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**Comments to the results of countermeasures
against check forgery**

Abstract: Where the traditional policy failed, these countermeasures achieved success. The control exercised by the judicial system was supplemented by an inexpensive and effective situational control. The result was that these greatly increasing crimes quickly fell to a low level.

Key words: cheque forgeries; judicial response; crimes in the banking sector; banks; costs.

There would appear to be no doubt that the countermeasures adopted - the abolishment of the bank guarantee and the introduction of proof of identity - were effective.

The traditional measures adopted by society, namely judicial reactions against persons convicted of cheque forgeries, were not successful in combating this crime despite the relatively high clearance rate.

This was never less than 50 %, which may be compared with household burglaries, for which the clearance rate in Stockholm always was 6-8 % [2]. Where the traditional policy failed, these countermeasures achieved success. The control exercised by the judicial system was supplemented by an inexpensive and effective situational control. The result was that these greatly increasing crimes quickly fell to a low level.

It is important to remember that the measures were taken on the macro level and not, as is customary, on the individual level. They entailed that all users of cheques were affected in order to get to grips with the havoc created by a relatively small group of people. The use of cheques in general diminished and greater care and attention were paid to the cheque market.

It should be remembered that the offenders were highly active criminals, including a large number of drug addicts. They were more or less continuously subjected to measures of various kinds in the interest of justice. Through their high crime level they had placed themselves in a situation of "legal immunity". The detection of new crimes involved no major change for them, although the sanction for such crimes is fairly severe.

In recent years a similar type of fraud has arisen. Account and credit card frauds have started to grow up in their wake. There are many parallels with the cheque forgeries both as regards the manner of committing the crime and the characteristics of the criminals [3]. The police have initiated discussions with the account and credit card enterprises in order to decide on measures for suppressing this new criminality. The object is that the police wish as far as possible to avoid contact with account and credit card swindlers, i.e. to be spared the trouble of ineffective micro measures of the traditional kind. It remains to see whether regulative action of the type studied can be brought about.

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The problem with macro measures, judging from this study, is to be able to implement them and to anchor such restrictions in the population and in the interest groups concerned.

The banks' reason for opposing a better controlled use of cheques was, above all, a financial one. They were prepared to accept the losses arising through cheque forgeries. The cheque system manifestly brought them so much business that this cost was negligible. The fact that the police were overburdened with crime investigations and that the judicial apparatus had extra work imposed upon it through prosecutions of cheque forgers did not worry the banks. The costs for the defects in the cheque system did not fall to their lot but to the public sector, i.e. in the ultimate resort the individual taxpayer. As long as they could, they opposed the police proposals for countermeasures. Only when faced with the threat of legislation did they give up.

The findings from this study do not confirm certain notions in the criminological literature.

According to one notion, which might be called "the lacquey perspective", the police should not have acted in that way: their course should be to avoid conflicts with the privileged and the powerful, to act, rather, as their servants and to direct their action against the weak in the society [1]. In this case, however, the police entered into conflict with one of the most powerful institutions in the society and induced it to alter its practice. The hope of the police was that they would then be spared all too many contacts with the less powerful cheque forgers.

Nor does the course of events accord with a thesis that can be derived from this school of thought - the thesis of the "objective interests". This thesis is that social, established institutions have an interest in maintaining certain types of crime in order to legitimate their existence and/or to make financial gains. It has been thought that the police actually wish for a continuance of such "underdog" crimes in order that they may acquire greater resources and power. This was manifestly not the case in this instance. The true explanation was, rather, that no one wanted to pay the cost of the criminality.

As regards the cost of crime, a point of principle may be considered. Much of the criminality in the modern industrial society may be seen as the result of a growing opportunity structure. A manifest example is thefts from shops. Those who have the command over the structures (chiefly the corporations) naturally prefer, from their narrow economic perspective, that the control of crime should be a matter for the state.

But this control is very expensive and, usually, not particularly effective. Both from a moral point of view and from the taxpayer's - it is he who pays for the formal control - it must be more reasonable to demand that those who command the opportunity structure should shape it so as to prevent crime, e.g. by adopting different kinds of macro measures.

One of the chief arguments in this struggle to avoid paying the costs of crime is - and will continue to be - the thesis of crime-switch effects. The banks, in particular, appeared to be adherents of this thesis. They advanced with great intentness the argument that the cheque forgers would be "forced" to commit other crimes, e.g. bank robberies, if the possibilities of cheque forgery were blocked.

The result shows that the thesis does not hold, at all events for the example with the cheque forgeries. We could not discover that the forgers switched to other, more serious crimes, at all events not robbery. Those with the heaviest record of crime appear, instead, to have diminished their criminal activity. But we do not wish to assert, naturally, that crime switch can never occur in other sectors.

References

1. Chambliss W and Seidman R. Law Order and Power. Mass.: Addison – Wessley.
2. Knutsson J. Polisen och bostadsinbrott. Nordisk tidskrift for Kriminalvidenskab. Hafte 2, p. 130-155
3. Knutsson J. Konto-och kreditkortslandet. Nimeograph. Stockholms universitet.
4. Knutsson J., Kuhlhorn E. Nar checkbedrangerierna forsvann. Brottsforebyggande radet. Rapport: 4.
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Комментарии к результатам контрмер против подделки чеков

Аннотация: Там, где традиционная политика терпела неудачу, эти контрмеры достигли успеха. Контроль, осуществляемый судебной системой, был дополнен недорогим и эффективным ситуационным контролем. В результате резко возросшее количество преступлений быстро упало до низкого уровня.

Ключевые слова: подделка чеков; судебное реагирование; преступления в банковской сфере; банки; издержки.

Библиография

1. Chambliss W and Seidman R. Law Order and Power. Mass.: Addison – Wessley.
2. Knutsson J. Polisen och bostadsinbrott. Nordisk tidskrift for Kriminalvidenskab. Hafte 2, p. 130-155
3. Knutsson J. Konto-och kreditkortslandet. Nimeograph. Stockholms universitet.
4. Knutsson J., Kuhlhorn E. Nar checkbedrangerierna forsvann. Brottsforebyggande radet. Rapport: 4.
Первоисточник – Предупреждение преступности. Отдел исследований и разработок. Стокгольм, Швеция.