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## Criminology in Europe

European Criminology Award Acceptance Speech

**COVID-19 and Organized Crime** 

2021

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**Cover picture:** Patrol officers wearing face masks during the Spanish Flu pandemic © Wikimedia Commons

#### → MESSAGE FROM THE PRESIDENT

**Catrien Bijleveld** 

### COVID-19 and crime and law enforcement

As I am writing this piece, COVID-19 cases are again on the rise. While the past week saw approximately three million newly reported cases globally, two thirds of these were in Europe. Governments respond differently, some impose lockdowns, some attempt to shield the non-vaccinated, some are announcing new measures if trends are not bucked soon.

More than 100 years ago, the Spanish flu virus struck the world by surprise, spreading quickly from 1918–1920 globally as it accompanied large groups of demobilized soldiers after the end of the First World War. That virus raged in a world that would appear very different from ours, with medical care definitely not as advanced as it is now.

The Spanish flu mortality rate was very high. For instance, in the Netherlands for women the mortality rate went from 12.84 per 1,000 in 1917 to 16.66 per 1,000 in 1918; for men, mortality was slightly higher both years but the increase was similar (CBS, 1918). As now, the authorities decreed that citizens should avoid gatherings, wear face masks (then made of coarsely woven rags -as one author said, as if you were trying to block out dust with chicken wire), and not shaking hands. Citizens were advised to go outside, air the house properly, walk firmly in the open air, take a deep breath in the morning (through the nostrils). All kinds of prevention tips were also given, such as rubbing the breast with onions, wearing camphor sachets around the head - tips that had as common denominator that a nauseaating wall around an individual was erected. Drinking alcohol was considered to be a good way to fight the flu due to its disinfectant effect. Worldwide, the number of victims has been estimated at between 50 and 100 million.

How did the Spanish flu impact crime and law enforcement? The literature is limited. We do see new crimes being codified: in Seattle, by October 29, 1918, it became obligatory to wear face masks (Milsten, 1918), and police arrested violators (Digital Public Library of America, 2020). There was speculation with goods that were scarce, criminals took advantage of sick citizens in need of care: one 'Flu Julia' posed as a nurse and stole from the sick for whom she was supposed to care (Washington Post, 2020). By the end of October 1918, funeral directors hired armed security guards to prevent the theft of coffins (Milsten, 1918). There were reports of deadly violence and suicides: fathers who killed their wives and children in order not to have to witness how they would succumb to the flu (Hardman, 2011, p.56).

Petty crime dropped: in Chicago, crime rates during the epidemic months were 35% lower than a year earlier (Robertson, 1919), allegedly because many criminals were too sick to commit crimes, and because so many citizens were at home. Moreover, many civil servants were too ill to do their jobs (Navarro, 2010), and presumably this also applied to the police, so the decrease may have also been a registration effect. Smaller courts sometimes designed inventive solutions to deal with cases by organizing trial hearings out in the open air; however, it also occurred that fewer cases were dealt with, or courts simply closed for the duration of the epidemic (Navarro, 2010) and many courts restricted access to buildings during the flu (Digital Public Library of America, 2020; Navarro, 2010).

Newspapers and other literature report that mortality of Spanish flu in prisons was high (Algemeen Dagblad,

2020; Hochschild, 2014). The spread of the Spanish flu virus in St Quentin prison in the US is described in detail in a report that shows how the virus was brought in each time when an inmate came in from outside after which it quickly spread in the full and poorly ventilated enclosures, where all the prisoners huddled around the fresh resident to hear all the news from the outside world (Stanley, 1919). By contrast, the mortality rate in the beggar's colony of Veenhuizen, in Drenthe in the Netherlands, was very low, possibly because medical care in this particular prison was relatively good, because the males held in these colonies often worked outside (Vugs, 2002), or those locked up in beggars' institutions were relatively older.

A Spanish flu vaccine was even tested on prisoners (Rijkers et al., 2009). By the end of 1919, 300 inmates at the Deer Island prison in Boston were asked to take part in a vaccine test, and they were promised that if they survived, they would be pardoned. A total of 62 prisoners participated, who were neatly divided into an experimental and control group. In the prisoners in the experimental group, infected lung tissue was inserted (into the nose, mouth and eyes). When that didn't have an effect, they had to sit in front of a terminal patient with their mouths open to get a good coughing to. All prisoners survived. Presumably they were already immune after earlier waves of Spanish flu. The only one who did not survive the experiment was the hall doctor.

What is the impact of the current pandemic of COVID-19 and its associated measures (such as lockdowns) on crime and law enforcement? This appears to be a blossoming area of research. The ESC has a working group on 'Crime, criminal justice and the COVID-19 pandemic', and at our last e-conference, we had numerous presentations, focusing on COVID-related topics varying from populist rhetoric around the epidemic, to its impact on child maltreatment, on policing, COVID and prisons, its impact on cybercrime, on COVID-19 conspiracy extremism, sex work, remote criminal justice, and crime trends in general. It is not surprising that we see this eruption of research: firstly, we appear to be still-despite vaccination - in an ongoing pandemic that affects us heavily and has changed the way we interact and move around, and why would that not also affect crime and law enforcement? Secondly, we find ourselves in a one could say methodologically 'interesting' period-with the

pandemic and governmental measures constituting in a sense a series of natural experiments.

Even though such research will for sure enrich our discipline, of course what we fervently hope is that the pandemic will be so far under control next year, that we will all be able to meet again in Malaga at our 22nd conference.

**Catrien Bijleveld** is senior researcher at NSCR, the Netherlands Institute for the Study of Crime and Law Enforcement, and professor of Research Methods in Empirical Legal Research and Criminology at the Vrije Universiteit Amsterdam.

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#### → EUROPEAN CRIMINOLOGY AWARD ACCEPTANCE SPEECH

**Loraine Gelsthorpe** 

### On Accepting the 2021 ESC Criminology Award

It is a very great honour for me to be awarded the 2021 ESC Lifetime Achievement Award for contribution to European Criminology. I would like to thank the Award Committee for their work and particularly Michele Burman for nominating me. The ESC is very dear to me. The first conference I attended was in September 2001 (the year of 9/11 of course). I have attended most conferences since and always look forward to them as a highlight of the year, to meet old friends, and to make new friends, to listen, learn, compare and contrast, and I always take away new questions and new things to think about. Both the Working Group on Women, Crime and Criminal Justice and the Working Group on Community Sanctions have also been hugely important to me in terms of expanding and challenging my thinking, sharing ideas, and forging connections and alliances. The ESC has achieved genuine openness, inclusiveness and has fostered a spirit of appreciative enquiry, avoiding both silo thinking and internecine methodological debates (for the most part anyway...).

Of course, I did not start life as a criminologist...growing up in a rural community in England (with a German mother I might add, because acknowledging our personal migrant connections is important). I was going to marry a farmer, have four children and four dogs! Something went wrong along the way...or something went right insofar as the personal became political. I was a child of the vicarage, that is, I grew up in a home connected to the church (with a parental figure serving in the Church of England priesthood). What did I learn from this? Not to make judgements, for sure. Our home was open to all comers, those who were homeless, those who were vulnerable. And I learned something about public service too. That one's role and purpose was to serve the community, those who are less fortunate than oneself, and those who are vulner-

able. From the age of 16 I worked in a local psychiatric hospital as a nursing auxiliary during the long summer holidays. It was here in the 1970s that I had my first sociological experiences and insights...observing the fact that some of the women on the psycho-geriatric ward where I was working were there because simply because they had had illegitimate children when they were in their early teenage years, and here they were totally institutionalised, stripped of dignity. I remember being told that one patient, whom I shall call Hilda, did not/could not speak and so for 6 weeks I did not speak to her, until one day, when handing her a cup of tea, I said aloud, 'I'm so sorry, I don't think I've put sugar in the tea, I will go and get some'...she said 'that's alright dear, I don't mind'. To this day I feel ashamed that I made an easy assumption on the basis of what someone had told me, rather than being open, seeking to understand and acting for myself. The experience at 16 was thus an awakening to the vagaries of the law, moral censure and definitions of psychological impairment that might lead to incarceration (albeit in a hospital). It was also an awaking to the impact of institutionalisation and to the brutalisation of institutional life for those within, patients and indeed staff. I sought refuge in the local public library where I explored the work of Isabel Menzies-Lyth on life in institutions. Menzies-Lyth had produced in 1959 a classic study of hospital systems as defences against the anxieties raised by caring for people in life and death situations (Menzies, 1959). By establishing a rigid hierarchy, fixed psychological roles and a routinisation of work, the hospital was able to diffuse responsibility and anxiety from the individual nurse to the system as a whole. That benefit came, however, at a cost: the use of the primitive defences of splitting, denial and projection prevented more mature forms of coping with anxiety to emerge, and thus stifled individual growth.



I studied History, Philosophy and Social Administration at Sussex University where I was drawn to moral philosophy (and notions of social justice) and 19<sup>th</sup> century history, the creation and labelling of criminals and the history of criminal justice system responses, the power of the prison and indeed of the asylum. I was lucky enough to have a personal tutor who was a penal historian (Professor Sean McConville) and from the second year onwards I worked as a research assistant on his major history of prison administration and local prisons. This work drew me into the world of criminology with wide reading and engagement with the Howard League for Penal Reform.

I then had a brief career in social work. In the training, I had particular responsibility for young people who found themselves in trouble with their families, neighbours and communities, and the police-this served as another awakening in terms of 'there but for fortune'. In other words, I became very aware of how easy it was to slip between the cracks of social life, to fall on the wrong side of the law one might say, and that whereas some of us have strong moral socialisation to steer us away from trouble, and strong support networks, many do not have these things. I learned something about the importance of social and human capital, alongside economic capital. Throughout history there have always been 'others', often based on culture, race/ethnicity, gender or social class, 'others' who have been demonised by the majority. The attribution of negative features of course affects everyone.

A personal tragedy led to study for a Master's degree at the Institute of Criminology at the University of Cambridge, where I am now Director. I expected to return to social work and to become a Probation Officer, and indeed had a job lined up in Bristol with a radical section of the Probation Service which assumed that being able to get a job and create a new identity (beyond that of offender) might actually be helpful. But this wasn't to be. My time at Cambridge served as yet another awakening—this time to issues pertaining to Gender, Crime and Justice. I want to pay tribute here to the work of Nigel Walker (whose seminal work 'Why Punish?' amongst other things, taught me how to think) (Walker, ). Nigel was an exacting lecturer, but his purpose was to stretch people intellectually and he encouraged us, always, to see things differently, to move away from our first assumptions. It was during the period of the MPhil course also that I had the good fortune to come under the tuition of Allison Morris who the very year that I was there for the MPhil introduced a new course on Gender, Crime and Justice. This was mind-blowing; it caught my attention and intellectual curiosity, and of course there were resonances with my first experiences of working with the women in the psychiatric hospital from the age of 16, and with my social work experiences where some of the girls and young women I was working with had been categorised as being in 'moral danger'. It was this very topic which led me to stay on for a PhD at the Institute rather than moving to Bristol to serve as a Probation Officer. My PhD on 'Sexism and the Female Offender' was an attempt to look at the treatment of women in the contemporary criminal justice system, focusing on young women in particular. It was an attempt to move on from descriptive empirical accounts of female offenders, to expose some of the myths, muddles and misconceptions in some early research studies, recording, as I went along, the critical enterprises, mostly feminist, of the 1970s and 1980s. By looking at how 'sexism' works in everyday practice in criminal justice agencies (the police, observation and assessment centres, probation practice and incarceration I probed deeply and critically, going beyond theoretical assertions about sexist ideology to explore how far feminist critiques in themselves helped to explain the internal life of the criminal justice system and of other agencies dealing with women and girls. It is through reviews of the published work which emanated from the thesis that I learned to call myself a revisionist feminist (Gelsthorpe, 1989).

I want to offer a few comments on my work, particularly feminist contributions to Criminology, but let me finish my career story first: After the PhD I had a postdoc position at the University of Lancaster in the Centre for Youth, Crime and Community, but the research was in London in the London Borough of Hounslow in particular, working with the Borough authorities and the Metropolitan Police on issues of young people and diversion from crime, from the criminal justice system and from custody in particular. A second post-doc position followed—this time with UCNW (Bangor) but the research was on prisoners' experiences of prison regimes in different types of prisons in the midlands



(in England)-nowhere near Wales! A third post-doc position was back at Lancaster although the research was partly in London and partly in the North West England, this time looking at Crown Prosecution Service decision-making in regard to young people. A fourth research position was at the LSE, looking at race and gender issues in pre-sentence reports. When I returned to the Institute of Criminology it was initially as a senior research associate (working on inter-agency aspects of crime prevention), before I became a University Lecturer and subsequently professor. These different experiences (the making of youth justice and injustice and the role of institutional decision-making, decision-making, consumer experiences of the criminal justice system, discourses and narratives of minorities, and then crime prevention) gave me a broad perspective in terms of understanding interconnections between different parts of the system (or the lack of connection). Ten years or so on soft money also fired my sympathies for early career researchers and other colleagues who are on soft money. There are huge insecurities for some colleagues in Criminology.

But I want to return to feminist perspectives. This is not the place to talk at length about the way in which feminist criminology has reshaped the contours of criminology, but perhaps I can give a few highlights. The range of feminist work in criminology has been extraordinarily wide, ranging from empirical studies to theoretical developments. My own empirical excursion led me to some theoretical revisionism and to recognition of the need to acknowledge intersectionality (although this wasn't the language used at the time). The search for sexism in the criminal justice system revealed complications and contradictions, as well as evidence of discrimination against women in conflict with the law, with a myriad of discourses (and oppressions) shaping responses to them. A core tranche of early feminist work of course was to critique the neglect of women in Criminology and the dominant unreflective thinking about gender-role stereotypes. This 'doing gender' phase became very influential in Criminology following arguments that for many men, crime serves as a 'resource' for doing gender (Messerschmidt, 1993) and that different crimes are useful for demonstrating masculinity, depending on men's structural positions across the axes of race and social class. Feminist theoretical work on the social construction of gender and that on concepts and practices of gender converged with this work to (re)assert the crucial role and enactment of male power, leading to a

paradigm shift in thinking about gender and gender inequality. Perhaps most importantly, drawing attention to the contingent nature of gender and the social processes through which it is enacted, mediated, and accomplished, gender as a social practice also allows for a theorization of the relationship between agency and structural inequalities such as race, class and age, and the role of agency in resistance and social change (Mc-Nay, 2000). (It was pleasing that the ESC recognised the need to focus on 'gender' and not just women when the Working Group on Gender, Crime and Justice was set up in 2010).

From 'doing gender' we can see a shift to 'doing difference' and some of my own work falls into this category. 'Doing difference' involves both a political project and a methodological one: the political project has involved illuminating discriminatory practices. In the mid-1990s, alongside a colleagues working in the Government's research department in the Home Office I was commissioned to do a major study on Understanding the Sentencing of Women-this was to resolve the issue of whether or not women are treated more harshly or leniently than men (Hedderman and Gelsthorpe, 1997). Needless to say, the answer was 'it is complicated', with examples of both leniency (or paternalism we might argue) and harshness, depending on the crime, the marital status of the women, and other presenting factors. It was during this research, interviewing magistrates in the courts, that I learned to pack up my tape recorder and papers after an interview very very slowly...as interviewees made their most revealing comments after the end of a formal interview, and whilst I could not use any quotations, what I learned in these moments informed my interpretation of what they had said in the interview.

This phase of 'doing difference' also led to recognition of the correspondences between policing everyday life and policing/controlling men and women through more formal mechanisms of social control...in other words looking at how 'conformity' is reproduced. A focus on women's prisons revealed outdated, outmoded and gender insensitive discourses and practices, with skilled analysis of regimes producing such memorable phrases as 'women's prisons infantalize, feminize, domesticize their occupants' (Carlen et al., 1985: 182). Women and girls' confinement was revealed to be shaped by powerful and pervasive ideologies about femininity and the 'proper place of women' (Gelsthorpe, 1989; Worrall, 1990).

The subsequent push for broader gender-specific understandings of women's experiences and needs in the criminal justice system has prompted a range of policy and practice developments in different countries over time. Examples in England, Wales, Scotland and Northern Ireland (making up the UK) include a Women's Offending Reduction Programme (the Together Women community based project offering holistic provision for women at risk, women under cjs supervision, and women leaving prison), a major review of vulnerable women in the criminal justice system (Corston, 2007) and a Commission on Female Offenders (2012) in Scotland. There has been a good deal of community-based activity to ensure more appropriate responses to vulnerable women caught up in the criminal justice system. Centre 218 in Scotland (Loucks et al, 2006), for example. I have been involved in a number of the evaluations of this work, and reviews, as well as being a critical commentator on the stop-start progress (or rather 'two steps forwards, three steps backwards') as funding and political support has ebbed and flowed.

Thus feminist criminologists and practitioners alike have been at the core of campaigns for a better understanding of women and girls' needs and concerns, attempts to reduce women's imprisonment, and attempts to explain that women offenders are often the victims of domestic circumstances and structural oppressions (Annison et al., 2015). Together, they have played a key part in the quest for 'better justice'-social justice, not simply formal criminal justice. A good deal of feminist research keeps a human perspective in mind, a good deal of research findings regarding what works with women in conflict with the law emphasises relational dimensions, building genuine relationships that demonstrate 'care' about the person being supervised, their desistance, and their future, not just control/monitoring/surveillance is one of the keys to effective supervision we learn. The work with women, in communities, where women who have offended are alongside other women, and where (largely third sector staff) in conjunction with visiting probation staff have demonstrated that a non-judgmental attitude can bring hope to individual women.

The creation of international protocols have assisted some of the endeavours, from the Convention on the Elimination of All Forms of Discrimination against Women, to the Bangkok Rules (united Nations Rules regarding the treatment of women prisoners and non-custodial measures for women offenders).

Continuing with the theme of a political project and feminist contributions, it is important to mention the generation of large and multi-disciplinary body of theoretical, methodological and empirical literature on violence against women in recent years. I have added my voice through research and writings to challenge the hidden and privatized nature of violence against women, and have sought to position it as a public matter. This work has broadened the focus of criminology and has added a critical edge-increasing awareness of different forms of violence-emotional and physical, in the home, in war, in the street. And socio-critical feminist work has made put hegemonic masculinity of criminological work and criminal justice agencies under critical scrutiny and has pointed the way to gender-conscious research and practice.

A new generation of feminist scholars in criminology, informed by broader currents in feminist theory (Mc-Nay, 2000) have been producing empirically informed critical analyses on women's power, agency, and choice, which recognise and acknowledge the duality between victimization and agency. Members of the ESC Working Group on Gender, Crime and Justice are contributing to this new agenda in creative and effective ways.

The second element of the feminist impulse concerns a methodological project. Here my role has been to question some of the dictats that feminist research has to be 'on, by and for' women, and have rather suggested that feminist research be conceived broadly, with men playing a role in pro-feminist approaches, and work on men contributing to the broader cause of reducing oppression. After all, if we allow prisons to brutalise men, this will help neither women nor men.

I have also opposed what Pat Carlen has called 'theoreticist, libertarian, separatist and gender-centric tendencies' in some feminist writings (1992: 63) by arguing for greater attention to intersectionality. And, in my writings, I have argued that feminist research should be neither exclusively qualitative nor narrative-based (the focus on women's experiences and voices has sometimes given rise to such a precept). My argument is essentially that all good social scientists, all good criminologists need a full methodological toolkit....one wouldn't expect a plumber to arrive at one's home with only a bag of spanners. Similarly, a good criminologist needs a full toolkit to be able to choose the tool most appropriate for the task. This is more of my revisionism;



there is need to move on from entrenched and overly simplistic dichotomization between quantitative (positivist, objective, statistical, masculinist) and qualitative methods (interpretive, textual, subject, feminist). One of the wonderful things about the ESC is that each year it demonstrates methodological pluralism and the value and salience of different research methods. I would add that I think that ESC conferences each year show methodological reflexivity and increased willingness to recognise methodological limitations and the ways in which the knowledge, experience, values and identity of the research influence and affect the research process and knowledge production.

There are new research agendas too; again, each year at the ESC we learn of new directions in gender-related research, with researchers looking at correspondences between different agencies (education, welfare, housing) as well as criminal justice system agencies. Both the feminization and criminalization of poverty come into play here, with increasing recognition of the different ways in which poverty is penalized. There is recognition of new victims too (violence amongst women who are disabled, for example, and violence against older women; violence in 'care homes'; Gender and terrorism work on gender, punishment citizenship and identity; gendered dimensions of cyber-crime, and immigration control, forced migration, market relations in the domain of sexuality is all coming to the fore (see Burman and Gelsthorpe, 2017).

My own contribution to a new agenda relates to the criminalisation of migrant women who have been subject to human trafficking and the vagaries of smuggling. With a colleague who had been working in probation practice for a number of years in 2011–12 l interviewed a number of women in prisons and immigration centres whose victimisation had been missed by the very agencies set up to identify victims of human trafficking through a National Referral Mechanism (Hales and Gelsthorpe, 2012). Close scrutiny of over a hundred cases and the decision-making practices surrounding them revealed major flaws in the system.

I have drawn attention to a few developments regarding feminist work in criminology, noting some of my own modest contributions along the way. There is further to go of course, and I shall hope to continue to voice ideas and concerns for a good while yet. Feminist work has been hugely important work, but that we should not assume for one moment that the criminal justice system works well for men. It does not. There are areas of neglect in regard to race and ethnicity, foreign national prisoners, migrants, and other marginalised groups.

My career has not finished of course, and even when I do retire I think that it will take several years to clear my desk of things I have promised to do, but I am sure that we all reflect backwards as well as forwards sometimes, and I find myself wanting to include some messages to my younger self...or messages to early career researchers. The first is to get involved. As a PhD student I was not one to push myself forwards, but I was encouraged by my wonderful supervisor (Allison Morris) to do so...and by offering to assist with a newsletter I soon found myself involved in the British Society of Criminology alongside notable criminologists: Paul Rock, David Downes, Frances Heidensohn, and the late Geoff Pearson, for example, all of whom were encouraging. This was before the birth of the European Society of Criminology of course, and I want to pay tribute to the inspired founders of the Society. Perhaps there is scope for a European network of Early Career researchers and active promotion of mentoring (reverse mentoring too I might add). A second message is to avoid silo thinking and practice; have more than one research interest on the go perhaps (the one might feed the other) but more particularly don't be afraid to cross disciplinary boundaries for sources of inspiration and illustration. Capacity and willingness to cross disciplinary boundaries is important; after all, one will very often find as much criminology in History, Geography, Sociology, Social Anthropology, and Social Work, for example, as in Criminology or Law.

A third message is to aim to have a full methodological toolkit...as a modern social scientist or criminologist working in Law, Psychology, or with the police, you never know what tool you will need, so be prepared. A fourth message is not to be put off by the rejection of articles which you have put forward for publication. We have all had such rejections—and I sometimes think that we don't talk about these things enough so that it can seem as if it has all been plain sailing.

A fifth message is to reach out to people too; academics can be busy, of course, but in my experience they don't mind prompts to address emails if they have been neglected. As a PhD student I wrote to a few people for sources of information and to check out ideas, and received very positive responses. In this sense the ESC



is a large community made up of smaller communities (working groups) and it should be possible for those earlier in their careers than others to draw on these different communities for support and advice.

I said at the beginning that the personal is political. My Vicarage childhood never seems far away, with recognition of those who are vulnerable (including offenders as well as victims and offender/victims and victim/ offenders), and commitment to public service through my academic research (engaging with policy makers where I can and seeking to influence government policy-making in constructive fashion). My hospital experiences introduced some sociological insights, and I have tried to hold on to them when looking at decision-making in the criminal justice system and allied agencies. My feminist impulses and my revisionist thinking have been informed by reading widely and engagement with a very wide range of scholars, some of whom I have met at the ESC conferences, and from learning from consumers of criminal justice, practitioners, offenders, victims. My work is mostly applied work and deliberately so, reflecting my quest for humane values within Criminology and Criminal Justice. This is something which Professor Sonia Snacken mentioned in 2015 in her own acceptance speech for this award and it is something which Professor Sir Anthony Bottoms has alluded to in his notion of critical morality (Bottoms, 2002).

In recent months I have been reading Tony Bottoms and Ronald Preston's *The Coming Penal Crisis* (Bottoms and Preston, 1980). It was about a search for values. This is a good place to reassert the importance of values: hope for the future requires good social science, good criminology, reflexive criminology, and respect for persons must not be abandoned in penal systems. This is one of the things that feminist criminology means to me.

What will the Future bring for me? More research on women and sentencing and provision for women in criminal justice systems, international comparisons of provision for women and for vulnerable men, work on vicarious trauma amongst those at the front line (especially in third sector/voluntary organisations) working with women and other vulnerable groups, research on deaths under community supervision. There has been considerable research on deaths in penal custody and deaths in police custody, but hardly any on deaths under community supervision and yet many of those discharged from prison under the supervision of probation or parole officers remain vulnerable, their lives compounded by poverty, homelessness and substance abuse.

Again, I would like to thank the Award Committee, many colleagues and friends, and successive generations of students for their excitement, intellectual curiosity and challenges which have spurred me on to think more broadly and deeply.

Colleagues who know me well know that I enjoy both writing and reading poetry. Indeed, it has become a custom to produce haiku for gatherings of the Community Sanctions Working Group in response to papers and presentations and on occasion, for the Gender, Crime, and Justice Working Group too.

With a nod to Green Criminology and concerns about consumerism, and a nod to Critical Criminology regarding the need to humanise criminology and to avoid a tendency to pathologise people who have offended, I want to end with a poem:

#### THE DELEGATES: SIMON ARMITAGE

At the annual Conference of Advanced Criminal Psychology, Dr Amsterdam and myself skipped the afternoon seminar on Offending Behaviours Within Gated Communities and went into town to go nicking stuff.

In Halfords, he pilfered a shiny aluminium gizmo for measuring the tread depth on a car tyre and I nabbed a four-digit combination lock. In the gardening section of John Lewis's (a department store) he filched a Butterflies of the British countryside wallchart, while I pocketed a squirrel-proof bird feeder. In Poundstretcher he shipped a small tin of Magic Stain Remover and I helped myself to a signed 2005 official McFly calendar. In Specsavers he purloined a pair of silver-rimmed varifocals and I lifted an origami snowflake from the window display. In Waterstone's he slipped an unauthorised biography of the disgraced South African cricket captain Hansie Cronje inside his raincoat and I sneaked out with an Original Magnetic Poetry Kit.

In Oxfam he appropriated a five-hundred piece Serengeti at Dusk jigsaw and I swiped a set of six coasters designed by authenticated aborigines. Then with our laminated delegate passes streaming over our shoulders on



### **Loraine Gelsthorpe**

Loraine Gelsthorpe is Professor of Criminology and Criminal Justice, and Director, Institute of Criminology, University of Cambridge. She is also Director of the Institute's research centre: the Centre for Community, Gender and Social Justice and Director of the University's ESRC Doctoral Training Partnership which manages training and support for Economic and Social Research Council sponsored students across the social sciences within the University. Professor Gelsthorpe has wide interests in the links between criminal justice and social justice, looking at race, gender and social exclusion, women and sentencing, and at the effectiveness of youth and community penalties in particular. Professor Gelsthorpe is also a trained and UKCP registered and accredited Psychoanalytical Psychotherapist.

Professor Gelsthorpe has over 160 publications, including 11 books. She has researched, written and published on many topics within criminology and criminal justice – from prosecutorial and judicial discretion in the criminal justice system, to community sanctions, the criminalisation of migrants, human trafficking, and youth justice, to research ethics in criminology. Most recently she has been engaged in work on deaths under community supervision, an important and under-researched topic. She is perhaps most well-known however for her work on the links between criminal justice and social justice, and the punishment of women. Her impact on public policy has been significant and she has been a member of many important advisory groups.

Professor Loraine Gelsthorpe has been a member of the ESC since 2002 and initiated the ESC Working Group on Gender, Crime and Justice in 2010. She has co-chaired that Group ever since, organising panels at each ESC an-

nual conference and mentoring early career colleagues, throughout each year, tirelessly providing support and feedback on their work and strengthening cooperation and networks among European scholars. The esteem in which her scholarship and leadership is held, was evidenced through her election as President of the British Society of Criminology (2011-2015).

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Professor Gelsthorpe has over 160 publications, including 11 books. She has researched, written and published on many topics within criminology and criminal justice – from prosecutorial and judicial discretion in the criminal justice system, to community sanctions, the criminalisation of migrants, human trafficking, and youth justice, to research ethics in criminology. Most recently she has been engaged in work on deaths under community supervision, an important and under-researched topic. She is perhaps most well-known however for her work on the links between criminal justice and social justice, and the punishment of women. Her impact on public policy has been significant and she has been a member of many important advisory groups.



lanyards of pink and purple ribbon we legged it out of the precinct and across the park.

And from the high iron bridge we slung the lot over the ornate railings into the filthy river below until every last item of merchandise had either sunk without trace or was drifting away downstream.

'Remind me, Stephen, why do we do this,' said Dr Amsterdam. I said, 'I really don't recall'.

Peeling a brown calfskin glove from the cold moulded fingers of his prosthetic hand he said 'Let's make this our last, shall we?' We shook on the deal and even managed a partial embrace. A mute swan pecked idly at a Paisley-patterned chiffon scarf before it picked up speed and slithered over the weir.

'The Delegates', Simon Armitage, Paper Aeroplane. Selected Poems 1989-2014. (Faber & Faber)

Thus we return to the notion that we all do things we don't understand, we are all human, and 'there but for fortune go I'. Our work as criminologists must be guided by social scientific endeavour, but also ethical and moral precepts.

Loraine Gelsthorpe is Professor of Criminology and Criminal Justice, Director, Institute of Criminology, University of Cambridge, Director of the Institute's research centre: the Centre for Community, Gender and Social Justice, and Director of the University's ESRC Doctoral Training Partnership

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#### → EUROPEAN CRIMINOLOGY EARLY CAREER AWARD ACCEPTANCE SPEECH

Anita Lavorgna

# Stretching the criminological imagination

An account from my research on information pollution

To be awarded the ESC Early Career Award has been a true honour, not only for the academic recognition of my work, but also because this award came at a time when I was wondering (and, at times, wandering) about how to position my work within criminology, with some of my more recent research projects and publications evolving into interdisciplinary scholarship and finding a 'home' within and beyond criminology—and with some struggles, as they were at times considered by reviewers to be too in between disciplines. As such, there is a sense of relief in being reminded that I belong to my primary academic community, the one that has welcomed me since the early days of my PhD studies.

I have always considered myself a curiosity-driven researcher, and since my PhD I found myself working on a range of topics, mostly pivoting around the challenges and opportunities posed by cyberspace. In some cases, I have worked within clear criminological boundaries (e.g., online drug trafficking, organised crime's presence online, internet-facilitated wildlife trafficking), but more and more I have been drawn into some of those grey areas where a crime might not be present, even deviancy might be difficult to identify, but nonetheless we can see the clear presence of social harms, of various types. My latest work on the propagation of polluted information online can certainly be placed in one of those grey areas.

This is a research agenda that I started in early 2015, thanks to some funding I was awarded at the University of Southampton to carry out interdisciplinary work on (potentially) harmful non-science-based medical information, which gave me the chance—among other things—to create a space for discussion with health psychologists, doctors, health sociologists, fraud experts, debunkers, and even some practitioners in alternative medicine. The complexity of the topic at stake and the potential of criminology to contribute to the field soon became clear, particularly since I become aware that my understanding of cybercrimes and my methodological tools could be put to good use to investigate its online dimension. It was also clear that regardless of my willingness to approach this puzzle from a criminological perspective, I really could not avoid engaging with colleagues from other disciplines.

Yet, as a criminologist I felt I could provide an original contribution to the discussion. With very few exceptions, criminologists have mostly overlooked harmful non-science-based medical information as a topic of investigation, both as regards some unquestionably illegal practices (for instance some cases of health frauds) and, more in general, the potentially negative impact of these practices on vulnerable individuals even when they do not clearly meet the legal threshold of criminality. Nonetheless these practices deserve a fully-fledged place in the wide constellation of perspectives constitutive of the criminological imagination. Specifically, I have argued in my work that such practices are perfect candidates to be considered through the social harm lens, an approach that is particularly promising when there is a misalignment between criminal law and harmful (or potentially harmful) antisocial behaviours. Or where some or the harms might be hidden.

Since 2015, I have investigated non-science-based health information and related topics from different angles and methodological approaches; the pandemic, of course, added a new perspective to this endeavour. To exemplify some of my recent research on this topic, I will focus briefly on a book I recently published, *Information Pollution as Social Harm: Investigating the Digital Drift* of Medical Misinformation in a Time of Crisis (Emer-



ald, 2021), based on a virtual ethnography I carried out throughout 2020 in self-identifying alternative lifestyle and counterinformation Italian-speaking online communities, which was complemented by a small number of narrative interviews with providers and propagators of polluted health-related information.

As I am sure you all have noticed, in the unfolding of the pandemic, a flurry of information has been published and widely disseminated, building up a pile of relevant knowledge alongside equivocal or deceiving news. Many words have been used (e.g., 'infodemic'), which I personally do not like as they compare the spread of 'bad' information to a virulent, uncontrolled and contagious disease. But receivers of information do not simply have a passive role as infected objects of an external agent: especially in and through cyberspace, many receivers are a productive audience. For these reasons, I prefer to use the notion of information pollution, a broader umbrella term that encompasses misinformation (when false information is shared, but no harm is meant), disinformation (when false information is knowingly shared to cause harm), and malinformation (when genuine information is shared to cause harm).

I want to stress once more that only a minority of the behaviours encountered in this study can be easily considered as 'deviant' (if only because that would imply a sufficient level of societal consensus around science-based approaches or at least around a recognized 'value' of science in our societies), and only very few of these behaviours are (potentially) illegal. Furthermore, in cyberspace, and especially in the context of some social media networks, certain behaviours that would be probably deemed (at least borderline) deviant offline suddenly become prevalent among specific populations, making it particularly hard to classify them as 'against the norm'. Nonetheless, because of the (potential or actual) harm to which they can contribute, I think that theories of deviance can offer valuable insights for unpacking important behavioural dynamics. Theoretically, the study I am introducing to you here, which was elaborated in my aforementioned book on information pollution, integrates socialization approaches (and specifically the recent adaptation of Matza's ideas with the 'digital drift' concept) with cultural approaches. Starting from the premise that health-related polluted information can create social harms, even if some behaviours are not criminal or deviant, their normalization and promotion can be problematic. Hence, with my study

I aimed to better understand how certain forms of online problematic socialization take place and are maintained, looking not only at the individual level but also at the broader cultural ingroup/outgroup (meso)level.

The actors encountered in the study were categorized as providers (those actively involved in offering non-science-based health approaches), supporters/ propagators (those who proactively supported one or more providers, becoming an important source of polluted information), and receivers/utilizers (those who belonged to a certain online group but mainly as bystanders, or participate in a very limited role). In this short contribution, there is certainly no space to cover this typology in detail. I can only hint at how, through the research, a drift mechanism through which these actors 'escalate' in promoting and creating polluted information was observed. How does the drift mechanism operate? If we place the extent of digital drift along a continuum, the different categories of actors mentioned above will be progressively placed in different parts of it; the further they are positioned along the continuum, the more their presence in online health-related discourses shapes their identity. Advancement through the continuum is generally prompted by a catalyst event, that pushes or pulls individuals further, changing the equilibria in the drift.

Users are pulled towards the drift, and (individual and group) identities are shaped, by a series of conspiratorial and epistemic ideations and converging narratives. In this short write-up, I can only briefly note how conspiratorial thinking thrives in situations when people's need to feel safe and secure in their world and to exert control over their existence are threatened, as it helps individuals' feelings of agency and power. Additionally, when group members experience relative deprivation or competitive victimhood and end up believing that their ingroup is not given the same opportunities as the outgroup, or that their ingroup has endured more suffering and injustice than the outgroup, conspiracy belief can find a solid basis to grow. Conspiracy theories are generally the result of a multi-biased information-seeking process, challenging the epistemic authority of modern science through alternative and experiential knowledge-building process where initial opinions, beliefs or even self-diagnosis are confirmed and strengthened by communal peer-reinforcement. As such, to understand why the pandemic provided such a fertile soil to conspiracy beliefs, it is important to



As regards the converging narratives, in the course of the study it was possible to document a number of themes and frames that were independently pushing diverse-but compatible-discourses, facilitating socialization with what appeared to be perceived as like-minded people by structuring intragroup attitudes and beliefs, but also facilitating their engagement with a larger audience. In the book, I categorized emerging narratives into those themes and frames informing 'narratives of the self' and pivoting around the image of themselves that the participants observed wanted to project to others and which are at the basis of their online socialization. I also categorized a number of 'agency and empowerment' narratives, and these were those that responded in a subtler way to participants' use of the social media groups to find not only support and reassurance among like-minded people, but also a sense of agency, of control over their lives. Overall, the study highlighted how online interactions at the basis of health-related information pollution become a key tool allowing the agential self to further practices of freedom, ethics of self-care, and a self-oriented morality. This latter aspect cannot be overlooked if we want to understand why certain polluted information is popular and successful: the narratives offered in our networks of interest are not only persuasive, but they are restorative to some, enabling some participants to find a renewed sense of the self and purpose.

The analysis of the main characteristics and roles of providers, supporters and receivers, and of how they build their identities and systems of beliefs through their different drifting in and out medical misinformation, shed light on core online socialization mechanisms informing the propagation and success of some dangerous health-related beliefs, including those we experienced during the pandemic. This can hopefully have some practical implications, for instance, to help develop better designed, framed and targeted science-based information and public health-related communication, to create a bridge to effectively communicate with those drifting more and more into polluted information. Of course, as is the case with other online harms, there is no single best strategy for the control or prevention of polluted information online: in order for proper immunization and healing to occur, a sustained, concerted and multi-layered effort

between a wide range of institutions, individual actors and the technological sector is needed. But the social sciences—and criminology as a social science—can have an important role in this. It has been claimed that, nowadays, social scientists are probably not the main actors in studying society and defining the nature itself of social knowledge, and similarly criminologists are not the only or possibly the main actors studying crime, deviance, and social harms. Nonetheless, we still have the subject-knowledge, critical skills, and methodological tools that are still of great value in unpacking social, behavioural and organizational dynamics.

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From the very condensed overview of the study presented above, it should be clear to the reader that it was mostly grounded in socio-criminological literature, especially in that body of literature that in some countries would be defined as the sociology of deviance. Nonetheless, key insight came from disciplines such as health and social psychology, science communication, science and technology studies, and even moral philosophy. Other recent studies carried out as part of the same research agenda received great input from colleagues in web science. As stressed at the beginning of this contribution, the topic of health-related polluted information is not a traditional or mainstream criminological one. I have argued, however, that colleagues from the social sciences and specifically criminology should consider it within their 'academic jurisdiction', in light of the social harms it can allow-even if this means stretching, and looking beyond, some strict disciplinary boundaries.

In this process, however, there is a lot we can learn from colleagues from other disciplines, and that we can offer them: moving beyond disciplinary boundaries allows to look at research problems from different perspectives, and possibly to mitigate oversights and biases. Unfortunately, even when investigating complex, multifaceted social issues, most of us operate in disciplinary contexts that continue to be often limited by unhinged frames, embedded in education and research systems that mostly are based on, and often reward (in publications, or more generally in career advancement) strict disciplinary boundaries. Even if, especially in recent years, interdisciplinarity has become a buzzword in many research endeavours, and at least in some countries it has received increased attention, the potential of interdisciplinary research is not always recognized, or sustained. Collaboration, and when possible, integration of multiple disciplines, of course, is not an easy task, as they come with different epistemologies, traditions, and languages. But being more open towards these endeavours might be the best way for criminology to maintain its relevance when facing some of our contemporary challenges. Afterall, in the end, criminology has an intrinsic multidisciplinary history and great adaptive potential.

**Anita Lavorgna** is Associate Professor of Criminology at the Department of Sociology, Social Policy and Criminology of the University of Southampton (UK).

### $\rightarrow$ CALL FOR APPLICATION

### **Newsletter editor**

The ESC invites applications for the editor of Criminology in Europe, the Newsletter of the ESC, to begin in January 2023.

### THE DUTIES OF THE EDITOR INCLUDE:

- Manage timely publication of the three issues of the Newsletter each year
- Solicit articles, follow-up with authors, copyedit submissions
- Manage the publication process day-to-day, such as proofreading, article uploading, layout editing, and the printing process
- Manage the finances of the Newsletter, including contracting suppliers, and overseeing the timely delivery of services such as layout editing, printing and delivery
- Advance the Society's European mission and enhance the Newsletter's international reputation.
- Continue traditions of the Newsletter, such as thematic essays, presidential messages, and working group reports
- Maintain effective communication with the ESC executive board.

Participate in 4 Board meetings of the ESC Executive Board (the editor is an appointed board member for the duration of his or her tenure as editor). Two meetings are held during the annual meeting of the ESC. The other two meetings are held in May and November or December at different locations across Europe.

Editors serve a term of 5 years and receive a small annual stipend.

As the editorship includes copy-editing submissions from non-native speakers, proficiency in English is a requirement. Non-native English speakers are encouraged to apply provided they have the requisite English skills.

The Executive Board encourages applications from all European countries. The editor must be based in a European University or research institution.

Applications for the Editorship should be received at the ESC Secretariat by 1 March 2022. For further information about the Newsletter or the role of the Editor, interested parties should contact the executive secretary of the ESC (marcelo.aebi@unil.ch) or the current editor (Csaba Győry, editor@escnewsletter.org).

#### $\rightarrow$ TOPIC OF THE ISSUE

**Ernesto Savona** 

### COVID-19 and Organized Crime An opportunity for connecting reliable data with policies

It is almost impossible to say with the data available today whether the pandemic has opened space to new forms of organized crime and/or has accelerated existing trends. An answer could be relevant to focus on existing policies based on a more focused knowledge of organized crime groups structures and activities, either illicit or licit. Learning from past experiences we can hypothesize that the pandemic, as other critical events, could have an impact upon organized crime. That means that we could use this opportunity to strengthen the nexus between data and policies for combatting crime. It is more relevant for organized crime, that rarely appears in official data or victimization surveys.

If the area of organized crime is a desert of reliable data, the same area is populated by international and national policy instruments and by narratives and media. Goal 16 target 4 of the United Nations sustainable development agenda for 2030 is a good driver for reconciling data and policies. It says "by 2030, significantly reduce illicit financial and arms flows, strengthen the recovery and return of stolen assets and combat all forms of organized crime". Progresses come slowly. Proxy indicators of organized crime and its activities are emerging, but data are lacking and narratives on organized crime prevail on its analysis. In the end, policies for combatting organized crime and its main activities such as corruption, money laundering, human smuggling, and others, remain vague. This desert characterized by few good data and many policies has justified two distortions. The first is the confusion between outputs and outcomes that makes a law for combatting organized crime or corruption the goal and not the instrument. An immediate consequence is the second distortion, that for monitoring the dynamics of the phenomena addressed the best indicators are the number of micro-laws produced. The crowded legislative landscape of international conventions, regional directives and consequent hard laws pro-

duced moves across these two distortions. Conventions and Directives are framework for producing new laws, assuming that these laws work. Their monitoring activities count the laws and policies produced and not if these outputs have had an impact upon the phenomena addressed (outcome). In this scenario, where outputs become outcomes, narratives on organized crime flourish and international and national bureaucracies grow. When monitoring the impact of international instruments, the prevalent data available are the opinions/ perceptions of experts. This is not the aim of the Goal 16 target 4 and is not the right approach for combating organized crime and its activities. It is necessary to change the conceptual framework and directions intervening in parallel on developing indicators, collecting reliable data, developing legislative and operational policies for combatting organized crime. How?

Let me start from a conceptual framework necessary for explaining which data on organized crime we need for which policies. There could be hundreds of different answers but there are some basic variables we need to know with a limited number of modalities. These are: the organizational structure of the criminal groups, the socio-demographic characteristics of their members, their business model, the role of enablers or facilitators and the violence practiced. These, and other variables that could be added, need to be put in relation to the many policies for combatting organized crime that are needed. Do we want to disrupt the organization? Do we want to reduce their recruitment? Do we want to reduce the opportunities for illegal activities and reduce the pollution of legitimate markets by their operations in the legal economy? What do we need to know about deterrence? How to combine human rights with the severity of the sanctions? Many guestions come in the area of legislation. How to design effective laws without violating human rights? What about confiscation of the



proceeds from crime? And more about international cooperation. Mutual recognition measures in some cases work. The European arrest warrant seem to work against persons but when we try to freeze and confiscate their assets abroad, mutual recognition does not.

These and other questions need answers starting from reliable data to inform evidence-based policies. Do we have them in Europe? The mechanism for connecting data and policies exists but improvements are needed.

Let me start with the European framework that combines data and policies against organized crime. The main content of this framework is the European policy cycle starting every four years from the Europol SOCTA report that provides priorities for policy action. The SOCTA report has two versions: open and confidential. Its content derives from the answers coming from Member States. Questionnaire is not accessible to researchers in the open version. The last version I have seen in a draft format two months ago is very descriptive. Probably this is what European policy makers demand. Compared to the 2017 version, the 2021 SOCTA report is less analytical. Reading this report it will be difficult for policy makers to set priorities and develop focused action. As far as I know Europol has much better data on Organized Crime than data used in the SOCTA Report. They receive the input from all the Law Enforcement agencies of Member States, and they have in their office in Den Haag representatives of police agencies of many countries outside Europe. Theoretically, they have access to a wide set of police data sources that could be collected through harmonized templates, extremely useful for intelligence but also for researchers. I do not know if they do, but for sure these data are not available for research purposes and I doubt they inform policy choices. When we go from Europol to national police forces, data on organized crime and its activities are fragmented, differing from country to country, not following common and rational criteria for collection and analysis. Those researchers who work at national level requesting to National Police Forces data on organised crime never know whether the data do not exist, or the Police do not want to provide them. The problem of accessibility of police data to researchers is a relevant obstacle to research itself and consequently to policies. Once police data will be made accessible to researchers, the same Law Enforcement Agencies will receive a benefit for their intelligence activities. It is not a case that, in many competitive grants of the EU Commission, a recurrent priority is to contribute to build a "better intelligence picture".

There are some other data set that could be used for research on organized crime, such as judiciary and prison data. Their limit is that they register phenomena occurred years earlier thus making it impossible to analyse those trends and risks that would allow countries to change and anticipate policies and organizational remedies.

There are two good signals touching data and policies.

The former is that the problem of accessibility of police data to researchers is on the table of European policy makers, at least those who support research on security. The new program Horizon Europe in cluster n. 3 "security" will launch a call titled "Improved access to fighting crime and terrorism research data" (FCT01-4 2021). The philosophy of the call, that I have read in its draft format, is clear: accessibility will benefit either Leas or Researchers. Of course, on the condition that all the safeguards, such as privacy and human rights, are respected. GDPR helps in this direction allowing under specific conditions the exchange of data between leas and researchers.

The second good signal is that a recent plan of action on firearms trafficking<sup>1</sup>, a relevant area connected to EU policies against organized crime, has been well designed and structured pointing out priorities, key performance indicators and a realistic time frame. All ingredients that make this plan a good model for future action plans, where good data are needed to fill the content of key performance indicators.

Having said that it is possible to connect data on organized crime and related policies, let me focus on what could be a relevant output when data collection and analysis meet each other. I think we need to develop more and more risk analyses. The demand for this output comes from policy makers. A first example in organized crime policies is the money laundering risk requested by the Financial Action Task Force, and consequently for the European area, implemented by the fifth anti money laundering directive of the European Union. This is not the right place for commenting how countries

1 2020-2025 EU action plan on firearms trafficking, COM(2020) 608 final, Brussels, 24.7.2020



have responded to this request. For sure at international and national level the concept of risk and its calculation are becoming strategic for setting policy priorities and interventions, either at international or national level. More and more other international institutions, such as the Council of Europe, are moving toward the use of risk approach in their monitoring activities related to money laundering (Money Val) and corruption (Greco). They have realized, even though not fully implemented, that in order to have a good risk analysis, good indicators and reliable data objectively comparable are needed, thus reducing the shortcut of using experts' opinion only.

Moving toward a risk approach on organized crime and its activities means developing indicators of probability, vulnerability, and impact. Also looking for comparable data at macro, meso and micro level. To build this knowledge relevant investments are needed. International and regional Institutions such as UNODC, the Council of Europe, OECD and the European Union are moving on this track. Different communities, like policy makers, private businesses, intelligence and research, developed their dialog with some results. I hope that by 2030 we will be capable of implementing evidence-based policies in the area of organized crime, as we have done in other crime areas, where advantages in terms of effectiveness, protection of human rights, and efficiency have been more than disadvantages.

**Ernesto Savona** is Professor of Criminology at the Università Cattolica del Sacro Cuore, Milan, Italy

### $\rightarrow$ NOMINATIONS AND APPLICATIONS SOUGHT

### **Board Members and President:**

Don't forget: at-large members of the Executive Board and the President of the ESC are elected by the members of the ESC at the General Assembly, which always takes place at the Annual Conference. Be part of the process! Attend and vote in Málaga, and nominate others or apply yourself for the next election taking place at the 2023 Annual Conference in Málaga!

NOMINATIONS AND APPLICATION SHALL BE SENT TO THE EXECUTIVE SECRETARY BY NOT LATER THAN 31ST MARCH 2022.

→ WORKING GROUP REPORT

#### Eva Inzelt

### EUROC

Corruption risk, risk of corruption? Distinguishing criteria between petty and high-ranking corruption

The Corruption risk, risk of Corruption? Distinguishing criteria between petty and high-ranking corruption project workshop—on online platform—was held on 22-23 March.<sup>1</sup> The kick-off meeting analyzed the definition, forms, measuring, actors, and language of corruption. The workshop brought together experts from Portugal, Germany, Italy, the Netherlands, the United Kingdom and Poland to support and promote the successful implementation of the project with their expertise. The professional presentations showed the issues related to corruption, the unanswered questions, as well as the hopeful issues for the successful implementation of these projects. The lectures were followed by a long and vivid discourse.

The opening remarks were presented by Dr. György Virág, Deputy Director of the National Institute of Criminology, who briefly presented the most important pillars and goals of the project: "It is good to know where is the border between the legally defined and pursued corruption activities and the socially accepted ones. The question of the project is how the indicators of corruption in society and of corruption crimes that can be assessed in terms of criminal law relate to each other."

The first speaker of the day was Rita Faria, who is an assistant professor at the Institute of Criminology of the University of Porto.

In her presentation, Rita Faria provides the most important data on corruption in Portugal, the definition of corruption, the development of corruption in the country. She also provided an insight into Portuguese criminal law related to corrupt activities. We have learned that in Portugal, three out of five prime ministerial candidates speak openly about national corruption. Regarding corruption offenses in Portugal, she showed that the majority of perpetrators had full-time jobs and had no previous criminal record. 60% of the perpetrators are married. Following this topic, she talked about 'whistleblowers', in which we learned that in Portugal, the majority of corruption offenses are reported to the authorities in writing, but in almost 60% of the cases there is not enough evidence to go to court.

At the end of her presentation, Rita Faria presented that a national strategic plan to fight corruption (*National Strategy for Fighting Corruption*<sup>2</sup>) had been established in 2020. This plan aims to improve knowledge, training, and practices about transparency and integrity, and to prevent and detect corruptions risks in the public sector. Nevertheless, the effectiveness of legislation in corruption cases needs to be improved and it is crucial that they also cooperate in the fight against corruption on an international level.

Following the presentation, it has been said several times that measuring corruption is particularly difficult which is why they face a number of obstacles eg. in the United Kingdom where there is no centralized investigation institution, consequently there is no central criminal statistics on corruption crimes. Rita Faria explained that this is a type of crime that is difficult to prove. In response to another question, she briefly addressed



<sup>1</sup> This workshop was held in the frame of 'Corruption risk, risk of corruption? Distinguishing criteria between petty and high-ranking corruption' project (101014783–CRITCOR) funded by the European Union's HERCULE III programme. About CRITCOR see more on: https://critcor.okri.hu/

<sup>2</sup> Natasha Donn (2020): National strategy to combat corruption and 'save €18.2 billion a year' approved ahead of whistleblower trial: https://www.portugalresident.com/national-strategy-tocombat-corruption-and-save-e18-2-billion-a-year-approvedahead-of-whistleblower-trial/

The second speaker of the day was Michael Levi, Professor of criminology at the School of Social Sciences of Cardiff University. He specializes in criminological, socio-legal and economic dimensions of money laundering, fraud, organised crime, cybercrime, terror finance and their control. Professor Levi gave a lecture entitled The Use of Terms and Forms of Criminal Assessment: What we know about what works and what does not. According to him, the purpose of anti-corruption can be, among other things, to increase the legitimacy and credibility of the government, as well as prevention, crime reduction. It is important that there are levels of corruption, and as a result, different measures will have different effects depending on the factors that influence corruption. Professor Levi raised extremely interesting questions in his presentation examining the dimensions of corruption, organized crime and fraud: "Is there long-term serious corruption without 'real' organized crime?" or "Does corruption always need laundering?". The latter question, according to the Professor, always depends on income levels of offenders and savings from crime beyond the cost of living. Attention should be paid to financial investigations, and it would be important to focus on methods that help to deal with and prevent corruption. He also mentioned the importance of NGO and self-organized crime prevention partnerships on this issue.

The afternoon program of the workshop was opened by Deputy Head of Department of the Corruption and Organized Crime Depatrment at the Office of the Prosecution Service Dr. Balázs Garamvölgyi on the topic of measuring corruption. In his presentation, he addressed the definition of high-level/grand corruption and its problems, as there is no consensus-based, precise and clear definition of the phenomenon despite the fact that Transparency International provides a definition, but Dr. Balázs Garamvölgyi adding that this concept also raises further questions.

The last speaker of the first day was Nicholas Lord, Professor of Criminology at University of Manchester, whose research area is the financial and economic nature of white-collar and corporate crime, such as fraud, corruption, and bribery. Title of his lecture was *Corruption and Comparative Analysis across Europe: Developing New Research Traditions*,

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in which he outlined, among other things, what we know exactly about corruption in Europe and what we can learn from the traditions of European corruption research. He showed that there are two main approaches to conceptualizing corruption in Europe today: content approach and analytical approach. He also adds that corruption as a whole is an explicitly controversial concept. However, he also talked about the main research methods, between which there can be overlapped so they cannot be sharply separated from each other. He concluded that regard to the measurement of corruption, he explained that large-scale surveys lose their specificity and can give a kind of false general picture of the corruption situation. Nevertheless, there are promising directions and in connection with this, Professor Lord also asked the exciting question as how the diverse European region be used to create concepts and theory about corruption?

On the second day of the workshop, a series of engaging lectures continued with four speakers. The first speaker of the day was Dr. Michael Kilchling, a senior researcher at the Max Planck Institute for the Study of Crime, Security and Law, whose research interests include organized crime, money laundering and terrorist financing. Dr. Kilchling gave a lecture titled Winners and Losers. Perpetrators and Victims of Corruption. His presentation focused on the victimological aspects. According to the researcher, in many cases, the crime of corruption is seen as a "victimless" crime, but this is not a correct approach. In his view, much more attention should be paid to victims of corruption. Furthermore, he spoke in detail about the concept of victim, the victim typology and how one tends to associate attributes with both the perpetrator and the victim. Importantly, current corruption control systems essentially ignore the interests of victims.

The next presentation was given by Pawel Rutkowski, the Director of the Cabinet of the Head of the Central Anti-Corruption Bureau (CBA) in Poland, and Tomasz Drozdzinski, Senior Agent at the Cabinet of the Head of the CBA. Their topic was "Soft law as an instrument of effective corruption prevention and strengthening resistance of an organisation—how to formulate anti-corruption message for public administration". In their presentation, they introduced the CBA which basic goal is to uncover corruption and economic crimes, prevent irregularities, and support government institutions from potential damage. Special emphasis was placed on the importance of prevention, and a distinction was made between preventing and combating corruption. Nevertheless, participants were informed in detail that "soft law" can be an effective means of preventing corruption, as it is not legally binding but aims to influence individuals and institutions by shaping culture and social reality.

Finally, the series of March lectures ended with a presentation by Dr. Balázs Garamvölgyi. The topic of his presentation was the classification of corruption and anti-corruption strategies. In his presentation, he explained that different solutions and tools should be applied to different types of corruption. The prosecutor considers that it is important to distinguish between different types of corruption and hopes that CRITCOR project will help to answer the raised questions in his presentation. At the end of the day, Dr. Éva Inzelt, project coordinator, assistant professor at the Eotvos Lorand University, Faculty of Law, summarized the results of the pilot questionnaires which were previously sent to professionals. After her presentation there were a discussion about the form and the content of the questionnaire between the experts. By the end of the active and effective discussion, the final form of the questionnaire was crystallized, which, after the modification, will be suitable for sending to a wider range of theoretical and practical experts. The results of the questionnaire will assist the project participants to conduct further country-specific analyzes of the social concept of corruption and the legally defined and pursued corruption activities.

**Eva Inzelt** is Assistant Professor of Criminology at the ELTE University Faculty of Law, Budapest, Hungary

### ESC Awards

#### ESC EUROPEAN CRIMINOLOGY AWARD

The ESC European Criminology Award is given every year to a European criminologist with a significant lifetime contribution to European criminology. Nominations shall include (1) a letter of nomination explaining why the nominee's work warrants recognition, and (2) the nominee's curriculum vitae.

The nominees must not be current members of the ESC Board or have been members of such Board during the 3 years preceding the year of the award.

#### ESC YOUNG CRIMINOLOGIST AWARD

The ESC Young Criminologist Award is given every year for an outstanding article to a European criminologist who was 35-years-old or younger when the article was published. The nominee must be the sole author of an article on a criminological topic published in a peer-reviewed journal in a European language within the three calendar years preceding the year of the proposed award. If the article was published Early Access (for example, as online first), the three-year period begins the year of the online publication.

Nominations shall include (1) a letter of nomination explaining why the nominee's work warrants recognition, (2) the nominee's curriculum vitae, (3) a copy of the original article,(4) if the article is published in a language other than English, a translation of the article into English (unless all jury members speak or read another European language and the article is in that language), and (5) a description of the journal in which the article was published, including a description of its peer-review process.

#### ESC BOOK AWARD

This Award, which is given every year, recognises the author(s) of a book that represents an outstanding contribution to the further development of European criminology.

To be eligible for the Award, the monograph or book must have been published by an academic publisher within the three calendar years preceding the year of the proposed award. Anthologies and/or edited volumes will not be considered for this Award. Sole or multi-authored monographs or books may be nominated but only one Award will be given to be shared amongst all authors.

The nominees must not be current members of the ESC Board or have been members of such Board during the 3 years preceding the year of the award. Nominations shall include (1) A letter of nomination explaining why the book warrants recognition (2) The nominee's curriculum vitae (3)Three hard copies of the book (to be sent to the Executive Secretariat).

### DISTINGUISHED SERVICES TO THE ESC AWARD

The Distinguished Services Award recognises outstanding service contributions to the effective functioning of the European Society of Criminology. The nominees must not be current members of the ESC Board or have been members of such Board during the 3 years preceding the year of the award. Nominations shall include (1) A letter of nomination explaining why the nominee's work warrants recognition, and (2) the nominee's curriculum vitae. The Distinguished Service Award is given in even years. The nomination is thus open in 2022. For all of the above, the terms 'criminologist' ('persons actually engaged in research, teaching and/or practice in the field of criminology') and 'criminological' relate to criminology as defined in Section 1 of the ESC Constitution ('The term criminology, as used in this Constitution, refers to all scholarly, scientific and professional knowledge concerning the explanation, prevention, control and treatment of crime and delinquency, offenders and victims, including the measurement and detection of crime, legislation and the practice of criminal law, and law enforcement, judicial, and correctional systems').

### ALL NOMINATIONS SHALL BE SENT TO THE EXECUTIVE SECRETARY BY NO LATER THAN THE 31 MARCH 2022.

### Please note: not all awards are given every year. The call above only lists those in which the nominations are open. For details, please visit the website of the ESC.

