

Summary

By order of the ministries of Economic Affairs and Transport and Public Works, Beke Consultancy and Research Group has carried out a study into the characteristics and backgrounds of organised theft in the road transport sector.

Definition of the problem

Central to this research is the theft of commercial vehicles and their loads. Both lorries and distribution vehicles are concerned.

The question was defined as follows: 'What is characteristic (as to volume, nature and background) for crime in the Dutch road transport sector and how, based on an analysis, can a preventative and repressive approach to this problem be prioritised and realised?'

Research questions and activities

A number of research questions were deduced from this general problem definition. The *first* research question relates to the nature and volume of the organised theft of vehicles and/or their loads. This also concerns specific characteristics of the commercial vehicles and loads. Besides this, the extent of the problem and the developments of this were considered. The *second* research question is aimed at the times at and places in which the various forms of road transport sector theft mainly take place. This also includes the backgrounds of these hot times and hot spots. The modus operandi and background characteristics of the perpetrators and groups of perpetrators are central to the *third* research question. We studied the preparation, execution and processing of thefts, as well as the proceeds for the persons engaged in this form of crime. Additionally, the perpetrators' antecedents were studied, as well as the ways in which they cooperate and the extent to which this can be viewed as organised crime. In the *fourth* research question the consequences of the activities of perpetrators and perpetrator groups were investigated; besides immediate damage, possible side effects were studied. The *fifth* and last question concerns the leads this research offers for the approach. Besides covenant agreements various other possibilities to achieve a better approach have been considered.

To answer these sub questions various research activities were undertaken: a literature search, a sector orientation, an analysis of twelve criminal investigations, interviews with experts, the organisation of expert meetings and consultation of judicial records.

Facts

Based on the literature search we constructed a statistical survey of the theft of lorries, distribution vehicles and loads. As to the means of transport this survey is reasonably complete; however, the figures about the theft of loads are less so. It is recommended that those statistical data are improved in the future, therefore.

In recent years, there has been no more than a slight increase in the number of stolen commercial vehicles. There was a clear peak in 2002; on the other hand, the number of commercial vehicles that were retrieved increased considerably. The load theft statistics show a decrease, though various limitations prevent us from drawing a conclusion from this. However, it is clear that the number of vehicles without a load that are being stolen is higher than the experts say they suspect based on their knowledge. Clearly, means of transport are not just stolen for the loads they carry.

If we look at the characteristics of the various means of transport, old commercial vehicles turn out to be more popular than new ones, the most likely reason being that the older vehicles are less often equipped with start interrupters and GPS systems. In addition to this certain brands and specifically cooling trailers turn out to be popular since relatively speaking, fewest of these are being retrieved. Foreign means of transport are not more popular targets than Dutch ones. As to the goods, easy-to-sell consumer goods and metals turn out to be the most popular objects of theft.

The crime scenes differ for lorries and distribution vehicles. Distribution vehicles are stolen in the larger cities, lorries in the area of Rotterdam and the area around Roermond and Venlo. Most means of transport are also retrieved from these hot spots. Most thefts takes place on abandoned industrial estates. If we look at the times of theft it turns out that most vehicles are stolen in the night and during the weekend. The months of October and November are the most risky.

Both nationally and internationally, it is more fitting to speak of regional hot spots than of problem countries. Both for means of transport and for loads, internationally comparable figures are not really available. It does turn out that relatively speaking, the problem in the Netherlands is not as extensive as the statements of some people might lead one to believe. After all, there are various countries in which there are more thefts, also in a relative sense. The direct and indirect damage is likely to be great, however: somewhere between 100 and 500 million euros.

Modus operandi in criminal investigations

Based on an analysis of the twelve criminal investigations we have given a description of the perpetrators' methods of operation. The investigations merely give a representative image of part of the organised theft the road transport sector has to deal with. Hardly anything is found in these criminal investigations about organised crime along the motorways, for example, which does not mean that there are no problems in that respect: the crime analysis simply does not warrant any conclusions about them. The police do not have a lot of knowledge about the very professionally executed thefts of extremely valuable loads either. In addition to this, based on the criminal investigations only little insight was gained in the theft of (loads from) distribution vehicles. In spite of this there are sufficient indications that road transport is an easy target for criminals, who look for the weakest link.

In the criminal investigations we have analysed most thefts took place on abandoned industrial estates, where the targets, also depending on the loads found, were chosen more or less randomly. So many goods are being transported that there is always something to be found. In large-scale lorry theft there is far less involvement of actual employees than in warehouse theft, which requires much more foreknowledge. Perpetrators will avoid using violence to prevent drawing the attention of the police, as a result of which there has not been a lot of violence against drivers as yet in the Netherlands.

Theft in which the vehicle is itself the really intended catch occurs more often than the experts expect, one of the reasons being that vehicles are also stolen to facilitate other criminal activities. Only two criminal investigations showed commercial vehicles whose VINs had been switched. Stripped commercial vehicles were not found at all. If the aim was to steal a load often the choice was for tarpaulin trailers, since they are so easy to look inside. If an interesting load is found, often the entire lorry or a separate trailer is stolen, possibly to be hauled by a lorry of one's own or stolen elsewhere. The existing security measures barely form a threat to experienced criminals.

In cases where vehicles are stolen for their loads the criminal investigations show that these are almost always dumped as quickly as possible, in the vicinity of the warehouse, because there is no space to store them and the lorries are easily recognisable. In case of metal theft they can be sold to a metal purchaser right away, which makes metals a popular catch. In most other cases perpetrators aim for easy-to-sell consumer goods, which may be stored temporarily to find a buyer for them, sometimes one or a few regular receivers.

A short time after the perpetrators have acquired the goods they reach the market, sometimes through the hands of many receivers, and all sorts of stolen goods also end

up at (annual) fairs. Receivers usually only get 10% of the value of their stolen goods; the proceeds are usually not divided evenly between the various team members.

Perpetrators and their backgrounds in the criminal investigations

Based on ten out of the twelve criminal investigations (i.e., the ones that gave an insight into the perpetrators) and background data from judicial records we can give an outline of the background of the perpetrators and perpetrator groups involved in large-scale (load) theft in the road transport sector. Large-scale theft of high-quality loads and professionally organised break-ins in warehouses were hardly ever seen in these cases, nor were thefts of distribution vehicles and separate part loads. These thefts were more often thefts of opportunity and the work of smaller criminal perpetrator groups. Therefore, this study is mainly about a frequently occurring but not necessarily the most professional form of organised theft in the road transport sector.

Perpetrators often operate regionally and in small groups with a fixed core of three to five people, sometimes supported by varying helpers. They usually want to steal a load, make little use of foreknowledge and have little contact with other perpetrator groups. The groups that aim to get loads are nationally oriented and also sell their goods in the same area. This does not apply to the means of transport that are stolen for the vehicles themselves or for their parts. Perpetrator groups that are interested in this are the only ones in which any major foreign involvement may be found. If we consider the individual perpetrators they are always males and usually of Dutch descent. Almost all perpetrator groups use the services of a person experienced in the transport sector (usually as a driver). Suspects have a multitude of criminal backgrounds ranging from theft and receiving stolen goods to violence and traffic offences. Convictions for participation in a criminal organisation were found in 15% of the suspects. The fact that over 70% of the suspects were at one time sentenced to a maximum of 6 months' imprisonment shows that these are reasonably experienced criminals.

Receivers are generally separate from the groups of thieves. The police find it hard to get a clear image of them, too. Stolen goods are usually pushed onto the market quickly, rarely to be retrieved. Receivers often stay out of the line of fire and are generally quite well organised. The police do not get a clear view of the persons that commission these offences, either: it is usually unclear whether the perpetrator groups themselves, the receiver, or others are in charge.

The extent of organisation

The offer of interesting goods is extensive and not a lot of foreknowledge is required. Since the load is generally the focus and the means of transport is usually dumped again as soon as possible, few specialist skills are required to perpetrate large-scale theft. Who ever chooses to steal a tarpaulin trailer and/or older lorry without GPS and is able to steal a vehicle within a short period of time and to remove it unseen has all the knowledge that is required. After all, VIN switching and stripping of vehicles was only seen in two cases (that would have required more or less 'specialised staff'). In five of the criminal investigations thefts were committed by relatively less professionally organised groups of thieves, connected by family ties and/or ties within caravan dwellers' groups. They hardly ever use complicated cover-up methods.

In three of the cases in which some insight into the perpetrators was obtained there was a relatively great degree of hierarchy, the leaders not actually going on the job with the others. They do keep in touch about loads that may be interesting. There is a demand for certain goods, rendering others of far less value to this group of perpetrators. In spite of the fact that there is barely a criminal organisation to speak of, and mafia-type control seems superfluous, two perpetrator groups did show clearly separate operating groups. These groups also use extensive methods to cover up their activities both internally and externally. In our view, these cases would warrant the term 'criminal organisations'. The choice to convict for participation in a criminal organisation seems to depend more on the public prosecutor in charge of a specific case than on the degree of organisation, however. Some believe that the added value of such a conviction (a maximum of an additional year's imprisonment) does not offset the additional investment of time required for this.

The approach

The covenant agreements purport to push back road transport sector crime and to prioritise preventative measures. They have a preventative nature mainly for the partners to the covenant. Based on this study and considerations of concrete feasibility of measures the following prioritisation has been chosen:¹²⁴

- training, crime prevention and information;
- a crime report checklist;
- a procedure for the recruitment and selection of staff;
- promotion and stimulation of tracking & tracing;
- more safe parking spaces;
- a platform for location-restricted service based on Cell Broadcast;
- crime reduction from the chain approach;
- a transport & logistics quality mark.

124. This list has been compiled in decreasing order of importance.

Beside the covenant agreements this study has yielded a number of measures that may contribute to reducing road transport crime. With the exception of technical adjustments these measures have a repressive nature and supplement the more preventative covenant agreements:

- using technical aids such as tagging and information systems;
- optimising internal cooperation of the police;
- intensifying the tasks of the Incident Report Desk of the Public Prosecution Service;
- promoting cooperation between investigation services and external parties;
- improving investigations;
- streamlining information systems and methods;
- emphasising civil claims after theft.

The essence of the non-covenant related measures lies in improving the investigative facilities. This does not just present parts to be played by institutions involved in criminal investigation, such as the ministry of justice and the police: the wider scope of future legislation and improvement of investigative facilities will enable both public and private partners that have a stake in less theft-sensitive road transport to cooperate extensively. Besides chain partners these stakeholders may include expert agencies, shippers and municipalities, for example.