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Hidden victims, hidden costs – how popular culture can subvert the «victimless» reputation of economic crime

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I. Introduction

This paper discusses the importance of focusing on victims in preventive approaches in the context of the fight against economic crime. It briefly surveys the tendency of attempting to explain the seriousness of the phenomenon through numbers, statistics, and estimations and suggests that a greater interest in the victims and the consequences they suffer could go at great length in providing a more comprehensive understanding of the issue by the general public. Popular culture products such as movies, TV shows and novels are valuable sources of poignant representations of economic crime (including cybercrime) victims; as such, they can subvert the perception that economic crime is «victimless» and foster a better understanding of the real-life impact it can have. Watching economic crime unfold on a screen or reading about it in the pages of a book can educate people about the fact that accusing victims of having been naive – when in fact they have been targeted by expert criminals – is often ungenerous. Prevention approaches, which include media coverage about economic crime and cybercrime, could also benefit from taking inspiration from popular culture and focus more consistently on victims. Without an evaluation of the harms and costs of economic crime from the point of view of those who suffer because of it, it is impossible to grasp the big picture and to decide what we, as a society, should do about it.

II. A victimless crime?

On June 17th, 2019, Swiss national police forces in collaboration with PSC (*Prévention Suisse de la Criminalité*) launched a nation-wide campaign aimed at informing the population about the dangers of economic crime lurking on the internet¹. One of the main objectives of the campaign consisted in gener-

1 See for example www.fr.ch/pol/police-et-securite/criminalite-ordre-public-et-circulation/les-polices-suissees-et-la-prevention-suisse-de-la-criminalite-sassocient-pour-la-cyberprevention (11.8.2020).

ating awareness about romance scams; this followed a raising interest in the phenomenon by media outlets, which had recently increased their coverage of the subject. This coverage, although about a crime ostensibly characterised by an emotional component, has not escaped one of the most striking tendencies of news reports about economic crime and cybercrime in general: putting numbers first. While there is nothing inherently wrong with estimating the financial damage generated by such activities, the result is that the full extent of the suffering caused to the victims is seldom put under the spotlight. This contributes to further establishing the perception that economic crime is essentially «victimless», in the sense that its negative outcomes can be measured principally in financial terms; in other words, nobody gets injured or hurt.

Nothing, of course, could be further from the truth. This is common knowledge within research and law enforcement circles, but the fact that important agencies such as the FBI feel the need to stress the point in their communications to the public indicates that the misconception is alive and well: «These are not victimless crimes. A single scam can destroy a company, devastate families by wiping out their life savings, or cost investors billions of dollars (or even all three). Today's fraud schemes are more sophisticated than ever, and the FBI is dedicated to using its skills to track down the culprits and stop scams before they start»². A recent study by a Swiss institute focusing on economic abuse and crimes aimed at the elderly population, for example, has highlighted that many of the interviewed who have been targeted or have been victims of economic crime have experienced negative consequences that go beyond a simple economic loss – which in many cases was minimal or inexistent. Participants to the study reported feelings of anxiety, loss of self-esteem, and in general felt that their quality of life had been lower since the event³.

Cybercrime, which is widely considered as a subcategory of economic crime, is also often wrongly perceived as victimless, in particular when it targets companies instead of individuals; yet an attack aimed at a company can have dire consequences, i.e. for one or more employees (for example those who have fallen victim to the social engineering that has made the attack successful) or for the company in its entirety. Cybercrime acts, moreover, do not exist in a vacuum, and can trigger a cascade of consequences: uses the telling example of the theft and release to the public of a batch of email addresses, which can then lead to phishing attacks and loss of access to data⁴.

Focusing on financial impact only also leaves in the background the consequences that economic crime can have on an individual's personal life, career,

2 www.fbi.gov/investigate/white-collar-crime (11.8.2020).

3 BEAUDET-LABRECQUE/BRUNONI/AUGSBURGER-BUCHELI.

4 WHITE, 272.

family situation, etc. In order to present a truer picture of economic crime's impact on society and to better raise the public's awareness, it would be appropriate to «zoom in» on the victim and show a full picture of the aftermath of the crime. As Martinez argues there are «a number of factors to consider ...: the total cost of the damages and ripple effects that will reach others, how likely the victims are to recover from the crime, and how likely the victims are to get justice for being wronged»⁵.

While journalism sometimes achieves this result, an often forgotten place where we can find effective and memorable portrayals of white collar crime victims is popular culture: indeed, movies, TV shows and novels offer a perfect example of how putting the victim into the foreground can fundamentally change our perception of a certain crime, of its perpetrator(s), and even of the type of punishment that the latter deserves.

III. The hidden victim

The «victimless crime» misconception is reinforced by the fact that those who suffer the consequences of economic crime and cybercrime are often without a face. The public may read of a «victim» who has lost a certain amount of money but learns little about his/her situation and feelings. The perpetrators of the crime, too, often know nothing about the person they are defrauding or stealing from. The example of romance scams, which standard *modus operandi* involves random messages sent to countless potential victims from cybercafes, is telling: for the criminal, the victim remains «hidden» behind a screen name, an e-mail address or a social media profile. This is even more evident in other types of cyberattacks, which tend to be executed through automation.

Movies and books' ample narrative space allow for a rich characterisation of both victims and perpetrators. There are many examples of fictional work that manage, through such portrayals, to call into question and challenge the victimless reputation of economic crime. One of the better examples is *Boiler Room* (written and directed by Ben Younger), a 2000 film that covers a similar subject as the more recent and equally valuable *The Wolf of Wall Street* (Directed by Martin Scorsese, 2013): stockbroker fraud. The film shows how victims of such crimes can remain hidden in two ways: they are far removed both from the perpetrator and from the general public, who thinks of the crime as something susceptible to generate a purely financial damage.

Boiler Room tells the story of Seth Davis, a college dropout that, after having walked the fine line between legal and illegal by operating an unlicensed casino

5 MARTINEZ, 4.

in his living room, gets recruited by a brokerage firm. The firm, Seth eventually discovers, makes its money thanks to a «pump and dump» scheme⁶. Yet Seth doesn't quit, comforted by the fact that if anyone is doing something illegal, or immoral, it is the firm's boss: he himself is «just selling stock». The victims of the scam, moreover, are just voices on the phone, and Seth sees no reason to worry about the consequences the money losses have on their life. This is the stock market, after all, a game of winners and losers.

IV. The victim revealed

Seth would have gone on forever if it hadn't been for a man called Harry Raynard. It begins like every other day at the office: Seth cold calls Harry and manages to sell him some stock. But something is different this time, not so much for Seth but for the audience: Harry appears on the screen while he is on the phone. From that point on, the movie follows his story, too: he discusses the investment with his wife, who is mistrustful of the mysterious broker who called Harry out of the blue. Harry takes the deal nonetheless.

Soon, he finds out that the stocks he bought have gone down. After many unsuccessful attempts to reach Seth, the broker finally returns the call. Seth manages to persuade Harry not to sell, and he also pushes him to buy more stock. When Harry tells his wife, a furious argument breaks out, because Harry has invested the savings they had put aside to place a down payment on a new house. The couple's two children witness the fight.

The stock, of course, keeps plummeting, and a distraught Harry calls Seth telling he wants his money back. Seth says it's not possible and hangs up. When Harry's wife learns the news, she takes the children and leaves: along with the money, Harry has lost his family. Seth, who in the meantime has had some personal epiphanies of his own, begins to experience feelings of guilt. But as much as witnessing Harry's downfall is important for Seth, it is even more important for the audience: the next time that, in the movie, Seth's colleagues are ringing people up from firm's phones, the audience knows that at the other end of the lines there could be another ten, hundred Harrys. The extent of the damage inflicted by the scam becomes vivid, tangible.

6 «A scheme that attempts to boost the price of a stock through recommendations based on false, misleading or greatly exaggerated statements. The perpetrators of this scheme already have an established position in the company's stock and sell their positions after the hype has led to a higher share price.» www.investopedia.com/terms/p/pumpanddump.asp (3.7.2020).

V. The deserving victim

The portrayal of Harry is also important because it subverts the impression that victims of such scams are largely responsible for their misfortune. Harry comes off as naive, but not as a complete dupe – it is obvious that Seth's cunning and trickery play a big role. Sometimes, however, the perception that the victims are deserving of their misfortune doesn't come from the public: the victims themselves feel this way.

Participants to the study on elder financial abuse cited above explained that they have felt responsible for having allowed themselves to be conned or tricked – which is also one of the reasons why victims are often reluctant to tell family members about the situation or to report the crime to the police. Victims of cybercrime are also often accused of having been naive (the case of romance scams is a typical example) or culpable of lacking technical knowledge about computer security. By showing criminals in action and highlighting their expertise and «professionalism» in the way they execute their (sometimes sophisticated) misdeeds, popular culture can help raise awareness about the fact that the perceived naivety of the victim is often a secondary factor in the dynamic that leads to the success of the crime.

Sometimes there are other elements that must be taken into account, such as the personal situation of the victim at the moment of the attack; French novel *Seules les bêtes*, by Colin Niel⁷, centres around a romance scam which consequences have spun out of control, and manages, through a compassionate portrayal of the victim, to illustrate the internal mechanisms that can lead a person to a situation where they become vulnerable and «easy targets» for the criminals. The reader gets to know the victim so well that his behaviour when falling for the trick becomes understandable; instead of seeing the victim as a dupe, the reader feels empathy for him.

VI. Conclusion

In today's society, many people consider popular culture to be a valuable source of information. Its representations influence their worldview and contribute to constructing their baggage of knowledge. Salzmann argues that «when personal experience does not provide enough context for understanding, the natural place to turn is the popular culture representations we witness on a daily basis»⁸. Asimov and Mader agree that «whether the viewers are passive or active in their consumption of pop culture, they are using pop culture materials to construct their personal views of reality»⁹.

7 NIEL.

8 SALZMANN, 129.

9 ASIMOW/MADER, 8.

As I have already highlighted in a previous article focusing on the relationship between economic crime and popular culture¹⁰, investigating how the latter communicates vivid and impactful ideas about such crimes can lead to successfully integrating (or taking inspiration from) these techniques in preventive strategies. Movies and books about economic crime teach us an important lesson about the value of shining a light on the victim, and prevention and awareness efforts could greatly benefit from such a shift of focus; numbers and statistics are certainly effective tools and have an inherent scientific value, but the emotional impact of witnessing the devastating effect economic crime can have on its victims represents a unique and memorable experience – one that preventive approaches and news reports could begin to integrate on a larger scale.

10 BRUNONI, 68-80.