors and universities.[91]

In 2000, an ex-contractor at Maroochy Water Services in Australia used a laptop computer and a radio transmitter to take control of 150 sewage pumping stations and, over a three-month period, released one million litres of untreated sewage into a stormwater drain feeding into local waterways.[92]

In 2007, Estonia found itself under a sustained barrage of distributed denial of service (DDOS) attacks, with government websites and those of key institutions including banks and the media taken offline.[93] The nation was forced to temporarily suspend its internet connections to the rest of the world in an attempt to regain control of the situation.[94]

In 2010, the discovery of the Stuxnet computer worm in the systems of an Iranian uranium enrichment plant was a further watershed moment, as the code was specifically designed

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[89] Lee, D. 'Hackers hit San Francisco transport systems', BBC News, 28 November 2016 http://www.bbc.co.uk/news/technology-38127096 [accessed 28 November 2016]

[90] Stavridis, J. 'Former NATO Supreme Commander on Trump and Security: Buckle Up', Time, http://time.com/4563998/national-security-president-donald-trump/ [accessed 28 November 2016]

[91] 'We're in the middle of a cyberwar', Newsweek, 20 September 1999, http://europe.newsweek.com/were-middle-cyerwar-166196 [accessed 20 October 2016]

[92] Slay, J. and Miller, M. , 'Conference paper: Lessons learned from the Maroochy Water breach', Critical Infrastructure Protection, 2007, http://www.ifip.org/wcc2008/site/IFIPSampleChapter.pdf [accessed 20 October 2016]

[93] 'Newly nasty', The Economist, 24 May 2007, http://www.economist.com/node/9228757 [accessed 20 October 2016]

[94] Glenny, M., 'Darkmarket – How hackers became the new mafia', 2011, p. 225

not to steal data or harm the computer systems, but to cause damage to the physical structure of the plant itself.[95]

In December 2015, the Ukrainian power grid was the subject of a highly complex attack which took offline thirty power substations and left 230,000 people without power.[96]

In December 2016, the new head of MI6, Alex Younger, warned that "hybrid warfare", which includes cyber-attacks and the subversion of democracy, was an "increasingly dangerous phenomenon [and] a concern to all those who share democratic values."[97]

While such threats may sometimes seem remote, we must understand these trends and the increasing potential of online attacks to impact both national government and physical infrastructure. Whether or not they impact Scotland directly, the growing complexity of such attacks, their potential links with organised crime, and the increased risk of catastrophic failure in systems as they become more interconnected, mean that this issue is likely to become a permanent feature of the global security landscape.[98]

When discussing organised cybercrime, we should always bear in mind that we are contributing to laying the groundwork both of personal capability around cybersecurity more generally, and confidence in our collective response to all manner of cyberattacks.

2.4 HUMAN TRAFFICKING

The majority of victims of human trafficking in Scotland are women trafficked for sexual exploitation. Others have been found working in hotels, restaurants, farms, construction sites or domestic homes, or forced into criminal enterprises including cannabis cultivation or sham marriages.[99] [100]

The covert nature of human trafficking, as well as the vulnerability of the victims, contributes to its status as an "unseen" crime, though in recent years, and in particular since a wide-ranging report in 2011 by the Equality and Human Rights Commission, major steps are being taken to address the issue.

In particular, the implementation of the Human Trafficking and Exploitation (Scotland) Act 2015 is ongoing, having commenced in May 2016. The Act introduces new offences of

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[95] Zetter, K., 'An unprecedented look at Stuxnet, the world's first digital weapon', Wired Magazine, 3 November 2014, https://www.wired.com/2014/11/countdown-to-zero-day-stuxnet/ [accessed 20 October 2016]
[96] Zetter, K., 'Inside the cunning, unprecedented hack of Ukraine's power grid', Wired Magazine, 3 March 2016 https://www.wired.com/2016/03/inside-cunning-unprecedented-hack-ukraines-power-grid/ [accessed 5 December 2016]
[97] 'Terrorism most immediate threat to UK, says MI6', BBC News, 8 December 2016, http://www.bbc.co.uk/news/uk-38250432 [accessed 8 December 2016]
[98] Homer-Dixon, T., 'The Rise of Complex Terrorism', 1 January 2002, http://www.homerdixon.com/2002/01/01/the-rise-of-complex-terrorism/ [accessed 18 October 2016]
[99] 'Inquiry into Human Trafficking in Scotland', Equality and Human Rights Commission, 2011, p 24 https://www.equalityhumanrights.com/en/file/626/download?token=yym5UGG6 [accessed 15 October 2016]
[100] 'Action to Combat Human Trafficking', Scottish Government , http://www.gov.scot/Topics/Justice/policies/reducing-crime/human-trafficking [accessed 19 October 2016]

human trafficking and of slavery, servitude and forced or compulsory labour, and enshrines the rights of victims to appropriate support.

In October 2014, the then Lord Advocate hosted the first meeting to be attended by all of the heads of the prosecution services for the UK and Ireland specifically to discuss human trafficking, in recognition that the crime is not contained by national borders.[101]   In April 2015, as part of the commitments stemming from that meeting, he published his detailed guidance to prosecutors when considering the prosecution of victims of human trafficking.[102]

In May 2017, the Scottish Government published its Trafficking and Exploitation Strategy.[103]

2.5 COUNTERFEITING

> "The massive infiltration of counterfeit and pirated goods drains $1 trillion from the global economy and robs over 2.5 million jobs. Unsafe and ineffective products now pose a risk to millions of consumers, while governments, businesses and society are being robbed of hundreds of billions in tax revenues, income and jobs"
>
> Business Action to Stop Counterfeiting and Piracy, International Chamber of Commerce 2009[104]

> "The evidence shows that an ever-increasing spectrum of everyday goods are being counterfeited, ranging from batteries, chargers, cosmetic and personal care products to electronic goods, household products, pesticides, food and beverages, and even medicines. However, the exact scope and scale of the counterfeiting business is not known and it is probably fair to assume that the reality exceeds all estimates and projections."
>
> Europol, 2015[105]

The trade in counterfeit goods is an attractive one for organised criminals, as it is perceived both as relatively low-risk and high-reward. Those traditionally involved in other forms of organised crime are therefore becoming increasingly drawn to it, driven in large part by the potential use of the internet, which provides not only apparent anonymity and a huge

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[101] 'Human Trafficking Summit communiqué published', Crown Office and Procurator Fiscal Service, 17 October 2014, [accessed 25 October 2016]

[102] 'Lord Advocate's Instructions for Prosecutors when considering Prosecution of Victims of Human Trafficking and Exploitation Offences', Letter to Justice Committee, 30 March 2015, http://www.parliament.scot/S4_JusticeCommittee/Inquiries/20150330_Lord_Advocate.pdf [accessed 25 October 2016]

[103] 'Trafficking and Exploitation Strategy', Scottish Government http://www.gov.scot/Publications/2017/05/6059 [accessed 18 August 2017]

[104] http://www.iccwbo.org/advocacy-codes-and-rules/bascap/ [accessed 17 December 2016]

[105] '2015 Situation Report on Counterfeiting in the EU', Europol, p. 6 https://www.europol.europa.eu/sites/default/files/publications/2015_situation_report_on_counterfeiting_in_the_eu.pdf [accessed 20 October 2016]

potential customer base beyond the immediate region of the counterfeiter, but also the ability to mimic legitimate online shops.[106]

Counterfeiting, along with other forms of piracy, is estimated to cost the UK £1.3bn every year. It undermines legitimate businesses of all types, and for the buyers, the counterfeits can be dangerous or defective - though the risk varies depending on the specific product being counterfeited. The Scottish Anti-Illicit Trade Group (SAITG), consisting of numerous bodies spanning the public, private and third sectors, seeks to strengthen the collective response to the issue in Scotland; though as with so many types of organised crime, international co-operation will be necessary to fully address it.[107]

The threat is far broader than the public consciousness might suggest. In November 2014, a site purporting to sell alcohol, cigarettes and Viagra in the Aberdeen area gained more than 17,000 followers in under a week. Trading Standards officials later discovered the website, which vanished within seven days of its launch, was not based in the local area.[108]

Counterfeiters have also been found to have links with other forms of crime, in particular human trafficking and labour exploitation.[109] The complexity of counterfeits also varies widely, and can range in sophistication from an obviously copied DVD sold at a street stall, to branded products produced in an official factory which a crime gang has bribed to produce more than their licence allows, in order to skim off and sell on the excess.[110] The variety of products and range of potential impacts on the consumer may make communicating consistently on the subject challenging. This issue is discussed further below (Section 4.2.4).

2.6 FRAUD

> "No one knows the true cost of fraud in the UK, but it's taking place on an industrial scale and is without question one of the biggest crimes afflicting UK plc today. It is unrelenting and indiscriminate with many organisations estimated to be losing around five per cent of their annual revenue to fraud."
>
> Prof. Mark Button, Director of the Centre for Counter Fraud Studies, University of Portsmouth, 2016[111]

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[106] '2015 Situation Report on Counterfeiting in the EU', Europol. p. 5

[107] Phillips, T. 'Knockoff: The Deadly Trade in Counterfeit Goods: The True Story of the World's Fastest Growing Crime Wave', Kogan Page, 3 Mar 2007, p. 221

[108] Robertson, A., 'Bargain or bust', Trading Standards Scotland, http://www.tsscot.co.uk/news/bargain-or-bust [accessed 21 October 2016]

[109] 'Counterfeit good produced in EU on the rise', Europol, 29 April 2015, https://www.europol.europa.eu/content/counterfeit-goods-produced-eu-rise [accessed 10 October 2016]

[110] Lewis, Kevin, 'The Fake and the Fatal: The Consequences of Counterfeits', The Park Place Economist, Volume XVII, 2009, p. 48, https://www.iwu.edu/economics/PPE17/lewis.pdf [accessed 5 October 2016]

[111] 'Annual Fraud Indicator 2016', University of Portsmouth, May 2016, http://www.port.ac.uk/media/contacts-and-departments/icjs/ccfs/Annual-Fraud-Indicator-2016.pdf [accessed 5 December 2016]

While much fraud is now conducted online and therefore falls under a dual heading with cybercrime, other types of fraud also provide a major source of income for organised crime groups and can be targeted either at individuals or at businesses.

As with counterfeiting, fraud comes in many different guises.

Identity fraud
Frauds which use methods and techniques to steal and/or use a victim's bank or financial details

Fraudulent sales
Frauds which occur when the victim tries to buy or sell goods or services. Often (although not always) through online auction and selling websites.

Mass-marketing fraud
Frauds which contact with victims via email, letter, phone or advertisements. These frauds exploit mass communication in the hope of reaching as many victims as possible.

Fraudulent sales in person
Frauds occurring primarily when victims buy or sell goods or services in person. Particularly impactful upon small businesses.

Abuse of trust
Frauds involving suspects who specifically play on the trust of a victim and use their authority (either within a company or within society) to take advantage of individuals, systems and processes, for personal or financial gain.

Fraudulent applications
Involves perpetrators who deliberately misrepresent themselves or their situation for personal gain. This includes individuals who lie on application or claim forms, or make use of counterfeit documents.

Investment fraud
Frauds involving the investment or movement of large amounts of money. These frauds often rely on high-pressure sales techniques to persuade victims to make quick and risky decisions.[112]

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[112] Garner, S. et al, 'Organised Crime in Local Communities', The Police Foundation, August 2016, p. 2
http://www.police-foundation.org.uk/uploads/holding/projects/org_fraud_in_local_communities_final.pdf
[accessed 5 December 2016]
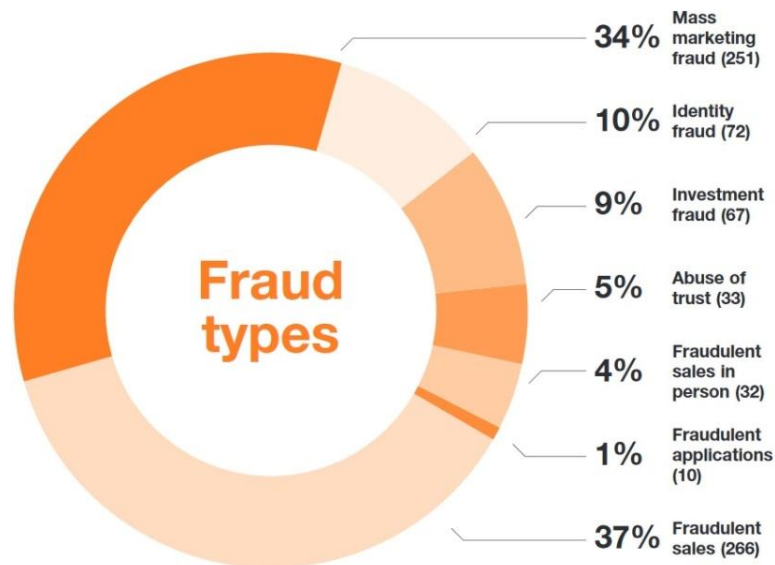
'Fraud Types'

Copyright The Police Foundation, reproduced from "The Local Impact of Organised Crime",
Police Foundation, 2016[113]

In 2013 the Home Office estimated that around 15% of all fraud was conducted by organised crime groups, with an annual cost to the UK of almost £9bn in direct losses and criminal justice costs alone.[114] A more recent study indicates that this may represent only between half and one third of the true figure. A single fraudster can target hundreds of victims, and so the scale of criminality does not equate to the scale of impact or victimisation.[115]

Action Fraud, a UK-wide fraud and cybercrime reporting centre, receives on average 25,000 reported frauds per month. If we take the scale of organised fraud as between 31% and 45% of total fraud (as estimated by the Police Foundation), and Scotland as 8.3% of the UK population, we can roughly estimate between 650 and 950 reports of organised fraud gangs operating in Scotland every month of every year.[116] [117]

The difficulties in establishing the true scale of fraud, and in turn organised fraud, are clear. The targets, methods and perpetrators vary widely across its many manifestations. Any attempt to combat it must inevitably involve numerous agencies working together to strengthen the potential victims, whether businesses or individuals, against attack; to

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[113] Garner, S. et al., 2016, p. 3
[114] Mills, H. et al., 'Understanding organised crime: estimating the scale and social and economic costs', Home Office, 2013, p. 9
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/246390/horr73.pdf [accessed 5 December 2016]
[115] Garner, S. et al., 2016, p. 1
[116] Garner, S. et al., 2016, p. 5
[117] 'Scotland in numbers', BBC News, 25 November 2013, http://www.bbc.com/news/uk-scotland-24866266 [accessed 5 December 2016]

apprehend those responsible; and to create an environment where fraud is more difficult to successfully execute.

2.7 FIREARMS AND TERRORISM

"Suppressing the availability of illegal firearms in the UK has never been a more significant priority for the law enforcement community. Criminal networks, who think nothing about who they sell firearms to, present a significant route by which extremist groups will try to access the sort of weapons used in recent attacks in Europe."

Lynne Owens, Director General, National Crime Agency, October 2016[118]

Legally-owned guns are perhaps less rare in Scotland than might be assumed - in 2015, Police Scotland estimated that there were 277,000 legal firearms in the country, including over 100,000 shotguns and 90,000 deactivated weapons.[119] As many as one third of organised criminal gangs in Scotland are estimated to have access to a firearm,[120] and yet, despite these factors, gun crime remains low and falling. In 2015-16, there was one murder with a firearm in Scotland, four attempted murders and 25 robberies – all fewer than 2% of the total for their crime type.   The total number of recorded crimes involving guns fell by 75% between 2006 and 2016.

While this picture is encouraging, it is in this area that potential links between serious organised crime groups and terrorist networks are most concerning. The structure of an organised crime group and that of a terrorist group can be very similar, though their goals – benefit and political influence respectively - are different. Co-operation between the two can take place when these interests align, in particular through the provision or sharing of smuggling routes, and as such the potential for a firearm owned by an organised crime gang to be supplied to a terrorist group is coming under increased scrutiny.[121] Half of terrorist plots in the UK involve the attempted acquisition of a firearm, and there are growing concerns that such weapons could pass between crime gangs and terrorists planning a Paris-style mass shooting attack.[122]

[118] '#GunsOffOurStreets', National Crime Agency, 31 October 2016, http://www.nationalcrimeagency.gov.uk/news/946-gunsoffourstreets [accessed 6 December 2016]
[119] O'Hare, P., 'Police reveal there are 277,000 guns in Scotland as they warn of thriving black market trade in firearms', Daily Record, 28 September 2015
[120] 'Thousands of Scots in organised crime groups', BBC News, 4 December 2013, http://www.bbc.co.uk/news/uk-scotland-25208792 [accessed 6 December 2016]
[121] Gallagher, M., 'Terrorism and Organised Crime: Cooperative Endeavours in Scotland?',Terrorism and Political Violence, 7 December 2013, p. 322
[122] Bulman, M., 'Police fear terrorists using UK black market to buy weapons for Paris-style gun attack', Independent, 31 October 2016, http://www.independent.co.uk/news/uk/home-news/mi5-chief-andrew-parker-foiled-terror-plots-guns-attack-latest-firearms-extremist-paris-attack-a7389891.html [accessed 6 December 2016]

3. COMMUNICATIONS

In order to effectively communicate issues related to organised crime, we must not simply understand the threats themselves, but also the means by which the public becomes aware of those threats and the impact that these mediums have on their perceptions. We must also understand the ambitions for communications as a tool to tackle organised crime, and the current practice and language used when discussing it.

Throughout recent communications strategies, the phrase "raising awareness" or others like it is used often with relatively broad meaning, and can sometimes be read as the primary goal or end target of communications efforts. However, in almost all cases it is clear that the desired outcome lies beyond awareness alone, and that success will only be achieved by positively influencing attitudes and behaviour – whether by encouraging people not to buy counterfeit goods, by turning them away from involvement in online drug dealing, or by increasing reporting of human trafficking.

3.1 INTEREST IN THE NEWS AND NEWS SOURCES IN SCOTLAND

Just as the internet is fundamentally remaking the criminal justice landscape, so it is reshaping the news and how we consume it.

The number of those reading a daily newspaper has almost halved since 1999, and of those under 35, only 20% now do so.[123] [124] Scotland's largest-selling papers, the Daily Record and the Scottish Sun - even if it is assumed that 2 people read every copy sold - now each reach less than 10% of the Scottish adult population. By the same metric, the Herald and Scotsman reach between 1% and 2%. This fall in newspaper circulation over the past decade is a phenomenon not unique to Scotland.[125]

However, there has not been as stark a reduction in news consumption as these figures might suggest, and the evolving nature of news media should not obscure the sustained high level of interest in it. Circulation figures generally do not include online readership, which could increase the above totals by a factor of two or three.[126] Only one in ten describe themselves as having no interest in the news at all, while the remainder continue to seek a wide variety of news sources.[127]

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[123] Kennedy, D. , 'Fewer than half of Scots' are reading a daily newspaper', BBC News, 4 August 2015, http://www.bbc.co.uk/news/uk-scotland-33760071 [accessed 19 December 2016]

[124] 'Less than half of Scots are now reading a daily newspaper, new findings from Scottish Social Attitudes shows', NatCen, 12 August 2015, http://www.natcen.ac.uk/news-media/press-releases/2015/august/less-than-half-of-scots-are-now-reading-a-daily-newspaper,-new-findings-from-scottish-social-attitudes-shows/ [accessed 19 December 2016]

[125] 'UK and US see heaviest newspaper circulation declines', The Guardian, 17 June 2010, https://www.theguardian.com/media/2010/jun/17/newspaper-circulation-oecd-report [accessed 14 November 2016]

[126] 'HeraldScotland maintains 66% audience growth despite tighter paywall', The Herald, 26 Feb 2014, http://www.heraldscotland.com/news/13147778.HeraldScotland_maintains_66__audience_growth_despite_tighter_paywall/ [accessed 27 January 2017]

[127] News Consumption in the UK 2015: Executive summary', OFCOM, 16 December 2015. pp. 7-10 [accessed 13 November 2016]

Therefore, of more importance to the effective targeting of media campaigns is an understanding of the shifting balance of news mediums. Television remains by far the most-used source of news, with the BBC the chief outlet. In radio, the BBC is even more dominant. Around 40% of the adult population, and a higher proportion of young people, now use the internet and other apps such as Facebook for their news – though it is important to note that many apps and social media services will draw their source material from traditional news outlets, including newspaper websites, and so in this respect too the falling sales of the print copies of the papers may underestimate their continuing influence.[128]

Ofcom data, based on self-reported figures of news consumption, demonstrates the dominance of television, and in particular the BBC, as a news source in Scotland. According to their findings, 46% of adults in Scotland use BBC One for news, 27% use ITV/STV, and 16% use Sky News. The most widely read newspaper, the Daily Record, is used by 10%. However, the picture is not static; viewership of BBC and ITV/STV fell from 2014 to 2015, while use of Facebook as a news source increased.[129]

While the news maintains its significant role in guiding the views and priorities of the general public, there remain large portions of the population who are unaware of even relatively widely publicised criminal justice topics.

An example of both the news media's power and its limitations is provided by a survey into armed policing which was carried out in late 2014, following a change in Police Scotland policy to allow a limited number of armed officers to attend routine incidents with visible firearms. Despite widespread and long-term media coverage and discussion in the Scottish Parliament over the preceding months, just over half of those interviewed as part of the public opinion survey were already aware of the change, and 43% had not heard of the development at all. The average level of awareness for those aged 16 – 34 was even lower, at below 40%.

Those who were aware of the change in policy primarily heard of it from the news media, with 70% crediting TV and radio as one of the sources, and 30% crediting newspapers. All other sources of information, including friends, family and the internet, were named by 10% or less.[130]

3.2 THE NEWS MEDIA'S INTEREST IN ORGANISED CRIME

"Anyone interested in learning about crime from the mass media is treated to examples, incidents, and scandals but at such a level of description that it is impossible for them to develop an analytical comprehension of crime."

Sanford Sherizen, 1978[131]

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[128] 'News Consumption in the UK 2015: Executive summary', OFCOM, 16 December 2015.
p. 19 [accessed 13 November 2016]

[129] 'News Consumption in the UK 2015: Research report', OFCOM, 15 December 2015.
, p. 82 [accessed 13 November 2016]

[130] 'Police firearms survey: Final report', Scottish Police Authority/TNS, 2014, pp. 5-7

[131] Sherizen, S., 'Social Creation of Crime News: All the News Fitted to Print', in C. Winick (ed.), Deviance and Mass Media, 1978, pp. 203–24

The role of the news media, its relationship with attitudes and behaviours, and the way in which it represents crime are all topics which have been the subject of extensive research.[132]

Public interest in crime in general is consistently high, though the extent to which this drives or is driven by news coverage is difficult to determine. Whichever more actively informs the other, crime has been a regular feature of news reporting since the dawn of the metropolitan daily newspaper in the early 1800s[133], and a large proportion of the news remains dedicated to crime stories.

In the UK, a study analysing media reports between 1938 and 1967 found that an average of 4% of all news stories were about crime, while a similar analysis of Times and Mirror coverage from 1945 to 1991 showed an increase from under 10% to over 20% of stories focused on crime, and in particular a rise in the proportion of stories about drugs.[134]

This general and sustained interest in criminality stems from the inherent newsworthiness of certain specific aspects of crime, and it is these which dictate both the events which attract publicity and how they are presented. The impact of this attention on perceptions of crime is explored further in Chapter 4.

One simple definition of the nature of newsworthiness conceives it as interest in any form of deviance from rules or norms, which often involves conflict with some form of control. [135] In this context, all crime is fundamentally newsworthy, and serious organised crime – which represents an extreme deviance from acceptable social and business practices, combined with the subsequent high-level response from law enforcement agencies - provides some of the most appealing stories of all.

A broader analysis of newsworthiness includes other more specific factors, many of which further explain the sustained level of interest in crime. Modern news media has been found to be drawn towards events, or representations of events, which are current, simple, dramatic, titillating, novel, and which focus on specific personalities.[136] Again, we see how crime, and in particular the types of serious organised crime which involve violence, specific named accused and the potential drama of their apprehension, can provide ideal subject matter for the news media.

These motivations and drivers of interest inevitably lead to a particular presentation of crime, which often focuses disproportionately on the most serious or unusual cases, and which over-represents violent and interpersonal crime, while paying less attention to offences against property. These representations of crime and the relative prominence they

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[132] Reiner, R. 'Media made criminality: The representation of crime in the mass media', 2007, https://www.researchgate.net/publication/30528841_Media_made_criminality_The_representation_of_crime_in_the_mass_media, p. 380 [accessed 14 November 2016

[133] Katz, J. 'What makes crime "news"', Media, Culture & Society, 1987, p. 57 http://www.sscnet.ucla.edu/soc/faculty/katz/pubs/WhatMakesCrimeNews.pdf?origin, [accessed 15 November 2016]

[134] Reiner. R., pp. 382, 384

[135] Reiner. R., p. 380

[136] Chibnall, S. 'Law-and-order News: An Analysis of Crime Reporting in the British Press', Routledge, 1977, pp. 22 - 38

are afforded by the media can shape not only the public perception of crime levels, but also the relative importance of certain crime types.[137]

The media also tend to use dramatic language, ("shocking", "vile", etc.), focus on negative interpretations of statistics, and repeat certain established narratives about the reality of crime.[138] Some of these media narratives are long-standing – for instance, the focus on the risk of violence faced by higher status, white, female adults, when the most common victims are poor, young, black males, has been the subject of numerous studies over the past 30 years.[139] [140] Other research has shown that media reports of crime also tend to be crafted in isolation, without significant exploration of the background trends or context, while others show an increased focus on the individuals involved, whether victim or perpetrator.[141]

It is clear that statements and information regarding the capture and prosecution of organised crime gangs trading in physical goods will inevitably attract widespread media attention and inform public attitudes, while information about crime types, crime policy or other advisory messages will likely struggle to find prominence, unless they can be framed so as to meet some of the criteria for newsworthiness above. It is likely that if a message does not meet some of these criteria, then it will be ignored or reframed so that it does.

While emphasising the threat in isolation is not always necessary to generate media interest, and specific cases or initiatives may provide a useful alternative, education messages alone will likely struggle to find traction.

> "So lesson number one is, I think, and we cannot escape it: if you have a message, I think you have to make it sexy.
>
> "Unusual stories, broad conspiracies in many countries, frauds involving large amounts of euro unfortunately will have greater possibilities to pass through the media and reach a large number of citizens than very detailed essays and reports. So if you want to reach a large number of citizens with your message and make it known all over Europe, I am afraid you will have to play according to the rules of the game and grab the interest of journalists with those elements that can feed their appetite: so, as I said, unusual stories, broad investigations, large confiscations of illegal goods or drugs."
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> Enrico Brivio, journalist, Associated Press Association/Il Sole 24 Ore (Italy) 2009[142]

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[137] McCombs, M. and Shaw, D., 'The agenda-setting function of mass media', The Public Opinion Quarterly, Vol. 36 No. 2, 1972, p. 176

[138] 'Crime and Safety Debrief: Summary', Truth Consultancy, April 2013, p. 14

[139] Reiner. R., p. 386

[140] 'Overview of violent crime and sexual offences', Office for National Statistics, 11 February 2016, https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/compendium/focusonviolentcrimeandsexualoffences/yearendingmarch2015/chapter1overviewofviolentcrimeandsexualoffences#characteristics-associated-with-being-a-victim [accessed 7 December 2016]

[141] Reiner. R., p. 387

[142] Brivio, E., 'An EU press room perspective in anti-fraud communication strategy' in 'Deterring fraud by informing the public: Round-table on anti-fraud communication', European Anti-Fraud Office (OLAF), 2009, pp. 123-127

3.3 SOCIAL MEDIA

More people in Scotland get their news from Facebook than from any single newspaper, and it is classed by OFCOM as the fastest growing news source in Scotland. However, the picture is more complex than it may initially appear. Newspapers will themselves have a presence on Facebook, and will use the site as a channel for their own content. Furthermore, Facebook does not consider itself a news company.[143]

Social media users must to some degree seek out information before they receive it. Unlike newspapers, in which readers are presented with a wide range of news stories, sites such as Twitter rely on the user choosing to receive news from certain sources, or searching, before they see it. For instance, unless they choose to follow the Scottish Government, or see others reposting their messages, they are only likely to learn of Government statements via whatever news media channels they follow, or if they search for the topic in question.

As such, social media behaves more as a personalised delivery mechanism for news than a news source in itself, with the user able to more effectively tailor the type of information they wish to receive than with traditional media, and with the option to receive communications directly from certain organisations or personalities. Facebook in particular has been the subject of significant recent coverage as to the degree to which it selects the stories users see based on their established preferences and views, thereby decreasing their exposure to conflicting or novel viewpoints.[144]

3.4 THE ENTERTAINMENT MEDIA'S INTEREST IN CRIME

"Films and television productions can, and do, play an important role in influencing public perception not only of the reality of crime, corruption and fraud but also of the capacity and effectiveness of the systems developed by society."

Cristian Unteanu, Journalist/European Correspondent for ZIUA (Romania), 2009[145]

Crime is a perennial topic of novels, films, television programmes and radio plays, accounting for around 25% of all output.[146] All but one of the top 10 most borrowed books last year was a crime thriller or murder mystery[147] and they are the favourite genre of book for both genders, though the preference is significantly more pronounced with female readers.[148]

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[143] Self, W., 'Forget fake news on Facebook – the real filter bubble is you', New Statesman, 28 November 2016 http://www.newstatesman.com/science-tech/social-media/2016/11/forget-fake-news-facebook-real-filter-bubble-you [accessed 6 December 2016]

[144] Ibid.

[145] Unteanu. C., 'Possible interaction between television fiction and media reports', in 'Deterring fraud by informing the public: Round-table on anti-fraud communication', European Anti-Fraud Office (OLAF), 2009, p. 308

[146] Reiner, R., p. 388-389

[147] 'Crime fiction steals top slots in UK library loans', The Guardian, 5 February 2016, https://www.theguardian.com/books/2016/feb/05/fiction-runs-away-with-uk-library-loans-lee-child [accessed 14 November 2016]

[148] Whitney, R. 'Are women hardwired to love thrillers?', Telegraph, 28 February 2015, http://www.telegraph.co.uk/women/womens-life/11440540/Thrillers-and-crime-novels-Are-women-hardwired-to-love-them.html [accessed 7 December 2016]

As with the news media, the focus of crime fiction is skewed towards particular types of crime. It also often focuses disproportionately on violent offences against the individual, and is concerned more by the people involved than the crime itself.[149]

3.4.1 Case study 1 – The FBI and entertainment media

The Federal Bureau of Investigation (FBI) in the United States has long recognised the level of public interest in their work, and the important role that the entertainment media plays in presenting them to the wider world and creating a foundation of understanding of their roles and responsibilities.

As such, they have actively engaged with writers from a variety of fields since as long ago as the 1930s, in order to provide advice and guidance and to ensure the accurate representation of their work, structures, equipment and history. They are careful to specify that they do not fact-check, edit or approve the final work, nor do they have final control over its accuracy.[150] The availability of this service, with suitable caveats around resources and the stage of the proposed projects, is open to be applied for by all writers, authors and producers whose work involves representations of the Bureau.[151]

The FBI have also held more general seminars with established writers, in order to provide briefings on the nature and variety of their work, and to answer technical questions related to different crime types they are tackling.[152]

Similar engagement with producers of fiction by criminal justice agencies in Scotland, or by the wider members of the Serious Organised Crime Task Force, is difficult to quantify but is not actively advertised as a service by any members or actively co-ordinated by the Task Force itself. Consideration of opening such channels may be an important step towards informing the public of the evolving nature of organised crime.

3.5 THE COMMUNICATIONS APPROACH TO ORGANISED CRIME – IN THEORY

3.5.1 A shift towards prevention[153]

The traditional communications focus of many of the agencies involved in Scotland's Serious Organised Crime Task Force has been on raising awareness of, and thereby confidence in, the operational work taking place in the respective arms of the criminal justice system. This

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[149] Reiner. R., p. 391
[150] 'From Fact to Fiction - Giving Writers an Inside Look at the FBI', Federal Bureau of Investigation, 10 June 2008, https://archives.fbi.gov/archives/news/stories/2008/october/writers_100608 [accessed 7 December 2016]
[151] 'Working with the FBI: A Guide for Writers, Authors, and Producers', Federal Bureau of Investigation, October 2008, https://archives.fbi.gov/archives/news/stories/2008/october/a-guide-for-writers-authors-and-producers-1 [accessed 7 December 2016]
[152] 'From Fact to Fiction - Giving Writers an Inside Look at the FBI', Federal Bureau of Investigation, 10 June 2008, https://archives.fbi.gov/archives/news/stories/2008/october/writers_100608 [accessed 7 December 2016]
[153] It should be noted that the term 'Prevent', while originally associated with counter-terror work, in this context is used in much broader terms. It simply denotes a wide-ranging communications and engagement project, of which the ultimate goal is to reduce the number of crimes taking place - by reducing victimisation, the purchase of illegal products, and personal involvement in crime. In this sense it is an inherently separate project from operational law-enforcement, though in practice would be driven by operational intelligence and co-ordinated at least in part by enforcement agencies.

promotion of confidence is in many ways a counterpart to the brand and reputation management practised in the private sector by PR firms[154], and clearly remains an important project and one which should and will continue. However, a closer reading of recent strategies shows an upward shift in the importance of an alternative or supplemental priority - crime prevention itself.

The trend towards prevention is in many ways a natural extension of several operational trends. In particular it appears to mirror the thinking behind Project Jackal, a Police Scotland initiative launched in 2014 to gather financial intelligence about organised crime groups, and thereby target the business structures which allow them to successfully operate and supply criminal products.[155] This focus on the financial aspects of organised crime goes back at least to the 1980s in America, when the Presidential Commission on Organized Crime targeted money laundering as a keystone of organised crime, stating that a more finance-focused approach would "dislodge that keystone, and thereby… cause irreparable damage to the operations of organized crime."[156] Seen in this context, a communications prevention campaign seeks to understand and target the other half of the business equation not traditionally targeted by enforcement operations - the demand or consumer side – and thereby cut off the funding at source.

By placing the raising of public resilience, knowledge and the uptake of certain safe behaviours as a key aspect of tackling organised crime, with its clear benefits of reduced victimisation, reduced markets, and reduced recruitment opportunities for crime groups, these strategies set aspirations for communications teams which are beyond their previous remit. The focus is often on victims or funders of crime, or potential recruits, rather than perpetrators or those tasked with their apprehension.

3.5.2 "Raising awareness"

In Scotland, the renewed focus on communications as a preventative tool finds its origin in the formation of the Serious Organised Crime Task Force, and to Scotland's first multiagency serious organised crime strategy, published in 2009. This strategy included recommendations for a Communications group to be formed to "raise awareness and reduce demand", and recognised that "all public agencies, businesses, and individuals have a part to play" in dealing with organised crime.[157]

The 2015 Serious Organised Crime Strategy took this still further, and recognised prevention as the single most important aspect of the work to tackle organised crime, stating that

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[154] Schreiber, E.S, 'Reputation', Institute for Public Relations, 14 January 2014
http://www.instituteforpr.org/reputation/ [accessed 7 January 2017]
[155] Murray, K., 'The value of understanding organised crime business structures and processes', European Monitoring Centre for Drugs and Drug Addiction, 2016, p. 12
[156] Levi, M. 'Money for Crime and Money from Crime: Financing crime and laundering crime proceeds', European Journal on Criminal Policy and Research, 21 (2), 2015, pp. 275-297
[157] 'Letting our Communities Flourish – A Strategy for Tackling Serious Organised Crime in Scotland', The Serious Organised Crime Taskforce, June 2009, pp. 3-5 http://www.gov.scot/resource/doc/274127/0081989.pdf [accessed 17 November 2016]

"communication and awareness-raising will be essential… sharing information with the public, businesses and public and third sector organisations is key to achieving our aim."[158] While the overarching focus of the Strategy and others is on public awareness, it is clear from the desired outcomes that the goal is in fact changes either in attitudes or, more often, in behaviour - for instance through a reduction in engagement with the products of organised crime, or through encouraging the public to become more empowered as regards their own security.[159]

Before further discussion of this difference in terminology and its ramification for the success of these strategies, it is important to recognise how prevalent such goals are in contemporary crime strategies, and the perceived importance of perceptions and awareness in addressing them.

This foregrounding of a prevent agenda is also clear in Scotland's recent Cyber-Resilience Strategy, which emphasised the importance of fostering "a culture of cyber awareness and readiness" and which aims to have achieved the following six key outcomes by 2020:

1. our people are informed and prepared to make the most of digital technologies safely
2. our businesses and organisations recognise the risks in the digital world and are well-prepared to manage them
3. we have confidence in and trust our digital public services
4. we have a growing and renowned cyber resilience research community
5. we have a global reputation for being a secure place to live and learn, and to set up and invest in business
6. we have an innovative cyber security, goods and services industry that can help meet global demand.[160]

The first five of these six outcomes all focus in some way on actively changing awareness, attitudes, or behaviours, and as such fundamentally rely on successful communication, as outlined below:

KEY: <u>awareness</u>, **attitudes**, BEHAVIOURS

1. our people are <u>informed</u> and **prepared** to make the most of digital technologies SAFELY
2. our businesses and organisations <u>recognise the risks</u> in the digital world and are **well-prepared** to MANAGE THEM
3. we have **confidence in and trust** our digital public services
4. we have a GROWING and **renowned** cyber resilience research community
5. we have a global **reputation for being a secure place** to LIVE AND LEARN, AND TO SET UP AND INVEST IN BUSINESS

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[158] 'Scotland's Serious Organised Crime Strategy', Scottish Government, 18 June 2015, p. 2, 10 http://www.gov.scot/Resource/0047/00479632.pdf [accessed 5 October 2016]
[159] ibid. p. 10
[160] 'Safe, Secure and Prosperous: A cyber resilience strategy for Scotland', Scottish Government, 17 November 2015, p. 17 http://www.gov.scot/Resource/0048/00489206.pdf [accessed 17 October 2016]

The importance of and distinction between these goals is clear. The operational side of criminal justice, in terms of the detection or disruption of the criminal groups which make such resilience necessary, is not mentioned. The strategy goes on to recognise that achieving these goals will require a sustained and collaborative effort, co-ordinated at a government level.

This tone is replicated elsewhere. The key Scottish Government targets for communicators, echoed in strategic plans by the Crown Office and Procurator Fiscal Service (COPFS) and Police Scotland, focus on improving safety and reducing fear among the public.[161] Police Scotland's most recent Annual Plan further outlines the desire to "positively influence social attitudes and prevent crime".[162] The NCA's Transparency Policy commits to "raising awareness of the threat caused by serious and organised crime"[163], while their most recent Annual Plan outlines the merits of providing "information to the public on how they can protect themselves against becoming victims of serious and organised crime, including fraud, child sexual exploitation and abuse and cyber-enabled crime."[164]

In November 2016, the UK's cybercrime tsar, Dr Jamie Saunders, proposed a 'cyber-prevent' strategy to discourage young people from being drawn into cybercrime.[165] Europol recommends a "comprehensive and proactive strategy to focus on raising current levels of awareness and to provide enforcers with the knowledge and tools they need to work together and take effective remedial action" as a key aspect of the fight against counterfeiters.[166] As part of the Scottish Government's stakeholder events on human trafficking, one of the main topics discussed was "raising awareness and understanding of trafficking to help identify victims and pursue perpetrators."[167] The 2016 annual report on serious organised crime in Scotland stated that "It is essential that we … make sure that our communities and businesses remain informed about the threat and impact of [serious organised crime] and what steps we can all take to counteract this."[168] The list goes on.

A notable exception to this trend is in criminal justice communications strategies specifically related to drugs, in which comparatively little mention is made of, for instance, attempting

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[161] 'Crown Office and Procurator Fiscal Service Strategic Plan 2015-2018', Crown Office and Procurator Fiscal Service, 2 February 2015, http://www.crownoffice.gov.uk/images/Documents/Business_Strategy_Plans/Strategic_Plans/COPFS%20Strategic%20Plan%202015-2018%20.pdf [accessed 7 December 2016]

[162] 'Annual Police Plan 2016-17', Police Scotland, p. 34 http://www.scotland.police.uk/assets/pdf/138327/150739/police-scotland-annual-police-plan-2016-17?view=Standard [accessed 17 November 2016]

[163] 'Transparency: The NCA Publication Approach', National Crime Agency, September 2014, p.2 http://www.nationalcrimeagency.gov.uk/publications/433-transparency-the-nca-publication-approach/file [accessed 17 November 2016]

[164] 'NCA Annual Plan 2016 – 17', National Crime Agency, 2016, p. 13, http://www.nationalcrimeagency.gov.uk/publications/683-nca-annual-plan-2016-17/file [accessed 17 December 2016]

[165] Dodd, V. 'Call for Prevent-style strategy to stop children engaging in cybercrime', The Guardian, 7 November 2016 https://www.theguardian.com/technology/2016/nov/07/call-prevent-style-strategy-stop-children-cybercrime-government [accessed 10 November 2016]

[166] '2015 Situation Report on Counterfeiting in the EU', Europol, p. 6 https://www.europol.europa.eu/sites/default/files/publications/2015_situation_report_on_counterfeiting_in_the_eu.pdf [accessed 20 October 2016]

[167] 'Human Trafficking', Scottish Government, http://www.gov.scot/Topics/Justice/policies/reducing-crime/human-trafficking [accessed 17 November 2016]

[168] 'Scotland's Serious Organised Crime Strategy – 2016 Annual Report', Scottish Government, 3 November 2016, p. 14 http://www.gov.scot/Resource/0050/00509064.pdf [accessed 18 November 2016]

to influence people to stop using drugs as a complementary approach to investigation and arrest of dealers. As far as can be ascertained, there is little current strategic communications linkage suggested or in place between health and crime messaging in this field. Messaging from criminal justice agencies tends to focus on the role of enforcement authorities in preventing drugs from reaching Scottish communities[169], or specific warning messages about particularly dangerous batches of drugs. Drug-related statements from law enforcement are rarely coupled with information on what options are available to those who find themselves addicted to or, more frequently, habitual users of controlled drugs, despite over 90% of those trying to cut down on drugs either not using support services or not knowing they exist[170], and over 94% of those who do ask receiving help within 3 weeks.[171]

The communications targets as set out by these strategies are relatively broad, and are rarely pegged to specific behaviours or attitudes. When they are, they do not specify ways by which success could be achieved or measured. Though the delivery of the strategies relies in large part on wide-ranging changes in public attitudes and behaviours, there are few defined statistical markers.

For instance, while much work is being done to raise awareness of operational successes or policy launches, both of which occur in relative isolation, these do not appear on the data available to have had significant effect on the understanding of many crime types, with public perceptions and priorities still focusing overwhelmingly on drugs.[172] [173]

There is perhaps a tacit assumption underlying some of these strategies that "raising awareness", or placing into the public domain as much information as possible regarding desired actions, operational capability or threat levels, is sufficient to influence attitudes and behaviour, and that the more information that is put into the public domain the more effective this process will be.

3.6 THE COMMUNICATIONS APPROACH TO ORGANISED CRIME – IN PRACTICE

Awareness campaigns or statements regarding organised crime often take one of two forms.

The first emphasises the threat and then commits to tackling it, either through a warning to perpetrators or a reassurance of operational capability. These campaigns sometimes touch

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[169] 'Reducing the damaging impact of drugs and alcohol', Scottish Government, http://www.gov.scot/Topics/Justice/policies/drugs-alcohol [accessed 7 December 2016]

[170] 'Scottish Crime and Justice Survey 2014/15: Drug Use', Scottish Government, p. 52 http://www.gov.scot/Resource/0050/00502173.pdf [accessed 12 December 2016]

[171] Williams, M., 'Concern over lack of preventative action on Scotland's heroin island', The Herald, 28 August 2016 http://www.heraldscotland.com/news/14709298.Concern_over_lack_of_preventative_action_on_Scotland_s_heroin_island/ [accessed 12 December 2016]

[172] 'Public perceptions of organised crime in Scotland', Scottish Government Social Research, 2013, p. 3 http://www.gov.scot/Resource/0043/00434422.pdf [accessed 7 November 2016]

[173] '#Yourviewcounts in Scotland: National Survey April – September 2016', Police Scotland, November 2016, pp. 13-14 [accessed 14 November 2016]

on things that the public can do, but only in general terms, or point towards other sources of information. They generally focus on promoting confidence and trust in the justice system and the reputation of the agencies involved.

The second focuses on the provision of knowledge to victims or potential victims. Due to the low levels of public awareness around organised crime (see Chapter 4 - Perceptions) attempts to influence public discourse and engagement often begin from the premise that addressing this knowledge gap is the first step towards positive action, engagement and ultimately a reduction in crime and victimisation. These campaigns focus on empowering the general public.

An example of these two types of campaigns is demonstrated in recent efforts to publicise the threat of child sexual exploitation (CSE) in Scotland. While this threat already receives significant attention in the media when cases arise, as with many crimes the focus tends to be on the most extreme aspects, meaning that the number of people with a practical understanding of the reality of the crime is much lower than the number with a general awareness or fear of its existence. Most parents know of the term "CSE", for instance, but over a third do not accept that it might affect their family, and almost a quarter do not believe it is a problem where they live.[174]

In January 2016 the Scottish Government launched "CSE The Signs", a dedicated website and communications campaign involving television adverts and social media promotion, with resources for adults and young people who may be affected or concerned that someone is affected by CSE.[175] The campaign focused on addressing the lack of practical knowledge.

Later in the year, Police Scotland launched a campaign which reminded perpetrators of their dedication in tracking them down. The focus of this campaign was both a warning to potential perpetrators and the public, balanced by a more general reassurance message about the capability of dedicated officers to apprehend those responsible.[176]

There have been few other sustained awareness campaigns – i.e. those involving posters, advertising space, or dedicated websites - specifically related to serious organised crime in recent years. "Made From Crime", the most recent example, launched in Lothian and Borders in 2011 and repeated on a wider basis in 2013, encouraged the public to report those who appeared to be supporting themselves financially through a criminal lifestyle. Since then, most statements or public awareness messaging has come through individual events or announcements.

A 2013 Scottish Government-commissioned study into the language used to discuss organised crime recommended a shift away from the overuse of war or conflict analogies,

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[174] 'CSE 2016 Campaign - Partner toolkit', CSE The Signs, January 2016
http://csethesigns.scot/assets/content_files/CSE28046_stakeholder_toolkit_A4_email_(2).pdf [accessed 10 December 2016]
[175] http://csethesigns.scot/
[176] 'Police Scotland launch Child Sexual Exploitation Campaign', Police Scotland, 7 September 2016, [accessed 10 December 2016]

on the basis that they might only heighten the anxiety that they were attempting to reduce.[177] In the years since, the language used by agencies involved in the Serious Organised Crime Task Force has broadly followed this recommendation, and moved towards a more measured tone, emphasising expertise and intelligence.

In order to provide a guide as to current practice, 21 recent releases issued by members of the Serious Organised Crime Task Force have been considered, including comments from the Scottish Government, Police Scotland, the Crown Office and Procurator Fiscal Service, the National Crime Agency, Border Force, Her Majesty's Revenue and Customs and the Scottish Environment Protection Agency. These releases covered various aspects of serious organised crime, including successful operations, court cases, policy announcements and public warnings, and a variety of crime types. The body of the release, and in particular the quotes attributable to named officials, were analysed and broken down into their constituent sections.
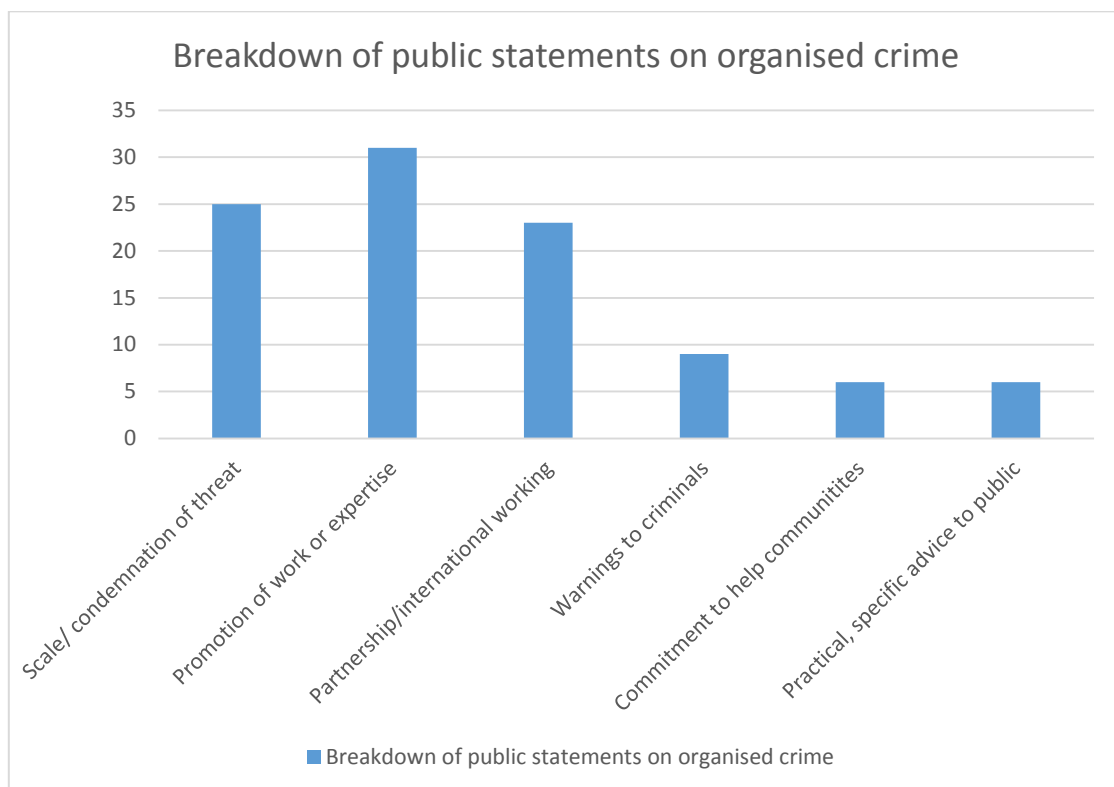
Breakdown of public statements on organised crime, I. Campbell, 2017

The vast majority of releases follow this pattern, and generally provide information in the order outlined above. Of the six instances of 'practical advice' found among the sample, five were to encourage calls to report specific types of crime, but with little guidance on exactly what to report or how to recognise it, and one gave general financial security advice.

The language used in the quotes from officials embedded in these releases is consistent. Positive steps have been made to avoid the old language and analogies of war and conflict,

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[177] 'Crime and Safety Debrief: Summary', Truth Consultancy, April 2013, p. 10 [unpublished]

however, they still tend only to emphasise the threat of crime and the capability of law enforcement in tackling it.
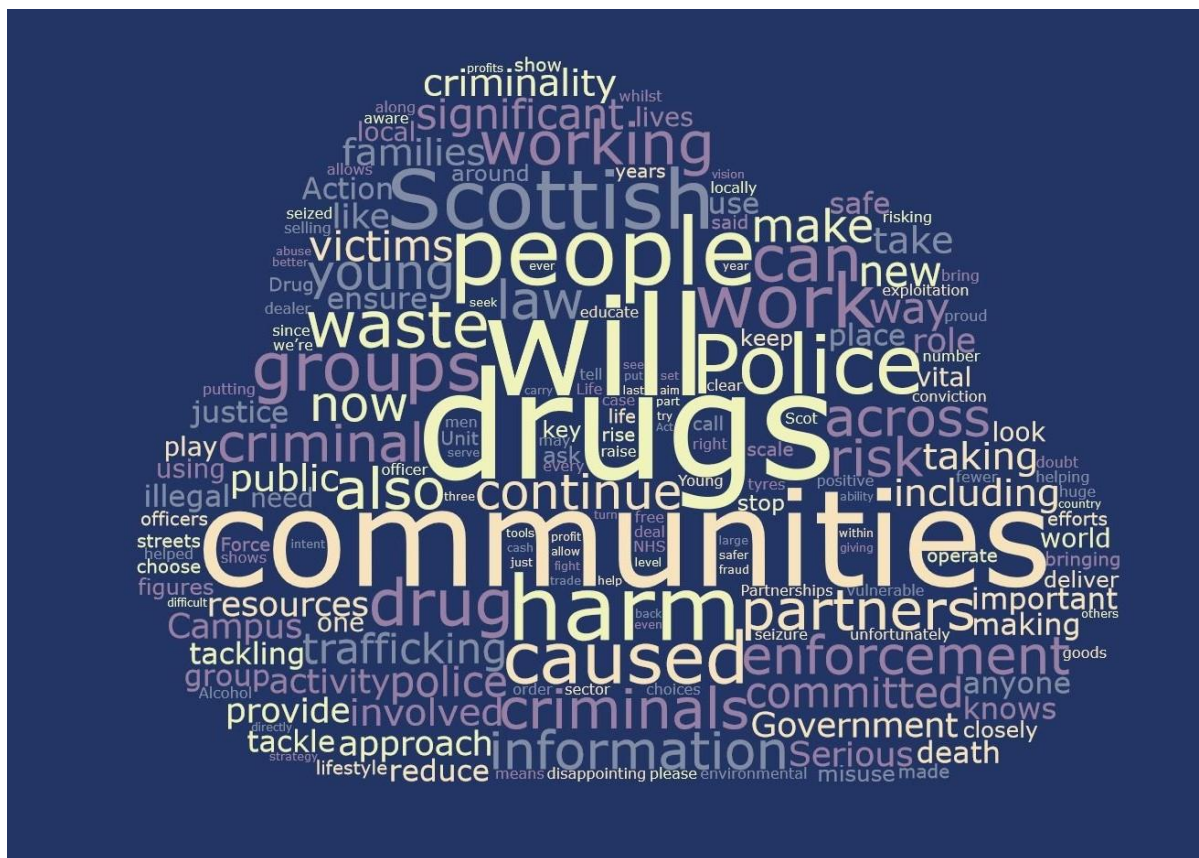
Word cloud showing language of attributable comments in selected public statements on organised crime (not including the phrase "serious organised crime"), I. Campbell, 2017

The success of media events or statements is generally judged on the resultant media coverage - either simply on pure 'reach' or potential readership, or on a more complex assessment of prominence and the nature of the reporting. This method of analysing the effectiveness of media relations makes the announcement the focus, and its effective distribution or otherwise the measure of success. Should we wish to move beyond reassurance and towards empowerment, such a measure will cease to be adequate and may lead to ineffective campaigns being judged as successes. Only by measuring perceptions, attitudes and behaviours themselves can we know whether or not we are influencing them.

4. PERCEPTIONS

While perceptions of organised crime in Scotland are not the subject of regular polling or study, on the basis of the information available it is clear that the popular view has not kept pace with the new challenges facing law enforcement, and that while the array of threats from serious organised crime is complex and rapidly changing, the public awareness of them is substantially less so.

It is also important to remember that many perceptions of organised crime are coloured by the deep-seated associations created and reinforced by fictional representations and the mass media. If a crime does not fit this existing framework of cunning, trafficking and violence[178], then the public may struggle to conceive of it as organised crime, despite much broader definitions being accepted and used by Government and law enforcement.

The term 'organised crime' itself therefore presents difficulties – what the public and to some degree the media mean when they discuss or are asked about it will not be the same as what the enforcement establishment means. The requirement for the phrase to be used in a media campaign at all should therefore not be treated as a given, and where it will simply present a further awareness hurdle (see Chapter 5 - Attitudes and Behaviours) it may be more effective to simply broaden understanding of the crime type itself and the risks and harm associated with it, rather than to first explain its status for the law enforcement community as an "organised crime." It is possible that the same could be said for other very general terms such as "cybercrime" or "fraud", which describe very little of the specific offending and which refer instead to a whole family of disparate crime types.

4.1 AWARENESS OF 'ORGANISED CRIME'

The most recent broad benchmark of organised crime awareness was provided by a 2013 poll commissioned by the Scottish Government, which investigated various attitudes and associations.

The key finding of the survey was that the Scottish public overwhelmingly associated organised crime with drugs and drug dealing. Fewer than 20% of respondents associated any other specific criminal behaviour with organised crime, while offences including cybercrime, fraud and sexual exploitation of children did not feature at all.

Such data could be taken to mean that the public simply do not associate particular crime types with organised gangs, rather than that they are unaware of the risk at all. However, a more recent data set supports the interpretation that many types of organised crime are simply not a major public concern.

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[178] Levi, M., 'Thinking about organised crime', The RUSI Journal, 159 (1), 2014, pp. 6-14

Q. What types of illegal activity do you associate with organised crime?
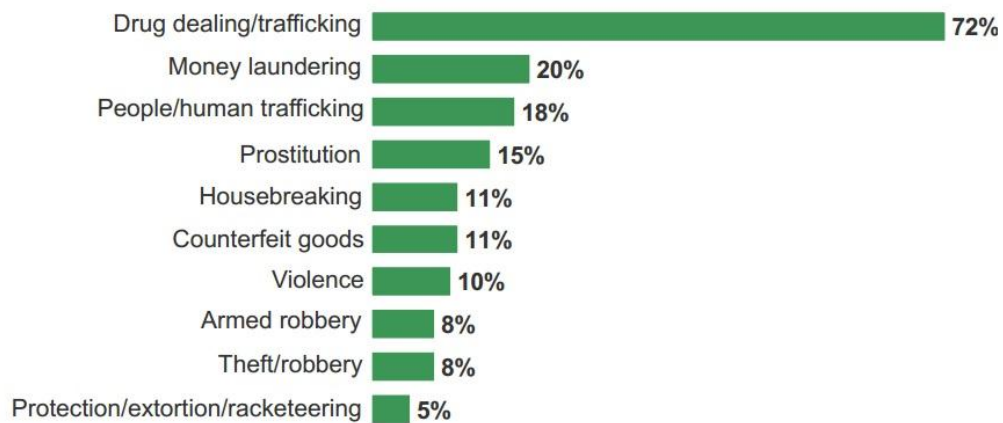
Drug dealing/trafficking — 72%
Money laundering — 20%
People/human trafficking — 18%
Prostitution — 15%
Housebreaking — 11%
Counterfeit goods — 11%
Violence — 10%
Armed robbery — 8%
Theft/robbery — 8%
Protection/extortion/racketeering — 5%

Base: All (1,001)
*Top 10 responses

Source: Ipsos MORI

Ipsos MORI/Scottish Government Social Research, 2013[179]

In April 2016, Police Scotland launched "Your View Counts", a 12-month public survey designed to inform future Policing priorities. The preliminary results echo the 2013 Scottish Government study, with drugs high in the public's priorities and many other crimes of concern to a small fraction of respondents. For instance, only 3.2% listed cybercrime as a national policing concern, with even fewer considering it a local problem.

Other areas of organised crime, for instance counterfeiting and fraud, were not mentioned at all, unless they were reported under the general heading of "serious organised crime" (an association which the 2013 study indicates is unlikely).[180] The extent to which these concerns are driven by actual risk of victimisation, or simply by the established areas of interest of the news media, is an area that could be further investigated.

Those perceived as at risk of becoming a victim of organised crime were generally vulnerable in some way, whether by age, income, identity or drug use. Only 12% of respondents named "individuals generally", and 9% "society as a whole", as most affected by organised crime.

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[179] 'Public perceptions of organised crime in Scotland', Scottish Government Social Research, 2013, p. 3 http://www.gov.scot/Resource/0043/00434422.pdf [accessed 7 November 2016]

[180] '#Yourviewcounts in Scotland: National Survey April – September 2016', Police Scotland, November 2016, pp. 13-14 [accessed 14 November 2016]

Q. Which groups or individuals do you think are most affected by organised crime in Scotland?
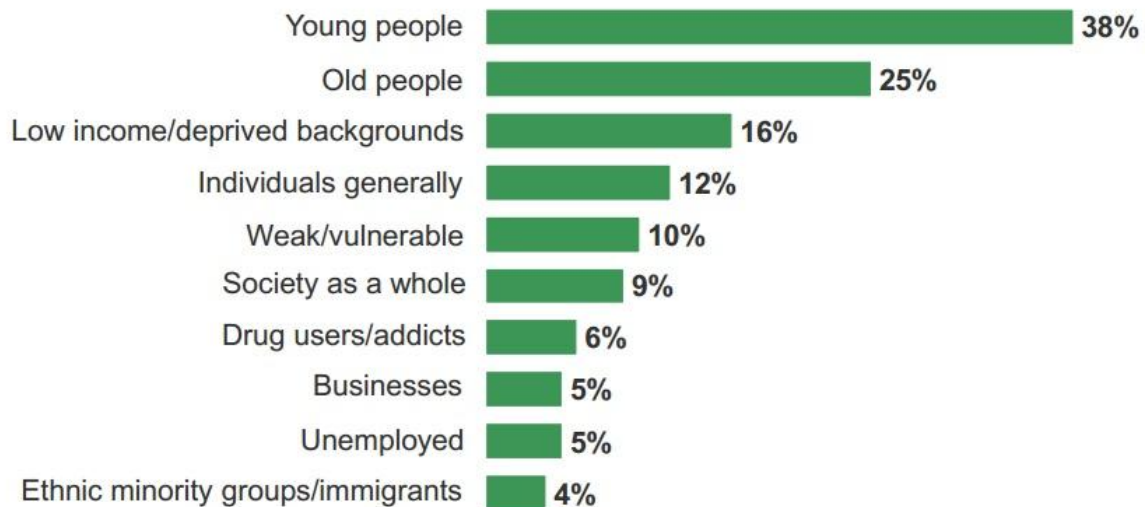
Group	Percentage
Young people	38%
Old people	25%
Low income/deprived backgrounds	16%
Individuals generally	12%
Weak/vulnerable	10%
Society as a whole	9%
Drug users/addicts	6%
Businesses	5%
Unemployed	5%
Ethnic minority groups/immigrants	4%

Base: All (1,001)
*Top 10 responses

Source: Ipsos MORI

Ipsos MORI/Scottish Government Social Research, 2013[181]

The Police Scotland data further reinforces the finding that the majority of people view serious organised crime as happening elsewhere to their immediate surroundings. 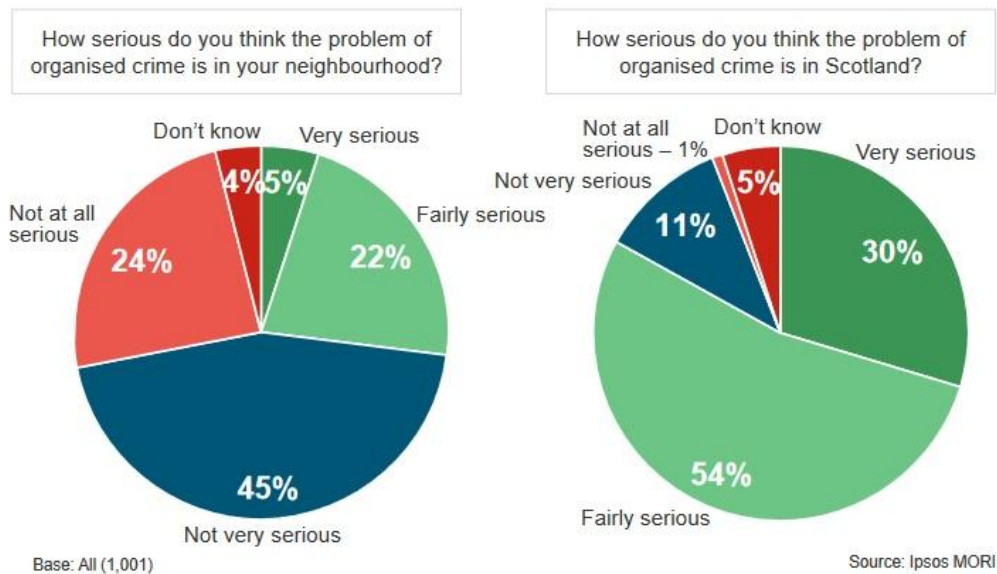It shows that while one in ten people are concerned about serious organised crime generally on a national level, only one in 45 see it as a local concern. Concerns about cybercrime, the exploitation of children and national security are all seen as being a national problem more than a local one. The 2013 Scottish Government data, while not directly comparable in the questions it asked and the methodology, showed the same trend, with 84% of respondents thinking that organised crime was a very serious or fairly serious problem in Scotland as a whole, but only 27% holding the same view of it in their neighbourhood.

The difference between local and national attitudes can perhaps be attributed to the different drivers of those attitudes - perceptions of local crime are more likely to be created by personal experience and to be more positive than perceptions of national crime, which are more likely to be driven by reported experiences and information taken from the media.[182]

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[181] 'Public perceptions of organised crime in Scotland', Scottish Government Social Research, 2013, p. 6 http://www.gov.scot/Resource/0043/00434422.pdf [accessed 7 November 2016]
[182] Wilson, C. 'The Public and the Justice System', Scottish Government Social Research, 2012, p. 39 http://www.gov.scot/Resource/0039/00396342.pdf [accessed 11 December 2016]

How serious do you think the problem of organised crime is in your neighbourhood?

Don't know 4%
Very serious 5%
Not at all serious 24%
Fairly serious 22%
Not very serious 45%

Base: All (1,001)

How serious do you think the problem of organised crime is in Scotland?

Not at all serious – 1%
Don't know 5%
Not very serious 11%
Very serious 30%
Fairly serious 54%

Source: Ipsos MORI

Ipsos MORI/Scottish Government Social Research, 2013[183]

4.2 PERCEPTIONS OF SPECIFIC ORGANISED CRIME TYPES

Some key elements of public perceptions of certain types of serious organised crime are outlined below.

4.2.1 Drugs and New Psychoactive Substances

Attitudes to drugs fluctuate over time and are driven by political and cultural trends in Scotland as well as developments elsewhere. Scottish Government policy on addressing problem drug use has traditionally involved various combinations of education, enforcement and treatment, with recent health policies placing an emphasis on recovery from drug dependency.[184] The response to the relatively new problem of NPS has drawn on a similar three-pronged approach.

While there has now been a general shift in the tone of media statements about crime, away from war or conflict analogies ('blitz', 'war', 'smashing') and towards a more nuanced representation of the work of law enforcement and their role in the community, there is scant data on what, if any, impact this has had on the public's view of drug dealers themselves. As we have seen, those who use drugs are increasingly likely to purchase them online, possibly from abroad. This relatively rapid change in the dynamic of the dealer-user relationship, if it continues, has the potential to fundamentally alter the impact of drug dealing. We could speculate that, with gangs profiting less from controlling certain physical regions of customers, and instead competing for business in huge online dark markets, their

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[183] 'Public perceptions of organised crime in Scotland', Scottish Government Social Research, 2013, p. 5 http://www.gov.scot/Resource/0043/00434422.pdf [accessed 7 November 2016]

[184] Ormston, R. et al, 'Scottish Social Attitudes Survey 2009: Public Attitudes to Drugs and Drug Use in Scotland', Scottish Government, 2010, pp. 33-34

focus may turn to the trading networks and their online reputation rather than violent conflict.[185] While speculative, it is possible that the primary manifestation of problem drug misuse in Scottish communities may increasingly come from its users rather than its trade.

Regardless of the eventual impact of online drug dealing, the majority of people in Scotland are relatively sympathetic to drugs users and believe that drug dependence is an illness, that people with a history of drug dependence are too often demonised in the media, and that we have a responsibility to care for people who are dependent on drugs.[186]

Public attitudes to heroin use are less sympathetic, with more people believing that most people who end up addicted to heroin 'have only themselves to blame' than the reverse. People tend to be fairly evenly divided into which they consider the most effective approach, between the three options of education, enforcement and treatment, and the majority support prosecution of those found in possession of heroin.[187]

Public attitudes to cannabis, Scotland's most widely-used drug and one of the few that can be produced in the country, have fluctuated over the past 15 years. A 2009 study showed that the public had become less supportive of the legalisation of cannabis over the course of the preceding 8 years, perhaps driven in part by its reclassification as a Class B drug and extensive debate both in politics and the media about the dangers of stronger strains of 'skunk'.[188] However, this data preceded the recent trend of decriminalisation, either wholesale or in the form of limited medicinal legalisation, that has taken place in the United States, Canada, Germany, Mexico, Portugal and several other countries in the early years of this decade.[189] There is some evidence that during this period Scottish public opinion has again reversed, and the majority (58%) now supports controlled legalisation.[190]

Regardless of the type of drug, and representing one of the few aspects of drug misuse which appears to attract relative agreement amongst the overwhelming majority of the population, 80% of Scottish people believe that 'the only real way of helping drug addicts is to get them to stop using drugs altogether'.[191]

[185] Greenberg, A., 'Silk road reduced violence in the drug trade, study argues', Wired, 2014 https://www.wired.com/2014/06/silk-road-study/ [accessed 23 January 2017]

[186] 'Public Attitudes Towards People with Drug Dependence and People in Recovery Progressive Partnership', Scottish Government, 2016, http://www.gov.scot/Publications/2016/06/3496/1 [accessed 22 January 2017]

[187] Ormston, R. et al, 'Scottish Social Attitudes Survey 2009: Public Attitudes to Drugs and Drug Use in Scotland', Scottish Government, 2010, pp. 2-3

[188] Ibid., pp. 14-16

[189] Senthilingham, M., 'Germany becomes latest country to OK medical marijuana legalization', CNN, 20 January 2017 http://edition.cnn.com/2016/12/29/health/global-marijuana-cannabis-laws/ [accessed 22 January 2017]

[190] Grice, A. 'Cannabis legalisation: 47% support sale of drug through licensed shops, poll reveals', Independent, 9 April 2016, http://www.independent.co.uk/news/uk/home-news/legalising-cannabis-47-support-sale-of-drug-through-licensed-shops-poll-reveals-a6976796.html [accessed 21 January 2017]

[191] Ormston, R. et al, 'Scottish Social Attitudes Survey 2009: Public Attitudes to Drugs and Drug Use in Scotland', Scottish Government, 2010, p. 3

4.2.2 Cybercrime

> "To grasp even the very basics of cyber security in its rich variety, one must be prepared to learn countless new idioms that are being constantly added to or amended. Otherwise you can listen to a conversation that in basic vocabulary and syntax structure is unmistakably English, but is nonetheless completely meaningless to those unschooled in the arcane language"
>
> – Misha Glenny, "Darkmarket", 2011[192]

Most internet users are well aware of the threat of cybercrime. However, one survey of European countries showed that while over 70% of individuals had heard or seen information about cybercrime in the past year, only 7% felt 'very well informed', and over half reported feeling 'not at all informed' or 'not very well informed'.[193] The extent to which this exposure to messages then translates to meaningful behaviour change is often dictated by an assessment of risk and reward on the part of the user.

Angela Sasse, Director of the Research Institute for Science of Cyber Security, has set out some of the reasons why many users often ignore such a highly publicised threat and take only limited precautions. Key of these, which can also perhaps be applied to other crime types, are the following:

they don't believe the threat is real
users receive too many warnings, while at the same time observe very few actual consequences

even if users did believe the threat was real, they may well still ignore it
users make a risk/reward assessment, and most users, most of the time, don't bear the cost of security problems [194]

Sometimes well-meaning security campaigns can even do harm - a 2016 report by the National Institute of Standards and Technology (NIST) in the USA found widespread "security fatigue" in the general population. The regularity of general cybersecurity messages had left the majority of average computer users feeling overwhelmed, bombarded, and constantly on alert. Many did not see that they were personally at risk, did not feel important enough for anyone to want to take their information, nor did they know anyone who had ever been hacked. Others believed that institutions, for instance banks and online shops, should be responsible for security, and there was a sense of helplessness as to how an individual could possibly protect their data when large organisations frequently fall victim to cyberattacks.[195]

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[192] Glenny, Misha, 'Darkmarket – How hackers became the new mafia', 2011, p. 226

[193] 'Comprehensive study on cybercrime: Draft', United Nations Office on Drugs and Crime, 2013, pp. 236 - 237

[194] Sasse, A., 'Conference paper: Busting The Myth Of Dancing Pigs: Angela's Top 10 Reasons Why Users Bypass Security Measures', 2013

[195] ' 'Security Fatigue' Can Cause Computer Users to Feel Hopeless and Act Recklessly, New Study Suggests', National Institute of Standards and Technology, 4 October 2016 https://www.nist.gov/news-events/news/2016/10/security-fatigue-can-cause-computer-users-feel-hopeless-and-act-recklessly [accessed 25 November 2016]

As explored further with the health campaigns discussed in Chapter 5, those faced with threats alone may become so stressed that they decide simply to abandon efforts to protect themselves, or mitigate their fear by denying the existence of the problem.[196]

Cybercrime and cybersecurity messaging must also be informed by the level of computer literacy. Over 90% of those aged 16-65 use the internet regularly, and while this figure drops drastically in the over-75s, the trend in all ages and demographics is towards increasing internet use.[197]

However, internet access alone tells only one side of the story. As many as two thirds of adults under 65 in the UK have a "poor" or worse computer skill level, with "poor" defined as the ability to use familiar applications such as email or a web browser at a basic level, for instance sorting emails into folders, but not performing more complex searches.[198] This data also does not include over 65s, who generally have a lower skill level than the 16-65 average.[199]

Therefore, any cyber-awareness campaign that fails to cater for people with only a basic understanding of computers is likely to be of use to at most around a third of the population, and may simply increase fear in the remainder.

4.2.3 Human trafficking

"Public awareness-raising on human trafficking is pivotal in order to stop complacency, educate communities on its indicators and locations, and in effect make them the new front-line in Scotland; an 'eyes and ears' against human trafficking."

'Inquiry into Human Trafficking in Scotland', Equality and Human Rights Commission, 2011

Human trafficking exists throughout Scotland. However, awareness and understanding of it have in the past been low, both among the general population and in those professions most likely to encounter it – including Police officers, health workers, solicitors and regulators.

Once victims of trafficking reach their destination, the crimes against them often unfold in private – either in flats leased for sex work, in unregulated workplaces, or in family homes. Members of the public may often be unaware that they are consumers of goods and services provided by trafficked people.

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[196] Sasse, A. and Bada, M. 'Cyber Security Awareness Campaigns: Why do they fail to change behaviour? (Draft working paper)', Global Cyber Security Capacity Centre, July 2014, p. 11 https://www.sbs.ox.ac.uk/cybersecurity-capacity/system/files/Awareness%20CampaignsDraftWorkingPaper.pdf [accessed 17 December 2016]
[197] 'Statistical Bulletin: Internet users in the UK: 2016', Office for National Statistics, 20 May 2016, https://www.ons.gov.uk/businessindustryandtrade/itandinternetindustry/bulletins/internetusers/2016 [accessed 10 December 2016]
[198] 'Skills Matter: Further Results from the Survey of Adult Skills', OECD Skills Studies, OECD Publishing, Paris, 2016, p. 24 http://dx.doi.org/10.1787/9789264258051-en [accessed 10 December 2016]
[199] Nielsen, J., 'The Distribution of Users' Computer Skills: Worse Than You Think', Nielsen Norman Group, 13 November 2016 https://www.nngroup.com/articles/computer-skill-levels/

In her 2011 report, Baroness Kennedy wrote, "I am hoping that Scotland will pioneer a zero-tolerance approach to human trafficking…all underpinned by a comprehensive public awareness campaign about the true nature of this egregious human rights abuse." It was hoped that such a campaign would "improve understanding of the nature, extent and indicators of the crime."[200]

Some awareness campaigns have since taken place, for instance Police Scotland's 2013 "Reading the Signs" information leaflet, prepared alongside Crimestoppers, which contained a significant amount of practical information, but about which further information as to reach and impact is difficult to determine.[201]

4.2.4 Counterfeiting

"From Mumbai to Moscow, from Central London to the suburbs of Mexico City, counterfeiting and piracy represent a widely-tolerated and unspoken social plague. The consequences of participating in this illicit trade are poorly understood by consumers, and the associated risks are insufficiently demonstrated by traditional authorities."

Business Action to Stop Counterfeiting and Piracy, International Chamber of Commerce, November 2009

The relatively high tolerance that exists for the consumption of counterfeited or pirated goods among the general public, who often see it as a victimless crime not associated with organised criminals, is also a crucial driver both of the low risk and high reward perceived by its orchestrators.[202] [203]

A global research report by the International Chamber of Commerce established that attitudes relating to counterfeiting can be extremely challenging to shift, and that traditional messages, messengers and arguments have tended to be all but completely ineffective.[204]

Nonetheless, efforts have been made to warn the public that counterfeiting is not limited to the traditional ideas of handbags or CDs. In 2014, an Anti-Illicit Trade Summit in Edinburgh heard evidence of "make-up laced with paint-stripper, boots made from dog skin and perfume containing urine", while the following year, Police warned shoppers in Glasgow of

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[200] 'Inquiry into Human Trafficking in Scotland', Equality and Human Rights Commission, 2011, pp. 13, 24-25, 60 https://www.equalityhumanrights.com/en/file/626/download?token=yym5UGG6 [accessed 15 October 2016]
[201] 'Human trafficking - reading the signs', Police Scotland, 29 July 2013, http://www.scotland.police.uk/whats-happening/news/2013/july/180144/ [accessed 20 January 2017]
[202] 'EU Serious and Organised Crime Threat Assessment (SOCTA)', Europol, 19 March 2013, p. 22
[203] 'Counterfeiting links to organised crime highlighted," BBC News, 23 September 2013, http://www.bbc.co.uk/news/uk-scotland-24204559 [accessed 24 August 2016]
[204] 'Research Report on Consumer Attitudes and Perceptions on Counterfeiting and Piracy', Business Action to Stop Counterfeiting and Piracy, November 2009, pp. 3, 87-88 http://www.iccwbo.org/Data/Documents/Bascap/Consumer-Perceptions/Consumer-Research-Report/ [accessed 1 October 2016]

the potential serious health consequences of purchasing counterfeit medicines, which were reported to carry risk of permanent disfigurement.[205] [206]

In November 2016, the Serious Organised Crime Task Force announced that £7 million of counterfeit goods, including fake cigarettes, clothing, cosmetics and medicines, had been seized in Scotland in the preceding year.[207]

4.2.5 Fraud

The Scottish Government's Counter-Fraud Strategy simply states as its very first objective that "We will prevent fraud by raising awareness of fraud…"[208]

Fraud awareness tends to be targeted at specific types of fraud, or in the forms of warnings issued by banks or Police as and when threats arise; there have been few general fraud-focused awareness campaigns.

Fraud can sometimes be perceived as a victimless crime, with victims automatically reimbursed by banks. Attempts to reframe the issue have sparked debate. Bernard Hogan-Howe, then Commissioner of the Metropolitan Police, commented in 2016 that the public were being "rewarded for bad behaviour", and that refunding them for fraud losses removed any personal incentive to update anti-virus software or ensure passwords were kept safe.[209] This led to a backlash in some quarters, with commentators suggesting that such comments amounted to 'victim-blaming', and that if banks were no longer required to refund customers then the incentive for them to improve their own security systems would be lessened.[210]

Regardless of these arguments, current practices do mask the full extent of fraud from the public awareness. Banks have been found to hide to some degree the true scale of fraud perpetrated against their customers, in particularly cyber-fraud. Adrian Leppard, commissioner of City of London Police, estimated that only one in five cybercrimes are reported and of those, only another one in five provokes a proper response from law enforcement agencies. He believed that low reporting rates were a direct result of banks

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[205] 'Fake goods warning: Summit hears about perfume made with urine and dog skin boots', Daily Record, 6 March 2014, http://www.dailyrecord.co.uk/news/crime/fake-goods-warning-summit-hears-3213531 [accessed 21 October 2016]

[206] Gray, Rebecca, ' 'Toxic' fake medicine on sale in city could leave people permanently disfigured', Evening Times, 28 August 2015

[207] 'Tackling serious organised crime', Scottish Government, 3 November 2016, https://beta.gov.scot/news/tackling-serious-organised-crime/ [accessed 28 November 2016]

[208] 'Scottish Government Counter Fraud Strategy', Scottish Government, http://www.gov.scot/Topics/Government/Finance/spfm/fraud/fraudannexa [accessed 20 January 2017]

[209] Sylvester, R., 'Stop refunding victims of online fraud, Met chief tells banks', The Times, March 24 2016, [accessed 20 January 2017]

[210] Lloyd, R., 'Bernard Hogan-Howe is wrong: victims of online fraud are not to blame', The Guardian, 25 March 2016 https://www.theguardian.com/commentisfree/2016/mar/25/bernard-hogan-howe-victims-online-fraud [accessed 20 January 2017]

writing off cyber fraud, a process which in effect simply spreads the cost of the fraud across the customer base.[211] [212]

This position was supported by comments made by Richard Clayton, a researcher in security economics at the University of Cambridge, who in a statement to the Treasury Select Committee estimated that banks obscured as much of half of the true scale of fraud against their customers.[213]

4.2.6 Firearms and Terrorism

In general, gun ownership is not an issue of significant media or political focus in Scotland, and while a significant number of guns exist in legal ownership, the proportion of crimes committed with them is low (see 'Threats').

The most recent public awareness campaign involving firearms was the 'Guns Off Our Streets' campaign, launched in October 2016 by the National Crime Agency and National Counter Terrorism Policing. The campaign was aimed at encouraging anonymous reports of criminally-owned firearms to Crimestoppers, in part to tackle access to guns by organised criminals, and in part to reduce the risk of such weapons falling into the hands of terrorists planning a Paris-style shooting.[214]

4.3 TRUST AND RESPONSIBILITY

Faith in the justice system is crucial to keeping crime levels low and providing the public with the confidence to report crime when it happens.[215] By many measures this confidence has consistently risen in recent years and the majority of adults are very or fairly confident in, for instance, the provision of access to the legal system, its effectiveness at bringing people to justice, and support for victims and witnesses.

At the same time, self-reported knowledge of the workings of the criminal justice system as a whole is low, with 61% saying they do not know very much about it and 15% saying they know nothing at all.[216] Media statements themselves are less well received - a 2010 study

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[211] Flinders, K., 'Banks hide cyber crime losses, says City of London Police', Computer Weekly, 15 April 2015, http://www.computerweekly.com/news/4500244412/Banks-hide-cybercrime-losses-says-City-of-London-Police [accessed 5 December 2016]

[212] Glenny, Misha, 'Darkmarket – How hackers became the new mafia', 2011, pp. 48-49

[213] Flinders, K., 'Banks hide cyber crime losses, says City of London Police', Computer Weekly, 15 April 2015, http://www.computerweekly.com/news/4500244412/Banks-hide-cybercrime-losses-says-City-of-London-Police [accessed 5 December 2016]

[214] '#GunsOffOurStreets', National Crime Agency, 31 October 2016, http://www.nationalcrimeagency.gov.uk/news/946-gunsoffourstreets [accessed 6 December 2016]

[215] 'Scottish Crime and Justice Survey 2014/15: Main Findings', Scottish Government, p. 88 http://www.gov.scot/Resource/0049/00496532.pdf [accessed 8 December 2016]

[216] Ibid. pp. 38, 89-90

in England and Wales found that the majority of respondents felt that government officials and the media do not present statistics honestly.[217]

Similarly, while an encouraging 80% of people state that they would report someone who they suspected of being involved in organised crime, and 88% of people believe the police has a role in tackling organised crime in general, it is clear from the data outlined above that many would not recognise most organised crimes when they saw them, or do not believe that the crimes themselves should be policing priorities.[218] As such, despite this general willingness to help and to involve the authorities, the potential for this goodwill to be realised into actual reports of crime is hampered by a lack of workable knowledge.

		Have you been personally affected by organised crime in the last three years?	
	Total	Yes	No
Police	88%	77%	90%*
Scottish Government	38%	40%	38%
Local communities	19%	23%	19%
Everyone	15%	24%*	15%
Councils	11%	7%	11%

*Statistically significant difference

'Who do you think has a role in tackling organised crime in Scotland?', Ipsos MORI/Scottish Government Social Research, 2013[219]

4.4 FEAR AND VICTIMISATION

Fear is seen by the public as the main impact of organised crime in Scotland, and a general reduction in the fear of crime is a key component of the Scottish Government's crime strategy.[220] Just as an awareness of the existence of an issue does not necessarily equate to a practical knowledge, fear of crime is disconnected in many ways from the day-to-day statistical likelihood of victimisation.
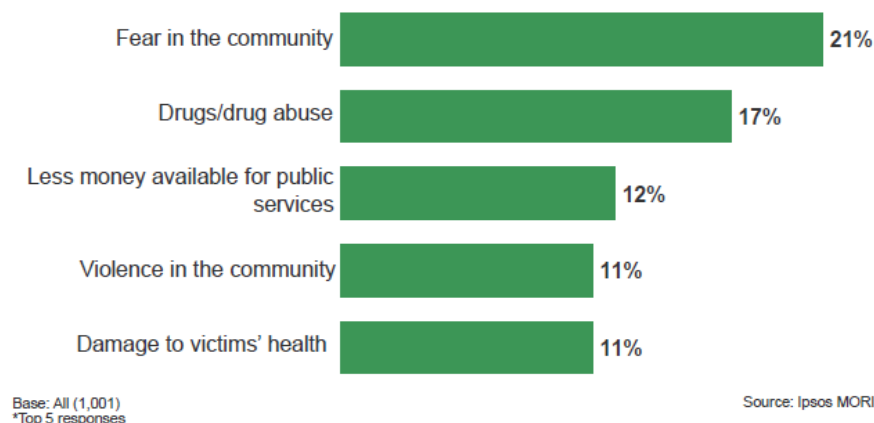
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[217] Wilson, C. 'The Public and the Justice System: Attitudes, Drivers and Behaviour a literature review', Scottish Government Social Research, 2012, p. 43 http://www.gov.scot/Resource/0039/00396342.pdf [accessed 16 December 2016],
[218] 'Public perceptions of organised crime in Scotland', Scottish Government Social Research, 2013, p. 8 http://www.gov.scot/Resource/0043/00434422.pdf [accessed 7 November 2016]
[219] 'Public perceptions of organised crime in Scotland', Scottish Government Social Research, 2013, p. 7 http://www.gov.scot/Resource/0043/00434422.pdf [accessed 7 November 2016]
[220] 'Increasing public confidence and reducing fear of crime', Scottish Government, http://www.gov.scot/Topics/Justice/policies/increasing-confidence [accessed 12 December 2016]

Q. What do you think are the main impacts of organised crime in Scotland?

Fear in the community — 21%
Drugs/drug abuse — 17%
Less money available for public services — 12%
Violence in the community — 11%
Damage to victims' health — 11%

Base: All (1,001)
*Top 5 responses

Source: Ipsos MORI

Ipsos MORI/Scottish Government Social Research, 2013[221]

There is little further evidence of "fear of organised crime"; however, the general fear of crime provides illustrative evidence as to the difference between perception and reality.

"Fear of crime" for the purposes of government surveys is often measured by gauging the degree to which an individual would feel safe walking alone in their local area after dark.[222] The number of people who would feel safe in this environment has risen by an average of one percentage point every year since 2008-09. However, 26% of people (35% of women and 14% of men) still do not feel safe to varying degrees, despite the actual risk of being a victim of violent crime being less than 3%, and the risk of being the victim of a serious assault 0.1%.[223]

These averages also hide the fact that for most of the population, the risk is even lower. Over 85% experienced no crime at all in the year 2014/15, a number that is increasing year-on-year.[224] One in ten adults experienced one crime in the course of the year, which accounts for around 42% of total crime recorded. The remaining majority of crime is therefore experienced by a small subset of the population - less than 5% of us experience almost 60% of all crime. Furthermore, it is estimated that the 0.6% of the adult population who were the victim of five or more crimes in the year experienced 17% of all the nation's crime.[225]

This statistical background illustrates clearly the disconnect between risk and fear. The Scottish Government suggests a wide range of interlinking factors that influence fear levels,

[221] 'Public perceptions of organised crime in Scotland', Scottish Government Social Research, 2013, p. 5 http://www.gov.scot/Resource/0043/00434422.pdf [accessed 7 November 2016]

[222] It should be noted that the "fear of crime" as defined here may not capture some fears that people have about becoming victims of cybercrime, for instance, and that more people than currently estimated may be victims of those types of crimes (see Chapter 1).

[223] 'Scottish Crime and Justice Survey 2014/15: Main Findings', Scottish Government, pp. 38, 69-70 http://www.gov.scot/Resource/0049/00496532.pdf [accessed 8 December 2016]

[224] 'Crime, Disorder and Danger - Crime Victimisation', Scottish Government, http://www.gov.scot/Topics/Statistics/Browse/Crime-Justice/TrendCrimeVic [accessed 10 December 2016]

[225] 'Scottish Crime and Justice Survey 2014/15: Main Findings', Scottish Government, pp. 42-43 http://www.gov.scot/Resource/0049/00496532.pdf [accessed 8 December 2016]

including: "visible and accessible policing, personal experience of crime and contact with justice agencies, perceptions of personal risk and vulnerability, antisocial behaviour such as litter, graffiti, drunken behaviour and inconsiderate neighbours."[226] An absence of the ability to fix the perceived problem is also a potential driver.[227]

The role of the media, and by extension the public statements or awareness campaigns issued by law enforcement agencies, as a potential driver of fear themselves is less widely acknowledged, though "how to communicate with the public" is an identified gap in research.[228]

The primary role that the media plays in conveying information about crime to the public suggests that it may have at least a contributory role in producing and sustaining fear.[229] A 2007 study indicated that information from newspapers and television plays a far greater role than other sources, including personal experience and the experience of acquaintances, in driving a false impression of increasing crime.[230]

One recent Scottish Government study also suggests that, rather than simply influencing attitudes and fears, in some cases the media may play the more complex role of reinforcing whatever beliefs a person already holds based on their personal experiences – in effect, the reader will disregard messages that do not comply with their existing perception, and use stories that do support their views to become further entrenched. The less personal experience of the justice system someone has, the more of an influence the media has on their outlook.[231]

As well as the negative effects of fear, which include a deterioration in mental health and community cohesion and which can lead to restrictive behaviour changes[232], it has also been argued that it can play a positive role in certain circumstances. When discussing fear, we should perhaps bear in mind the potential distinction between a negative, dysfunctional worry, and a "functional fear" which motivates vigilance and appropriate precaution, and which does not reduce quality of life through either the worry or the solution.[233]

For instance, an initial concern about the safety of driving may lead an individual to wear a seatbelt; a dysfunctional fear might prevent them from ever getting in a car. Given the degree to which many awareness campaigns or statements open with a summary of the

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[226] 'Increasing public confidence and reducing fear of crime', Scottish Government, http://www.gov.scot/Topics/Justice/policies/increasing-confidence [accessed 10 December 2016]

[227] Davidson, N. 'Conference paper: Public confidence and fear of crime: what we knew (and what we didn't) pre RtP', Scottish Government, 24 November 2015, p. 3 http://www.bsc.scot/uploads/1/9/0/5/19054171/neil_davidson_sg.pdf [accessed 10 October 2016]

[228] Ibid., p. 9

[229] Cashmore, J. 'The 'fear of crime media feedback' cycle', Internet Journal of Criminology, 2014, [accessed 10 December 2016]

[230] Duffy, B. et al, 'Closing the gaps: Crime and Public Perceptions', Ipsos MORI, 2007 [accessed 11 December 2016]

[231] Wilson, C. 'The Public and the Justice System', Scottish Government Social Research, 2012, pp. 17 – 18 http://www.gov.scot/Resource/0039/00396342.pdf [accessed 11 December 2016]

[232] Davidson, N. 'Conference paper: Public confidence and fear of crime: what we knew (and what we didn't) pre RtP', Scottish Government, 24 November 2015, p. 2 http://www.bsc.scot/uploads/1/9/0/5/19054171/neil_davidson_sg.pdf [accessed 10 October 2016]

[233] Jackson, J. and Gray, E. 'Functional fear and public insecurities about crime', British Journal of Criminology, 2010 p. 8-9

risk, ensuring that the public understand the problem before they are offered a solution, we might assume that the production of a motivating, functional fear is widely if not consciously seen as crucial to addressing the misperceptions associated with organised crime. It is when the threat is clearly explained, but no personal, workable solutions offered, that fear begins to outpace reality.

5. ATTITUDES AND BEHAVIOURS

> "The attitudes and behaviour of the general public have considerable influence on serious and organised crime. Widespread permissiveness, risky behaviour or a lack of awareness can create an enabling environment for certain crimes.
>
> "Social tolerance towards certain crimes reduces risks for [organised crime groups] and increases public demand for illicit commodities. The consumption of new psychoactive substances (NPS) and the purchase of counterfeit luxury goods enjoy the highest levels of social tolerance. Despite media campaigns, such activities are rarely considered problematic or hazardous by the public due to their perception as victimless crimes with little risk to the consumer."
>
> Europol, 2013[234]

Organised crime is funded in large part by the general public, whether through the purchase of drugs or counterfeits, or through the unwilling victims of fraud or cyberscams.

As we have seen, many government and law enforcement strategies relating to organised crime recommend, to varying and increasingly central degrees, an increased focus on helping people avoid become part of crime as a crucial element of any strategy to combat it, thereby cutting off the flow of money and recruits which allows such groups to function and sustain a market for their trade.

It is clear that in order to be successful in this task we must broaden our focus so that we do not only provide reassuring messages about the criminal justice system itself, the public view of which is less linked to their understanding of crime and levels of fear than might be assumed[235], or emphasise the threat level and hope that people will research and enact their own solutions. One meta-analysis of behaviour studies found that at least 80% of the factors influencing behaviour did not result from simple knowledge or awareness at all.[236]

This paper therefore suggests a third equal branch to communications strategies regarding organised crime, with a view to delivering the ambitions of the prevention agenda. This branch focuses on personal capability, supports the other two priorities and attempts directly to mitigate against demand, victimisation and fear:

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[234] 'EU Serious and Organised Crime Threat Assessment (SOCTA)', Europol, 19 March 2013, p. 15 https://www.europol.europa.eu/sites/default/files/documents/socta2013.pdf [accessed 12 October 2016]

[235] Wilson, C. 'The Public and the Justice System: Attitudes, Drivers and Behaviour a literature review', Scottish Government Social Research, 2012, pp. 37-39 http://www.gov.scot/Resource/0039/00396342.pdf [accessed 16 December 2016]

[236] 'Mindspace: influencing behaviour through public policy', Institute for Government, 2010, p. 15 https://www.instituteforgovernment.org.uk/sites/default/files/publications/MINDSPACE.pdf [accessed 14 December 2016]

Proposed crime messaging model, I. Campbell, 2017

The remainder of this paper will focus on providing an evidential basis for achieving the prevention goal through promoting personal capability, on the basis that we are already relatively able to advise on operational capability, and public levels of confidence and trust are good and improving. It is not the purpose of this paper to set out or recommend the specific awareness campaigns that should be adopted - the threats and mediums are extremely varied and it will require agreement between numerous agencies as to the exact advice and crime types which will benefit most from committed public awareness campaigns.

We have seen in previous chapters that there is sometimes a lack of clarity in terms of the desired output of prevention communications. In the overwhelming majority of cases, it is clear that "raising awareness" in fact means "persuading or enabling the public to adopt informed or safe behaviours".

Persuasion, or attempting to change attitudes or behaviours or both without using coercion or deception[237], is a complex proposal. For example, an increased appreciation of some of the signs of human trafficking is a matter of awareness; a condemnation of those responsible and a trust in the police are attitudes; a resultant growth in reporting of it is behaviour change. One does not necessarily lead to the other - we can make people aware of the dangers and impacts of counterfeiting, but this may not mean that sales decrease; similarly we may be able to increase reports in ways which do not first require any change in attitudes.

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[237] Fogg, B.J., 'Persuasive Technology: Using Computers to Change what We Think and Do', Morgan Kaufmann Publishers, 2003, p. 15

This chapter makes the case that not only does awareness not automatically change behaviour but, depending on how the awareness is generated, it can even make it less likely that behaviour changes in future. It also argues that influencing behaviour is several orders of magnitude more complex than "awareness raising", and that if we hope to achieve even in a small way the aims of the current strategies to tackle organised crime, an increased understanding and use of these mechanisms of engagement is essential.

It should of course go without saying that there is no suggestion of coercion or deception – people will remain free to behave as they wish and to make their own judgements as to the risks and remedies described. However, it is clear that the current perception of risk itself is highly skewed – either as a general ignorance of the threats, or an absence of workable knowledge of the specifics of, for instance, how attacks may manifest themselves. This study continues on the assumption that many people, if they were aware of the true nature of many types of organised crime and the potential harm to themselves or their families, might behave, or wish to behave, differently, and that it is the key role of an effective prevention campaign to support and guide that process where possible.

To best understand how people respond to awareness campaigns, and how information about risk and remedy is received, we can look beyond organised crime to other disciplines. This chapter draws on expertise from the fields of psychology, cybersecurity, health and anti-counterfeiting to draw out the key principles of successful awareness campaigns or public statements about risk. First, it will explore the psychology of exactly how we come to decide to act differently from how we have in the past.

5.1 HOW BEHAVIOURAL DECISIONS ARE MADE

"Based on everything that we know about our brains and their bafflingly strong desires to fit in with the crowd, the best way to convince people that they should care about an issue and get involved in its advocacy isn't to tell people what they should do—it's to tell them what other people actually do."

Melanie Tennenbaum, Scientific American, 2013[238]

Encouraging positive behaviour change of any type is not a simple proposal. It involves a thorough understanding of psychology and risk perception, and of the working knowledge of the target group and their belief in their ability to make the changes necessary. On a broad level, there are two psychological models on how people decide whether to adopt new behaviours.

The first, the "rational" or "cognitive" model, is the traditional approach taken in public policy and is based on influencing what people consciously think about. The underlying assumption is that the public will analyse the information and incentives offered to them,

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[238] Tennenbaum, M., 'Will changing your Facebook profile picture do anything for marriage equality?', Scientific American, 28 March 2013 https://blogs.scientificamerican.com/psysociety/marriage-equality-and-social-proof/ [accessed 18 October 2016]

and subsequently behave in ways which reflect their best interests. This to some extent explains the frequent focus on "raising awareness" – it is assumed that awareness will trigger a set of appropriate actions and behaviours like a row of dominos.

The second, the "context" model, is based on appealing to the automatic, or subconscious, processes of judgment and influence which underpin behaviour. This model recognises that people are sometimes seemingly irrational and inconsistent in their choices, often because they are influenced or limited by surrounding factors, and therefore focuses more on the power of changing the context within which people act, or how they perceive certain elements of the issue, rather than facts and information alone.

These models are not mutually exclusive and both systems of decision-making are at work at the same time; our behaviour is driven both by self-aware analytic processes as well as subconscious, emotionally-driven responses – for instance, the difference between counting calories and the desire for cake.[239]

The primary persuasive influences on behaviour can be summarised as below, captured by the mnemonic MINDSPACE:

Messenger: We are heavily influenced by who communicates information

Incentives: Our responses to incentives are shaped by predictable mental shortcuts such as strongly avoiding losses

Norms: We are strongly influenced by what others do

Defaults: We "go with the flow" of pre-set options

Salience: Our attention is drawn to what is novel and seems relevant to us

Priming: Our acts are often influenced by sub-conscious cues

Affect: Our emotional associations can powerfully shape our actions

Commitments: We seek to be consistent with our public promises, and reciprocate acts

Ego: We act in ways that make us feel better about ourselves[240]

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[239] 'Mindspace: influencing behaviour through public policy', Institute for Government, 2010, p.p. 14- 15 https://www.instituteforgovernment.org.uk/sites/default/files/publications/MINDSPACE.pdf [accessed 14 December 2016]
[240] 'Mindspace: influencing behaviour through public policy', Institute for Government, 2010, p. 8 https://www.instituteforgovernment.org.uk/sites/default/files/publications/MINDSPACE.pdf [accessed 14 December 2016]

5.2 BEHAVIOURS, CIRCUMSTANCES, TOOLS AND MOTIVATIONS

It is easy to be drawn into focusing on the end goal. We may wish to encourage people away from purchasing counterfeit goods, or we may want to help people feel empowered about recognising cold-calling scams. However, in order to succeed in these goals, several key aspects of the problem need first to be determined.

Firstly, the so called "vital behaviours" must be identified – these are most powerful or influential choices that people make in relation to the issue. They must be specific and measurable.[241]

Secondly, we must identify the circumstances in which people are most likely to fail to demonstrate positive or secure behaviours.

Third, we need to ensure that people have the tools to deal with these issues in advance.

Fourth, we must provide sufficient motivation, either by demonstrating how behaviours can reflect a positive self-image, by making it easier to adopt them, or through showing what benefits there have been to those who have already done so.[242]

A different way of framing this model suggests that we consider motivation, opportunity and capability as the three key factors informing behaviour – a trio of terms originally drawn from the prerequisites for criminal guilt in the US justice system.[243]   It should be noted that in this model, threat or risk awareness is often one of the "motivating" factors. However, it would perhaps be best to see threat as a distinct subset of this group; while threat is often the primary or sole motivator used in crime safety messages, when used alone it can have negative impact on personal motivation. Any messages highlighting threat must be supplemented either in their framing or their content with a promotion of self-efficacy and other more positive motivating messages.

Motivation can be far broader. In general terms, those asked to take a new action should be given a reason to do so; some studies have shown that simply including the word "because" in a request is sufficient to dramatically increase the likelihood of compliance, even if the reason provided thereafter does not actually give any further justification for doing so.[244]

Similarly, once we have made an overt commitment to something, we are more likely to follow through – we value consistency. In this way too, analogies can be used to present the hoped-for behaviour change as internally consistent with behaviours which the audience already undertake.[245]   This tactic was widely utilised by the Cyber Streetwise campaign, with slogans such as "You wouldn't do this in the real world, why do it online?"

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[241] Grenny, J, et al, 'Influencer: The New Science of Leading Change', McGraw-Hill Education, 2013, pp. 13 - 14
[242] Robinson, A, 'Using Influence Strategies to Improve Security Awareness Programs', SANS Institute, 2013, p 4-5 https://www.sans.org/reading-room/whitepapers/awareness/influence-strategies-improve-security-awareness-programs-34385 [accessed 14 December 2016]
[243] Michie, S. et al 'The behaviour change wheel: A new method for characterising and designing behaviour change interventions', Implementation Science, 2011, p. 4
[244] Cialdini, R. 'Influence: The Psychology of Persuasion', Collins, 1984, p. 4
[245] Cialdini, R. 'Influence: The Psychology of Persuasion', Collins, 1984, p. 57, 67-69

We must also be aware that a single apparently similar behaviour can be driven by widely varying motivations – for instance, someone may carry a knife to elevate their status within a gang, or someone carrying one out of fear of victimisation. The same message may not convince both to change their behaviour.[246] Personal experience, or well-told stories of others' experience, is the most powerful way of demonstrating not only relevance but also the real possibility of change and the capability of the listeners.[247] The related use of "social proof" - showing the actions of others and observing the positive outcome – has also been credited with the power to achieve a wide array of powerful behaviour or attitude changes.[248]

In order to effectively persuade the public to disengage from and protect themselves from organised crime, the behaviours that we encourage them to adopt should be presented in a positive way, and one which shifts the emotional response from boredom or inaction to one of engagement and capability. Capability is fostered by appropriate framing of messages, and of specific, manageable pieces of advice.

Fostering opportunity is perhaps the hardest for a communications-only campaign, in that successful tweaks to the environment in which decisions are made may require to be dealt with under broader government policy – for instance the 5p plastic bag charge explored in more detail below.

5.3 CASE STUDY 2 – COUNTERFEITING AND THE AWARENESS HURDLE

"Only when consumers appreciate the full repercussions of their counterfeit purchase can they be expected to stop the practice. Only when governments fully understand the factors that drive their constituencies toward illegal activity can they institute programmes to educate and protect consumers – and society – from the dangers of counterfeiting and piracy."

Business Action to Stop Counterfeiting and Piracy, International Chamber of Commerce, November 2009[249]

A key driver of both recruitment to organised crime and the purchasing of its products is the appeal of what it can offer. Sometimes, a lack of public condemnation of a certain issue, for instance counterfeiting, can drive users towards it and criminals towards trading in it - both groups will perceive the risk as low, the potential monetary benefit high, and the crime itself victimless.[250]

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[246] 'Review of No Knives Better Lives: Final Report', Scottish Government, March 2015, p. 8
[247] Robinson, A, 'Using Influence Strategies to Improve Security Awareness Programs', SANS Institute, 2013, p 4-5 https://www.sans.org/reading-room/whitepapers/awareness/influence-strategies-improve-security-awareness-programs-34385 [accessed 14 December 2016]
[248] Cialdini, R. 'Influence: The Psychology of Persuasion', Collins, 1984, p. 118-126
[249] 'Research Report on Consumer Attitudes and Perceptions on Counterfeiting and Piracy', Business Action to Stop Counterfeiting and Piracy, November 2009, p. 5 http://www.iccwbo.org/Data/Documents/Bascap/Consumer-Perceptions/Consumer-Research-Report/ [accessed 1 October 2016]
[250] 'EU Serious and Organised Crime Threat Assessment (SOCTA)', Europol, 19 March 2013, p. 15 https://www.europol.europa.eu/sites/default/files/documents/socta2013.pdf [accessed 12 October 2016]

A 2009 report by the International Chamber of Commerce's 'Business Action to Stop Counterfeiting and Piracy' group (BASCAP) analysed 176 existing consumer perceptions studies, 202 consumer awareness campaigns from some 40 countries, and worked directly with consumers in Mexico, Russia, the U.K., India and South Korea.

The initiative set out to "address the demand side of the problem", recognising that enforcement and supply-side focused policy was insufficient and that an "equally aggressive" tackling of the demand-side of the market would be necessary for any substantial gains to be made.

Despite its extremely wide-ranging nature, the study found many commonalities around the world in terms of general attitudes to counterfeits - chiefly that the consequences of purchasing counterfeits were poorly understood, and that the risks had been insufficiently demonstrated by traditional authorities.

They identified three primary issues which would impact purchasing habits, combining both awareness and enforcement:

Awareness: Potential physical harm to buyer or their family

Enforcement: Reduced supply of counterfeit/pirated products

Awareness/enforcement: Threat of prosecution or incarceration[251]

The study also found that consumer attitudes could be categorised as below:

A lack of resources – "There's no way on earth I'd be able to afford the real thing, so I'm not harming anyone. Why should I be denied a look alike because of my socio-economic standing?"

A lack of recourse – "There is no risk I'm going to go to jail for this, and if it was a big deal, the government would be doing something about it"

A lack of remorse – "What's unethical is that I cannot afford the item I want?"

The primary factors driving engagement with counterfeits were found to be that the purchaser cannot afford the genuine product, that they believe the genuine product is over-priced, or that they did not know they are purchasing a fake.

The primary deterrents were found to be potential health risks, the perception that the goods were a waste of money, and that counterfeits would have no warranty.

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[251] 'Research Report on Consumer Attitudes and Perceptions on Counterfeiting and Piracy', Business Action to Stop Counterfeiting and Piracy, November 2009, pp. 5, 89 http://www.iccwbo.org/Data/Documents/Bascap/Consumer-Perceptions/Consumer-Research-Report/ [accessed 1 October 2016]

The most effective messengers were those who have been harmed by a counterfeit product, parents of children harmed by counterfeits, or medical experts.   Police and other authority figures had substantially less impact, with only 29% of consumers in the UK stating that a "policeman saying [counterfeit or pirated goods] dealers are criminals" would be credible.[252]

The research also revealed a lack of audience targeting or message testing prior to the formation and execution of awareness campaigns, and that very few ever attempted to measure effectiveness of their messages in deterring consumer purchases of counterfeit and pirated products. Campaigns with a local focus were more likely to generate empathy, but buyers still only responded strongly to messages that raised potential personal ramifications such as prosecution or health risks to them or their family. Campaigns seen as preaching or shocking were rejected, and even with more complex presentations of the issues, the focus groups commonly expressed the need for proof of the damage done. This becomes difficult for instance with piracy, where health concerns are not a factor. [253]

Awareness of the existence of counterfeiting and piracy itself is widespread, but the absence of awareness of its effects, the variety of the risks posed by different types of counterfeits, and the disinclination of many purchasers to believe messages from traditional authorities present a hurdle that many jurisdictions are finding it difficult to cross, and which only beyond which many of the more nuanced campaigns to drive behaviour change can take place.

Combating this mindset is complex, and the research suggests that in order to do so messages will require to be focused not on "counterfeits" as a whole but on particular types of product, and informed by data as to specific purchasing habits of key groups. When awareness is raised of the topic at present, it appears either too general to make an impact, or framed in a way that the public are simply not prepared to believe.

5.4 CASE STUDY 3 – NUDGE CAMPAIGNS AND SIDESTEPPING THE AWARENESS HURDLE

The concept of "nudge" campaigns was first placed into the public consciousness by the 2010 Coalition Manifesto, which committed the then UK Government to "harnessing the insights from behavioural economics and social psychology". The most notable manifestation of this commitment was the launch of the Behavioural Insights Team (BIT) as part of the Cabinet Office, often referred to in the press as the 'Nudge Unit', which drew from a wide range of disciplines including sociology, anthropology and design to guide effective campaigns and to promote the use of behavioural sciences into Government strategy and policy.[254]

The concept of 'nudging' in effect seeks to use the insight into behaviour and psychology afforded by multiple academic disciplines to circumvent the need to further convince of, or

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[252] Ibid., pp. 14, 88
[253] Ibid., pp. 1, 8, 15
[254] Hallsworth, M. and Sanders, M., 'Beyond Behaviour Change: Key Issues, Interdisciplinary Approaches and Future Directions', Policy Press, February 2016, p. 117-118

even raise awareness of, the central issue. Instead it seeks to make other changes, for instance by making the recommended behaviour as easy as possible, or making small environmental changes which trigger the appropriate behaviour. The more that messages can be personalised or at least made to feel personal, the better - one study found that simply affixing a hand-written note to the front of a survey drastically increased the rate of completion.[255]

Nudges are most effective, or most useful, in decisions which are difficult or rare, for which they do not get prompt feedback, or when aspects of the situation are not easily understood – in short, the situations where people are "least likely to make good choices"[256]. All three of these apply to decisions made around involvement in, or potential victimisation of, serious organised crime.

The insights afforded by the BIT were used by HMRC to encourage payment of tax debts. Their strategy drew on the power of social proof, and involved the simple addition of certain statements to their letters, such as '9 out of 10 people in Britain pay their tax on time', or specific information about rates of payment in the recipient's local area. The trial led to a 15% increase from the old-style control letter which contained no such messages. Scaled up, the potential impact of this strategy was huge - HMRC estimated that if trialled across the country, the scheme could collect approximately £160 million of tax debts to the Exchequer in as little as six weeks.[257]

A nudge can also be used to address an absence of willpower. Sometimes awareness of an issue, and even attitudes in favour of change, do not always result in the active uptake of new behaviour. However, a small nudge can be sufficient to tip the user into a new mode. The introduction of a 5p charge for plastic bags is a strong example – the implementation of an environmental change, which was relatively easy and which involved behaviour taking place in public, was estimated to have the equivalent environmental benefit for the UK of taking 35,000 cars off the road.[258]

It did not rely foremost on convincing people of anything, or of highlighting the threat of environmental damage caused by plastic bags – likely working on the assumption that these matters were already relatively broadly understood. Instead the campaign targeted the very moment when people make the decision to purchase a plastic bag, and tweaked the circumstances in which such behaviour took place, nudging them into a new behaviour pattern.

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[255] 'Applying behavioural insights to reduce fraud, error and debt', Cabinet Office Behavioural Insights Team, February 2012, pp. 8 - 13

[256] Thaler, R. and Sunstein, C., 'Nudge: Improving decisions about health, wealth and happiness', Penguin, 2008, pp.79-84

[257] 'Applying behavioural insights to reduce fraud, error and debt', Cabinet Office Behavioural Insights Team, February 2012, pp. 22 - 23

[258] 'The plastic bag levy: Helping the hoarders', The Economist, 3 October 2015, http://www.economist.com/news/britain/21670047-do-you-really-need-keep-40-carrier-bags-home-helping-hoarders [accessed 17 January 2017]

5.5 CASE STUDY 4 – ANTI-SMOKING CAMPAIGNS AND APPEALS TO FEAR, VALUES AND SELF-EFFICACY

As well as being one of the main impacts of organised crime, fear, or a reminder of threats, is used widely as a persuasive technique or motivator. As we have seen, a description of the scale of threat frequently forms the first sentence of public statements on organised crime and, indeed, many other issues. This is used as a primer, which is then followed by a "solution" – often, in the case of current organised crime messaging, this solution is the capability of law enforcement.[259]

While fear of crime can provide a functional, appropriate response, for instance the decision to secure your home before leaving, it can also lead to negative results, particularly for the most vulnerable. Health awareness campaigns can provide useful insight into issues relating to crime, as they both seek to encourage people to recognise an ongoing threat, feel able to do something about it, and then take the appropriate action. Many health campaigns have moved past simple fear appeals and now take a more aspirational approach, making emotional appeals to the individual's existing sense of self.

In this context, there are three factors which influence the adoption of preventative health behaviours:

- the realisation that the person is at risk

- the expectation that behaviour change will reduce this risk

- the expectation that the person is capable enough to adopt preventive behaviour or to refrain from risky health behaviour[260]

"Risk" itself is distinct from fear, and can be divided again into the perceived susceptibility to the threat, and the perceived severity of the threat. Fear appeals have been widely studied and the findings can be split into several models, which suggest, among other things, that a moderate amount of fear is more likely to produce behaviour change than too little or too much; that fear can produce separate responses both to mitigate the threat or to mitigate one's own fear; and that perceptions of high threat and high self-efficacy appear to produce the most positive behaviour change.[261]

A model, known as EPPM, combined many of these factors and has been summarised as below:

> "According to the EPPM, the evaluation of a fear appeal initiates two appraisals of the message, which result in one of three outcomes. First, individuals appraise the

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[259] 'The Language of Persuasion', New Mexico Media Literacy Project

[260] Sasse, A. and Bada, M. 'Cyber Security Awareness Campaigns: Why do they fail to change behaviour? (Draft working paper)', Global Cyber Security Capacity Centre, July 2014, p. 8 https://www.sbs.ox.ac.uk/cybersecurity-capacity/system/files/Awareness%20CampaignsDraftWorkingPaper.pdf [accessed 17 December 2016]

[261] Witte, K. and Allen, M., 'A Meta-Analysis of Fear Appeals: Implications for Effective Public Health Campaigns', Health Education & Behavior, Vol. 27 (5), October 2000, pp. 591-594

threat of an issue from a message. The more individuals believe they are susceptible to a serious threat, the more motivated they are to begin the second appraisal, which is an evaluation of the efficacy of the recommended response. If the threat is perceived as irrelevant or insignificant (i.e., low perceived threat), then there is no motivation to process the message further, and people simply ignore the fear appeal.

"In contrast, when a threat is portrayed as and believed to be serious and relevant (e.g.,"I'm susceptible to contracting a terrible disease"),individuals become scared. Their fear motivates them to take some sort of action—any action—that will reduce their fear. Perceived efficacy (composed of self-efficacy and response efficacy) determines whether people will become motivated to control the danger of the threat or control their fear about the threat."[262]

- K Witte and M Allen, 2000

In 1948, at around the height of the popularity of cigarette smoking, 82% of men and 41% of women in the UK smoked. Six years' later, the first scientific paper confirming the link with cancer was published, and sixty years after that, after extremely widespread advertising campaigns and changes to advertising and smoking laws, almost one in five still smoke. Though this number is decreasing, the rate has slowed in recent years.[263] [264] [265]

It is clear that knowledge of the risk, peer pressure and environmental changes such as smoking bans are not sufficient to quickly and widely influence behaviours, and the various techniques which have been used to convince people to stop smoking demonstrate in practice some of the main types of appeals which aim to draw peoples' attention and encourage them commit to a change.

Recent research suggests that positive appeals may be more effective than fear, especially when, as with smoking, the risk is already well-known – and again reinforces the finding that campaigns of all types are most likely to be effective when individuals already have high levels of self-efficacy, or the ability to plot out and imagine the process of change which they will undertake.[266] [267]

A 2016 study by the Frameworks Institute found that appeals to certain values, in particular those of problem solving, human potential, and national progress, could be particularly effective in cultivating public support for criminal justice reforms.[268] Research also suggests that when the public are used to receiving information framed in one way – either positive

[262] Ibid., p. 594

[263] 'Smoking statistics – Who smokes and how much', Action on Smoking and Health, February 2016 http://ash.org.uk/files/documents/ASH_106.pdf [accessed 28 November 2016]

[264] 'Timeline – Smoking and disease', BBC News, 30 June 2007, http://news.bbc.co.uk/1/hi/health/4377928.stm [accessed 28 November 2016]

[265] Triggle, N., 'Smoking: Can the nation kick the habit?', BBC News, 2 January 2013 http://www.bbc.com/news/health-20780577 [accessed 17 December 2016]

[266] Reiner, R., p. 397-398

[267] Thompson L. E., et al, 'Scared straight? Fear-appeal anti-smoking campaigns, risk, self-efficacy and addiction', Health, Risk & Society, Vol. 11 , Iss. 2, 2009

[268] O'Neil, M. at al, 'New Narratives: Changing the Frame on Crime and Justice', Frameworks Institute, July 2016, pp. 9, 14

or negative – then reversing the presentation against expectations can also boost its impact.[269]

The campaigns most likely to succeed therefore look to not only provide a motivation to change, through highlighting the risk or other means, but also bolster the belief that the audience can change and provides the tools to do so.[270] It is important to note that actual self-efficacy, and perceived self-efficacy, may not be the same.[271] There are also ethical concerns about the use of fear appeals in certain circumstances, in that they can be more likely to have negative effects on those of lower socioeconomic status.[272]

Mass media appeals of this nature are, however they are executed, a crucial part of raising the baseline awareness of risk necessary to then influence attitudes and behaviours. When risk is already well known, it becomes less important to reference it again. Their eventual success or failure relies on sufficient preparedness by the campaign organiser in testing the messages on target groups, refining their approach, and dedicating sufficient commitment or funding to ensure widespread and frequent exposure to the messages over an extended period of time.[273]

Once these appeals have elicited the interest of the reader, the advice that follows is largely practical and positive. The "Stop Smoking" section of the NHS website, for instance, does not mention the risk of smoking at all, but simply sets out positive choices and busts various myths in straightforward language.[274]

5.6 CASE STUDY 5 – CYBERSECURITY AND REDUCING VICTIMISATION

Cybersecurity is an industry of large and growing importance, and the ways in which campaigns influence employees or other users to undertake good IT practices have been rigorously studied.

As with health, such campaigns are crucially driven by data – it is relatively easy to quantify (compared with engagement with some other crimes) how many times spam is clicked on, or security tutorials completed – and the data has forced refinements and re-examination of behaviour. It has required practitioners to recognise that even campaigns delivered by recognised authorities to those who are aware of the general risk, with advice backed by

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[269] Smith, M.S., Petty, E.R. 'Message Framing and Persuasion: A Message Processing Analysis', Personality and Social Psychology Bulletin, Issue 22(3), March 1996, p. 267

[270] Manyiwa, S. and Brennan, R., 'Fear appeals in anti-smoking advertising: How important is self-efficacy?' Journal of Marketing Management, Volume 28 Issue 11-12, 2012

[271] Bandura, A., 'Self-efficacy: Toward a Unifying Theory of Behavioural Change', Psychological Review, Vol. 84 No. 2, 1977, pp. 191-194

[272] Myrick, J.G., 'The Role of Emotions in Preventative Health Communication', Lexington Books, 2015, p. 30

[273] Wakefield, M. et al, 'Use of mass media campaigns to change health behaviour', Lancet, October 2010; pp. 1-6 https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4248563/pdf/nihms643749.pdf [accessed 17 December 2016 from National Library of Medicine / National Institutes of Health]

[274] 'Stop Smoking', National Health Service, http://www.nhs.uk/livewell/smoking/Pages/stopsmokingnewhome.aspx

powerful evidence, sometimes simply do not work, even after many years of attempts.[275] A wide-ranging study in 2011 found that, while cyber-awareness campaigns are commonplace both at national level and within businesses, "a large number of campaigns have been undertaken, subject to very limited evaluation or even discussion of their effectiveness."[276]

The provision of information alone is only the first of many steps, and even then must be executed correctly.[277] Perhaps in an attempt to mitigate against the risks of describing threat without offering solutions, and drawing on evidence that even very simple changes to security practices would help prevent 80% of cybercrime[278], recent cyber-security campaigns have focused on small, specific actions that users can take. This also caters to the low levels of computer literacy (see Chapter 4). In 2014, the UK Government launched Cyber Streetwise, a "major behavioural change campaign" aimed at improving the national engagement with cyber security by individuals and businesses.[279] The campaign had five key elements, the first of which emphasised the benefits of the use of strong passwords.[280]

Cyber Streetwise and similar programmes, including Get Safe Online, were fully funded, with dedicated resources and professional websites, social media channels, and buy-in from a very wide range of other organisations who helped to amplify its messages. While it is not clear if the data is directly comparable, during the almost 3-year lifetime of the Cyber Streetwise campaign, Government releases suggest that the number of those using passwords of sufficient complexity rose from 30% to 35%.[281] [282]

This is not to make criticism of Cyber Streetwise. It, and its recent successor, Cyber Aware, seek to make specific, small behaviour changes, and focus primarily on empowering the user rather than describing the scale of the threat. They have doubtless reached a large number of people. However, it is clear that the conversion of awareness to behaviour remains a barrier to swift success in the cybersecurity sphere, and we should apply the learning and expansive research conducted in this area in our presentation of other crime types.

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[275] Robinson, A, 'Using Influence Strategies to Improve Security Awareness Programs', SANS Institute, 2013, p. 2 https://www.sans.org/reading-room/whitepapers/awareness/influence-strategies-improve-security-awareness-programs-34385 [accessed 14 December 2016]

[276] Connolly, C. et al, 'An Overview of International Cyber-Security Awareness Raising and Educational Initiatives', Australian Communications and Media Authority, May 2011, p. 22

[277] Beyer, M., et al, 'Awareness is only the first step: A framework for progressive engagement of staff in cyber security (Business White Paper)', Research Institute in Science of Cyber Security / Hewlett Packard, 2015 p. 3 http://www.riscs.org.uk/wp-content/uploads/2015/12/Awareness-is-Only-the-First-Step.pdf [accessed 18 December 2016]

[278] 'City of London Police reveals for the first time who is being targeted by cyber criminals', City of London Police, 10 March 2016 https://www.cityoflondon.police.uk/news-and-appeals/Pages/City-of-London-Police-reveals-for-the-first-time-who-is-being-targeted-by-cyber-criminals-.aspx [accessed 25 November 2016]

[279] 'Cyber Streetwise – Open for Business', HM Government, 14 January 2014, https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/273330/cyber_streetwise_open_for_business.pdf [accessed 25 November 2016]

[280] 'Password Guidance: Simplifying Your Approach', Communications-Electronics Security Group (GCHQ), 8 September 2015 https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/458857/Password_guidance_-_simplifying_your_approach.pdf   [accessed 25 November 2016]

[281] 'New campaign urges people to be 'Cyber Streetwise'', HM Government, 13 January 2014, https://www.gov.uk/government/news/new-campaign-urges-people-to-be-cyber-streetwise [accessed 25 November 2016]

[282] 'Only 35% of people follow latest password advice', Action Fraud, 26 October 2016, http://www.actionfraud.police.uk/news/only-35-per-cent-of-people-follow-latest-password-advice-oct16 [accessed 24 November 2016]

Whenever we speak of awareness raising, and assume it will lead to behaviour change, or when we suggest behaviour change as an apparently simple solution to any problem, it is worth bearing in mind that even with high levels of support, and with commitment to straightforward messages sustained over years, achieving widespread and lasting behaviour change can remain elusive.

A 2014 UK Government study set out a worst case scenario for attempts at cybersecurity behaviour change, as below:

- We continue to communicate to users that there is a substantial risk associated with interacting online

- Users do not directly experience negative consequences of the risks that are being communicated to them and/or if they do experience a negative consequence, they cannot relate it back to a specific behaviour that they have the power to change

- We continue to inadvertently communicate to users that there is little they can do to protect themselves and that even the experts don't agree between themselves[283]

Taken in a broad view, we can perhaps rewrite this analysis of ineffective behaviour-change messaging to also cover other types of organised crime, where it could be summarised as:

- Raise awareness of a general threat or danger, without translating it into potential personal impact

- Promote conflicting solutions, or no solutions at all

- Fail to present and reinforce specific, achievable behaviours which could mitigate against the threat

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[283] Coventry, L, et al, 'Using behavioural insights to improve the public's use of cyber security best practices', Government Office for Science, 2014, p.15 https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/309652/14-835-cyber-security-behavioural-insights.pdf [accessed 25 November 2016]

6. CONCLUSION

It is clear that the gap between perception and reality in relation to organised crime, and the subsequent reduction in crime that it is hoped will be achieved should this gap be addressed, are complex issues which will require sustained commitment and a fundamental rebalancing of the purpose and priority of communications messaging to effect.

Public confidence in the justice system remains of crucial importance, and a continuation of the work to bolster and earn that confidence is essential. Similarly, the public still require to be made aware of the threats they face. However, focusing solely on reputation and risk may undermine efforts to effectively build resilience in Scottish communities. By emphasising the threat and taking responsibility for it rather than seeking to build an effective awareness and working knowledge, we risk increasing fear and avoidance of the issues.

Simply telling people what they should do is not enough. Many factors influence how messages about organised crime are received, and some assumptions are long-standing and will take time to address.   There is a risk that we will reproduce with new crime types, for instance with cybercrime, the same situation we now have with drugs – that most are aware of the issue, and many are scared, but fewer know where to turn for help or feel capable of effecting real change.

It is only by reimagining the purpose of communications as it relates to organised crime, by factoring into our public statements a programme of empowerment and education, and by measuring and amending our approach until success is achieved, that communicators can most effectively contribute to the new prevent agenda.

ANNEX A – A TOOLKIT FOR COMMUNICATORS

TARGET

Decide with operational partners the most critical or potentially beneficial crimes or aspects of crime to target with an awareness campaign - this will not necessarily be the same as the most critical targets for operations. Within those crime types, establish the specific behaviours or attitudes which would be most valuable to address.

LEARN

Gather and use as much data as possible. Encourage organised crime-related questions to be incorporated into existing studies, and repeat those studies. Develop relationships with academics and other researchers to ensure information generated as part of research projects is analysed and is both useful to and actively captured by communications groups and used to inform messages.

TEST

Where possible, and in particular prior to substantial campaigns, test messages on target groups and use results to refine approach. Focus on demonstrating the personal relevance and benefit of messages, and if possible frame the recommended actions as compatible with existing behaviours (for instance "if you would lock your home, you would use strong passwords")

COMMIT

Effective awareness campaigns are not single-day events. Commit to a suite of messages about certain crime types for a sustained period. The more organisations that buy into and can amplify the messages, the better. Agree a limited number of prevention messages and resources for each key crime type and stick to them.

MEASURE

Be sure that measurement of success is tied to the ultimate goal, rather than assumed intermediate steps. There are many free resources for measuring, for instance, social media uptake of various campaigns. However, the "reach" of a media campaign is only one of many measures necessary to evaluate a behaviour change campaign, and if used in isolation is likely to give a false sense of achievement. Wherever possible, measure the behaviours or attitudes themselves.

BE POSITIVE

Stressing the prevalence of undesirable behaviour can backfire, and make people more likely to behave that way themselves. Subjects that are consistently presented in a negative way may elicit more interest if the framing is reversed. Focus on the potential benefit of change, rather than the risk of failing to change. Where possible, present damaging behaviour as a minor, socially undesirable activity, and reference specific personal experiences wherever possible. Consider if it is necessary to use phrase "organised crime" – which carries many negative/fearful connotations.

BE PERSONAL

Frame messages in a way that encourages empowerment and emphasises how the suggested actions will make the individual feel better about themselves. Whether discussing threat or remedy, demonstrate potential personal impact rather than generalisms or statistics.

BE SPECIFIC

"Fraud", "counterfeits", "cybercrime" etc. are all useful terms for law enforcement, but in practical terms and for the purposes of public advice they can be so broad as to be almost meaningless. Where possible talk of specific risks or solutions rather than crime types which few understand. Recognise and avoid jargon. Some criminals don't understand the harm their actions cause – where possible, address this.

MAKE IT EASY

Make proposed changes to behaviour as straightforward as possible. Encourage environmental changes where possible, or where the structure of current practices enables inaction.

BE USEFUL

Whenever threat is discussed, present a solution – whether it is specific actions that people can take to protect themselves; how they can know if they are at risk; how they can know if they have been victimised; what crimes may look like; how to report the crime.

EMPOWER

Reassurance of an agency's capability in dealing with the threat does not decrease fear, as it places the threat front and centre but does not describe ways in which individual members of the public can protect or distance

themselves from the possibility of victimisation. The primary driver of fear is not the threat alone, but a feeling of personal powerlessness in the face of it.

TARGET REPUTATION

Organised criminals rely on their reputation – and cybercriminals in particular. When there are opportunities to undermine reputation, or the expectation of reputation, do so. Challenge assumptions or attractions to organised crime groups at all opportunities – it is not just about money. For instance, when publicising cybercrime prosecutions, be sure to state both the accused's real and online IDs – those they deal with in dark markets may well not know their real name, and so the deterrent message will be lost if only it is used.

UNDERSTAND THE MEDIUM

We want to give people tools. The news media are likely to cover the large threats, cases or initiatives.   If our comments around every case are solely focused on reassurance of our expertise, we may continue to increase fear and decrease personal capability and the level of practical knowledge. Make prevention messages as newsworthy as possible, and build them into statements about newsworthy cases or initiatives. Actively seek out engagement with less traditional sources of information (e.g. television, novels, documentaries, etc.).

Proposed crime messaging model, I. Campbell, 2017