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# Illegal activity in the UK halal (sheep) supply chain: Towards greater understanding



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## ABSTRACT

Food supply chain theory and practice assumes that the processes involved are legal and *value adding*. In this paper, using examples from the UK halal (sheep) meat supply chain, we outline a *value extracting* value chain through a mixed methods qualitative approach consisting of face-to-face-interviews and a documentary research strategy underpinned by *Narrative Inquiry*. Building on previous theoretical work on Illegal Rural Enterprise, we present a narrative of an individual rogue-farmer, and explore his involvement in the illegal halal ('smokies') trade over a fifteen-year period. The paper provides a compelling story that will enable investigators to better understand illegal enterprise from a supply chain perspective and more adequately address the concerns stated in the UK Fraud Act 2006. The paper will be useful to food standards agencies in that furthers our understanding of entrepreneurial practice and morality in the food industry. The results demonstrate that illegal rural enterprise is a multi-faceted concept that requires an understanding of business practices and processes alongside a multi-agency approach to enterprise orientated crime. Our approach suggests that supply chains can be 'flipped' in order to understand illegal processes in addition to conventional legal processes.

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## 1. Introduction

Despite the increasing number of articles in this journal relating to food fraud (Rouvière, 2012; Manning and Soon, 2016; Manning et al., 2016) the subject of crime, in particular food crime and food fraud seldom feature in the wider academic literature on farming or food policy. This is a surprising omission. Media reports and evidence from official reports suggest that there has been an increase in food related criminal activity since the financial recession of 2007–08 – including sheep theft, trading in illegal halal meat, and the adulteration or mislabelling of food products.

The aim of this paper is to demonstrate that supply chain theory and value chain analysis can be used to illustrate the illegal activities of entrepreneurs and businesses alongside the legal. When we refer to fraud we use the definition from the provisions stated in UK Fraud Act (2006, c.35, 2.):

- (1) A person is in breach of this section if he—
- dishonestly makes a false representation, and
  - intends, by making the representation—

- to make a gain for himself or another, or
- to cause loss to another or to expose another to a risk of loss.

- (2) A representation is false if—
- it is untrue or misleading, and
  - the person making it knows that it is, or might be, untrue or misleading.

In the UK, all animals must be stunned before slaughter unless they are destined for the halal (or kosher) market. In such cases, there are provisions in place that permit animal slaughter without prior stunning to protect the rights of minorities and enable religious freedoms (Lever and Miele, 2012). Defined in this way, religious slaughter must take place at a Food Standards Agency (FSA) approved slaughterhouse; be conducted by someone with a certificate of competence (CoC); in a way that follows Jewish or Islamic religious practice; and the meat produced must be for consumption by Jews or Muslims (DEFRA, 2015).

In this paper we show that the halal industry, in particular the halal sheep trade is as open to exploitation by criminal gangs and illegal rural enterprise (IRE) as any other industry. Given the centrality of 'halal' to Muslim identity and Islamic culture in the UK (Lever and Miele, 2012) we appreciate that this may be a

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contentious position to take. However, the majority of those we report on in this paper are white male UK citizens who cynically exploit the halal trade for financial gain. Although these individuals sell meat as halal, they do not operate in accordance with religious principles. Moreover, operationally, they are organized as a criminal gang. We also recognise that the case does not fit all offenders, nor the small-scale violations of halal slaughter laws committed by those of faith who act in principle to supply food that complies with religious beliefs (Pointing et al., 2008). We also understand that in many instances EU Laws can be seen to have criminalized pre-existing industry practices.<sup>1</sup> In this case, however, we are dealing with an organized criminal gang (OCG) who knowingly break the law and violate halal slaughter rules and practice.

Our embedded case study focuses on the activities of a criminal farmer named Julian Jones, who has been described in the UK press as “Britain’s Worst Farmer” (Scott and Lawson, undated). Originally from Wales, Jones has an extensive network of illegal contacts throughout the UK. Our choice of Jones and this OCG is based on the fact that we were already aware of his activities and that they illustrate the points we seek to make in this paper. The authorities know of Jones and he has a prolific arrest record, but we have not had contact with him and we use thus documentary research techniques to make our case.<sup>2</sup> Our research question in this paper is straightforward: *how can value chains be utilised to include illegal processes and develop a more nuanced understanding of illegal enterprise?* We answer this question by examining the activities of sheep theft and illegal slaughter by organized criminal gangs in the illegal halal or ‘smokies’ industry (Smith, 2004).<sup>3</sup>

There are several relevant academic studies of farm-crime in the UK, as summarised in McElwee and Smith’s (2013) discussion of Illegal Rural Enterprise, rural crime and farm crime, which covers a wide range of issues, including food supply chain violations. An interesting underlying facet of our story is the closure of rural police stations, as this may be a contributory factor in the reported rise of rural crime and food-fraud in recent years (Smith and Somerville, 2013). Overall we believe that the synthesis of the literature contained in this paper makes a contribution to the criminology, food fraud and food policy literature, as well as providing an interesting example of management theory in an alternative, non-traditional business setting.

The paper proceeds in the following way. We first present an account of the food fraud literature in relation to supply chain theory. We then present a brief summary of recent developments in the halal meat market in Europe and the UK. Next we provide an alternative lens through which to view supply chains by outlining a theoretical model of the sheep industry from producer to consumer, what might be termed from ‘farm to fork’ (Dani, 2015). We then offer an alternative explanation of an unofficial but nevertheless ‘real’ illegal supply chain. The methodological approach and subsequent data analysis is presented in section four. We conclude by discussing the implications of how the understanding of alternative supply chains we put forward can enable those charged with crime prevention to restrict offenders in this and other areas.

## 2. A literature review of the food fraud in relation to supply chain theory

We begin this review with a discussion of farm crime to set the scene before moving on to consider food fraud related to farm

crime. Of particular interest are the farmer as entrepreneur and/or criminal, insider criminality and criminal entrepreneurship in the farming industry. We then discuss the UK Halal markets (both legal and illegal) before concluding with a discussion on supply chain issues in the industry.

### 2.1. Farm crime

In the literature on farm-crime there are two identifiable groups of suspects in farm theft. The most documented group are the urban-marauders (Smith, 2010) or urban-based thieves who travel to rural areas for the sole purpose of theft, because: (1) many rural police stations have closed and police activity is often non-existent, and; (2) the level of security on farms is low. The specific OCGs highlighted in this paper relate to the close-knit nature of the farming community in a number of ways, including the propensity for insider groups (such as farmers) to blame outsiders (urban thieves) for crime and the fear of crime. Seldom is the role of industry insiders or rogue-farmers considered (see Smith, 2004; Smith and McElwee, 2013) in crimes where industry specific knowledge is needed. This paper addresses this omission.

#### 2.1.1. The farmer as entrepreneur and/or criminal

Understandings of the farmer as a rogue, criminal or criminal-entrepreneur are growing but still contentious (Smith, 2004; McElwee et al., 2011; Smith and McElwee, 2013). Although little consideration is given to insider knowledge and criminal complicity, collectively these studies acknowledge the possibility of the involvement of rogue-farmers and entrepreneurs where insider knowledge is required: the notion of the ‘bad-farmer’ is of note at this juncture (Craig et al., 2010)

The notion of the farmer as entrepreneur and enterprising farmer (McElwee, 2006) can be extended into the notion of criminal-entrepreneurship because the entrepreneurial farmer, as well as operating in a legal domain, may also engage in criminal acts as a form of farm diversification through destructive criminal entrepreneurship (Baumol, 1990). McElwee’s (2008a,b) taxonomy of entrepreneurial farmers thus requires updating to encompass the ‘criminal-farmer’ and ‘entrepreneurial identities’ split between legal and illegal activities (McElwee et al., 2007). It is also worth considering the ‘entrepreneurial wide-boy’ and collaborative entrepreneurship, both which are relevant to in this instance to supply chain connectivity (McElwee, 2008a).

#### 2.1.2. Criminal entrepreneurship

Since the 1980s, there has been a rise criminal-entrepreneurship in the UK (Baumol, 1990; Smith, 2009). This increase in illegal criminal activity is particularly evident in the farming and food industries, where food-fraud is now big business (Gallagher and Thomas, 2010: 352). This is unsurprising given that the UK food sector is valued at around £103 billion a year to the UK economy (DEFRA, 2013: 10). Although Bailey and Garforth (2014) stress the importance of continued regulation of farm assurance and food safety, it is clear that entrepreneurs who ‘work’ this industry are able to circumnavigate the sector at various points in the value chain and that some may even be complicit in crime.

We label food-fraud as criminal-entrepreneurship because it involves both criminal and legitimate business practices that make food-fraud a deeply pernicious and destructive global practice existing at the margins and interface between legal and illegal business practices. This is evident in the halal meat trade where criminal exploitation of halal slaughter laws creates unhygienic and insanitary conditions that present obvious health risks that potentially undermine public confidence in the food chain, whilst simultaneously undermining public perceptions of halal meat and UK Muslims. To exacerbate matters, the full extent or cost of

<sup>1</sup> We are grateful to an anonymous reviewer for this insight.

<sup>2</sup> We acknowledge that some may see this as a weakness, but in investigating activities at the margins of society and legality gaining access to respondents is problematic.

<sup>3</sup> ‘Smokies’ are sheep slaughtered illegally without stunning under unsanitary conditions with significant health and safety dangers.

such fraud, as well as details of those involved, are not known. Addressing these issues is important and new knowledge is needed to design and implement appropriate law enforcement interventions to improve public confidence and alleviate any wider economic and social consequences.

The fact that urban-based organized crime groups commit a great deal of rural crime is important and appears to be accepted in official circles. Traditionally the focus of criminological research has been on the farmer and on the rural community as victims, but this is only one part of the narrative and management scholars and critical criminologists are beginning to challenge this understanding (Smith and McElwee, 2013; and Donnermeyer et al., 2005). The involvement of the rural criminal alongside the urban marauder and the rogue farmer (Smith, 2004; Smith and McElwee, 2013) cannot be ignored indefinitely, and we thus extend the notion of the rogue farmer to include the category of 'criminal farmer'. We are aware that this is a contentious position within farming circles, but one that food-industry investigators accept.

## 2.2. Food-fraud

Food-fraud has a long history (Gallagher and Thomas, 2010). Food-fraud is a collective term encompassing the deliberate and intentional substitution, addition, tampering, or misrepresentation of food, food ingredients, or food packaging; or making false or misleading statements about a product for economic gain (Spink and Moyer, 2013). Food-fraud is economically motivated and is carried out intentionally alongside associated actions to avoid detection by regulatory bodies or consumers (Grundy et al., 2012). The profits from food-fraud are comparable to those from cocaine trafficking, but with fewer risks (Smith and McElwee, 2013). It is a high growth crime because it is lucrative and unlikely to be detected.

Smith et al. (2015) illustrate that during the last two decades in the UK there have been several high profile food-fraud cases, including Operation Aberdeen and Operation Fox (Haslam, Undated); the Halal Meat Scandal (Smith, 2004); the Eurovet Scandal (Smith and Whiting, 2013); and the Black-Fish-Scandal (Smith, 2015).<sup>4</sup> A number of similarities and common factors unite these studies. In all cases the business owners involved were prosecuted using lesser legislative acts than fraud and each investigation, although started by a government agency, was taken over by the police because of their superior investigative ability (Smith et al., 2015). More recently the 2013 horsemeat scandal, which involved numerous multi-national companies across Europe and the UK, led to two inquiries: the Scudamore Inquiry in Scotland and the Elliot Review in England, Wales and Northern Ireland. Both inquiries were critical of the UK and European Union's investigative apparatus.<sup>5</sup>

## 2.3. The UK halal market (legal and illegal)

### 2.3.1. The legal halal market

The rapid expansion of halal meat market in Europe over the last 15–20 years (Lever and Miele, 2012; Bergaud-Blackler et al., 2015) has been accompanied by a number of controversies associated with halal food and the religious slaughter of animals (White, 2014; Miele and Rucinska, 2015). Muslim and Jewish minorities

are currently exempt from the UK legislative requirement to pre-stun animals prior to slaughter because of derogation from UK and EU legislation granted in line with the rights of minorities to practice religious freedoms (Lever and Miele, 2012). In recent years a number of European countries, including Denmark and Poland, have banned religious slaughter without stunning for domestic consumption (Miele and Rucinska, 2015). In countries with large Muslim communities, however – in the UK, Netherlands and France, for example – there are now dual markets for halal meat from both pre-stunned and non-stunned animals (Lever and Miele, 2012).

Following in the footsteps of well-established kosher certifying bodies that do not accept the practice of stunning of animal before killing, there is growing pressure from a minority of halal certifying bodies in the UK to promote 'non-stunned' halal meat as being of a more 'authentic' and traditional halal quality (Lever and Miele, 2012).<sup>6</sup> Muslim concerns about the 'authenticity' of halal meat are to some extent related to concerns about the transparency of the meat supply chain. Much as consumer anxieties about illegal meat products entering the mainstream meat market increased after the horsemeat scandal (Marsden and Morely, 2014; Smith et al., 2015) of 2013, so Muslim consumers have concerns about 'fake' halal products entering the halal supply chain (Mintel, 2002; Pointing et al., 2008; McElwee et al., 2011). To some extent these concerns are well founded. In 2002 Mintel estimated that 70–80% of all halal meat in the UK was 'fake' (see also Teinaz and Pointing (2011)). A subsequent survey revealed that 'halal' kebabs contained pork (BBC, 2009a,b). More recently, the FSA reported that Freeza Meats Ltd in Northern Ireland, which supplies ASDA, was fined £42,500 for claiming products containing non-halal ingredients were halal (Addy, 2015).

Other factors in the halal supply chain also serve to increase complexity and confusion. More than 80% of all animals slaughtered for halal meat in the UK are stunned before slaughter (FSA, 2012), yet many consumers – both Muslim and Non-Muslim – assume that most halal meat comes from non-stunned animals. There is a distinct lack of transparency in the UK meat industry (Fischer and Lever, 2016). In 2014 the supermarkets Tesco, M&S, Morrison's and Waitrose became embroiled in controversy when they were accused of selling imported New Zealand Lamb produced in accordance with halal guidance without labeling it as such (Somers, 2014). Indeed it appears that many businesses are reluctant to display halal logos and confirm halal certification because of negative public perceptions of halal meat and Muslims more generally (Fischer and Lever, 2016). To add to the uncertainty about what is and is not halal, until recently some parts of animal carcasses killed in line with religious slaughter practices (both with and without stunning) were sold un-labeled in the conventional market. Unsurprisingly, at the start of 2014 Muslim, Jewish and Christian faith leaders all called for better labeling to make the market more transparent and improve public misunderstanding (Doward, 2014; Malnick, 2014). Arguably all such issues enhance the opportunity for illegal activity and criminal entrepreneurship in the halal supply chain, as illustrated below.

### 2.3.2. The illegal halal market

The illegal halal trade is also referred to colloquially as the 'Smokies' trade or the 'Halal Meat Scam' and there have been calls for authorities to gather more market intelligence to generate

<sup>4</sup> Operations Aberdeen and Fox related to wholesale adulterations of food products by factory owners who added condemned meat into the supply chain to maximize profits. The Eurovet scandal related to a businessman importing illegal veterinary items from the EU and selling them to UK farmers without the necessary approval. This was also a financially motivated crime as was the Black-Fish scandal whereby fishermen and processors conspired to sell fish for which there was not an EU quota.

<sup>5</sup> The findings of both inquiries have called into question whether the UK's response is fit for purpose and whether a new investigative model is needed based on the Danish Food Standards Agency model or the Dutch NVWA.

<sup>6</sup> Halal is an Arabic term meaning "permissible" or "lawful". For meat to be considered halal a number of conditions and prohibitions must be met: Muslims are forbidden from consuming carrion, spurring blood, pork, and foods that have been consecrated to any being other than God himself: these substances are called *haram* ("unlawful" or "forbidden"). The lawfulness of meat also depends on how it is obtained, including the method of slaughter: stunning is contentious because animals must be alive at the time of slaughter and some Muslims fear that stunning has the potential to kill animals prior to the act of slaughter (see Lever and Miele, 2012).

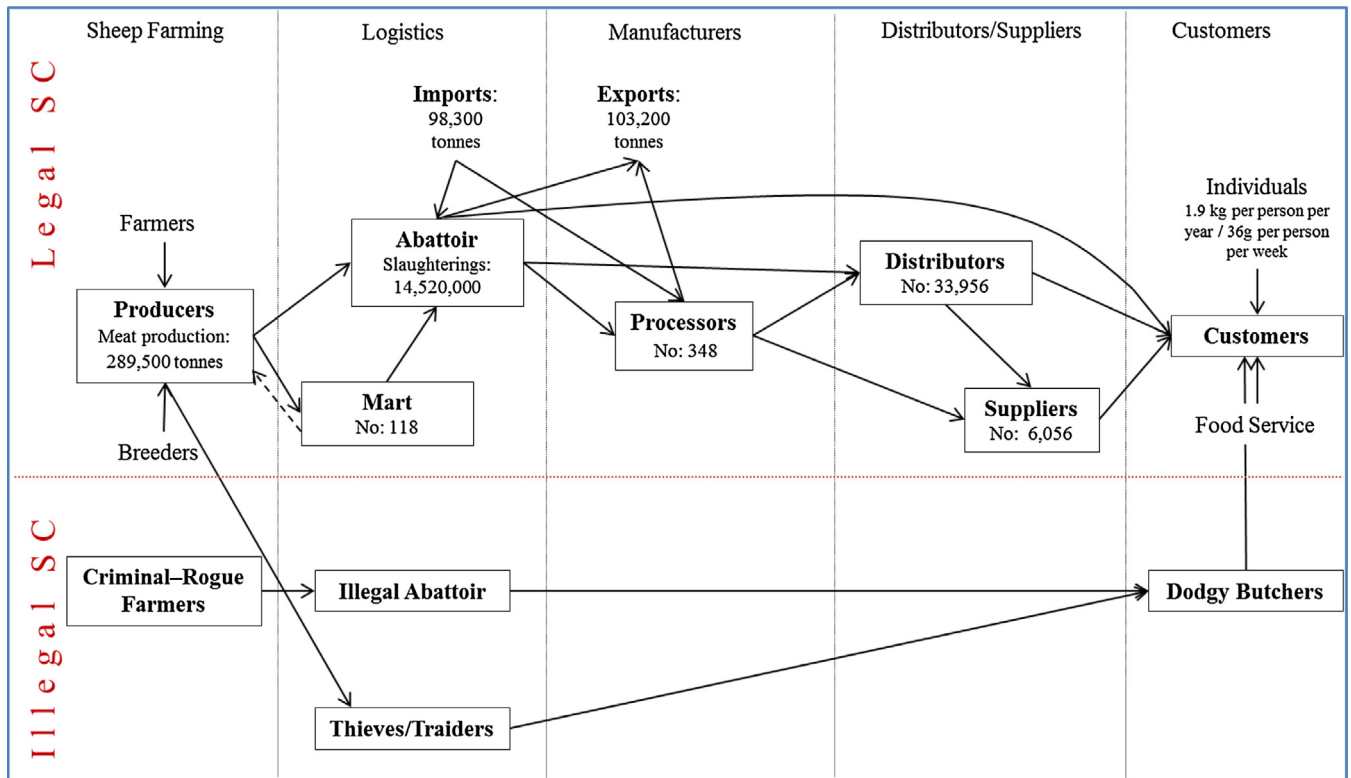


Fig. 1. Legal and illegal halal sheep trade (SC = Supply Chain).

greater understanding (Smith, 2004; Pointing and Teinaz, 2004; Pointing et al., 2008; Teinaz and Pointing, 2011). Scott and Lawson (undated) argue that the profits in this illegal trade are high and that up to £15,000 can be made from a single small van load of 'Smokies'. A further £100–£150 of profit is also available per unit at the point of sale in cities such as Birmingham, Bradford, Kirklees, Leicester, Manchester and the London Boroughs where there are significant Muslim populations (Teinaz and Pointing, 2011). Teinaz and Pointing (2011) suggest that the halal food trade is lucrative for criminal gangs because of the problems of guaranteeing the authenticity of halal meat; there is a distinct lack of auditing standards and training for Muslim slaughter men; and thus a consequent disregard for food hygiene and safety. There is anecdotal evidence of such practice from our interviews with investigators, yet enforcement of such trade description offences is rare, not least because many local authorities turn a blind eye to such issues and the illegal practices entailed.

Fig. 1 depicts a value chain of the UK Sheep industry, illustrating the various nodes, where illegal activity is possible: this illustrates the potential scale of the problem from a supply chain perspective.

#### 2.4. Supply chain issues

Academic literature on food-fraud, in particular the illegal halal supply chain is sparse (Ekwall, 2009) and more research is needed. Ekwall examines crossover points or antagonistic gateways between legal and illegal logistics systems from a supply chain perspective, which is what our case story also illustrates. Criminality in supply chain management research is seldom considered, although attention is given to risks, risk management and classification frameworks for determining risks and solutions at a strategic, operational and tactical level (Gaonkar, 2004); large scale financial losses and criminal acts are also considered (Finch, 2004; Asbjørnslett, 2009).

Finch (2004) argues that organized theft is a crisis in modern day supply chains, whilst Asbjørnslett (2009) highlights the increasing complexity and length of supply chains and their exposure to vulnerability and criminal acts within a complex global marketplace. To handle the unforeseen consequences of this complexity there are two obvious approaches: (1) design supply chains with built in risk-tolerance and; (2) contain the damage once the undesirable event has occurred. Both approaches require a clear understanding of the potential for such events to occur as well as the associated consequences and impacts of these events. This is where our work becomes useful.

### 3. Design/methodology/approach

Here we present and justify our methodological framework, which comprises a fourfold qualitative approach. First, we conducted several face-to-face qualitative interviews with animal health officers in the spring and summer of 2014 (some of whom had dealt with Jones) to generate insight and conduct 'empathy mapping'. The insights were then used to generate new investigative business models appropriate to the sector being targeted. We augmented this by searching for facts and data from documentary sources (Scott, 2014) such as press articles and blog posts from websites.<sup>7</sup> Through a process of *immersion* (Borkan, 1999; Ellingson, 2009) we developed a high level of knowledge that was integrated with the previous data collection through qualitative interviews with industry specialists. We next authenticated the data by writing it up using *Narrative Inquiry* (Clandinin and Huber, 2010) and *Story-Based Narrative Inquiry* techniques (Hunter et al., 2014).

<sup>7</sup> We acknowledge that the sources we draw on cannot be verified absolutely. At the same time, there are few other sources available and the information derived from these unconfirmed sources thus provide broadly accurate detail and legitimate data sources when seen in the context of this paper.

From the data and interviews we developed a case story of the activities of Jones and the Rural OCG he led in an entrepreneurial manner.

### 3.1. Documentary research and immersion explained

Documentary research is well established whilst *immersion* as a process permits researchers to submerge themselves in their collected data by experiencing, reading or examining some portion of the data in greater detail. We listened to the insiders involved in farming alongside law-enforcement communities and considered their ideologies, values, and ways-of-thinking. Over time we used this knowledge base to develop an *aperçu*, or nuanced perception of the criminal-enterprise through a process of crystallization, or temporary suspension of process to enable reflection on the analytic experience and identify and articulate patterns or themes. This ‘dual processes’ (Borkan, 1999) emerged over time allowing us to synthesise the received individual stories, vignettes and data until we made sense of the worldview of this illegal trade and activity. The meaningful data processed was subsequently articulated a sustainable thesis (Borkan, 1999).

### 3.2. Narrative Inquiry explained

*Narrative Inquiry* techniques (Hunter et al., 2014) enabled us to think about experience following a recursive, reflexive process of moving from field (documentary evidence) through the narration of a living story (field texts) to interim and final research texts. First, we developed a working hypothesis: *that the criminal activities of Jones were not isolated instances of criminality, but part of a wider organized criminal conspiracy*. On this understanding, Jones was not a hapless individual as portrayed in the media, but an entrepreneur leading a UK wide network of ‘criminal farmers’ and food industry ‘rogue business’ owners in food-fraud as a criminal enterprise. Next, we developed an ‘open source’ inquiry based strategy and a data verification process to trawl for documentary data by collecting stories from press articles and official reports such as FSA documents. We located storied data to test the hypothesis. We harvested a variety of documents to develop and objectify our expanding narrative before mapping the subject domain. This allowed us to expand our knowledge base by *immersing* ourselves in data until reaching subject specific saturation, which in turn enabled us to identify and develop general (industry insider) sources and useful archives. We also conducted a source mapping exercise to identify and research human sources (potential respondents) identified to move beyond description and get into industry mindsets; potential sources included police and National Farmers Union Officials, which brought in emotive aspects as well as objective facts to consider the human angle of the story.

From this point onwards we consolidated and organized inquiries and developed a protean database following the acknowledged investigative processes of collecting, reviewing and collating data by number allocation. From this database of rogue-farmers we created a master file. We then made connections, uncovering themes across and between stories, articles and other forms of data. We followed a process of initiating, diversifying, focusing and refocusing that enabled us to ‘see connections’ before reviewing and regrouping the data to make more sense of the stories. We wrote up the case story (Yin, 2010) laying down a narrative order. We collected the data for the case by accessing newspaper accounts over a 15-year period and synthesized these into a narrative of events which helped to demonstrate the development of the illegal trade chain. We narrated the story as a *picaresque* tale as opposed to a chronology because narrating events ordered around places, times and space makes for an interesting organizational framework that mirrors entrepreneurial stories and allows meaning to

emerge from the narratives. Finally, we did a fact check and review. This rigorous process led to the creation of master file.

### 3.3. Towards business Canvas modelling

In investigating crime, it is normal for investigators to consider issues such as *modus operandi* (method of operating), but seldom do they consider the business model used by criminals, or aspects of the supply-chain management of the criminal venture. Indeed, we would argue that understanding of criminal business models is still very much in its infancy. The investigation and detection of food-fraud in the UK and Europe is also hampered by a variety of inter-linked factors. From a practical industry based perspective, the food industry is a high pressure, high volume, low profit business involving a wide range of entrepreneurial actors, including farmers, horticulturalists, small business owners such as butchers and abattoir owners, independent entrepreneurs and large meat processors and finally supermarkets (McElwee, 2008a,b). All these actors are competing to extract a legal profit margin from the food supply chain, yet this scenario does not take into account predatory rogue farmers, criminal entrepreneurs and criminal mafias who may target the food chain (Smith and McElwee, 2013).

From a law enforcement perspective a plethora of agencies are involved in investigating food-fraud, including the Police; HM Customs & Excise; HM Revenue; The Food Standards Agency; Council Trading Standards, Animal and Environmental Health Officers. Each agency involved has different powers and overlaps and gaps in the provision of services create conflicting boundaries, whether they are legislative, political, geographical or knowledge based.

The Business Model Canvas (Osterwalder and Pigneur, 2010) approach and framework facilitate a more holistic approach and understanding. The model consists of nine basic building blocks: customer segments; value propositions; channels; customer relationships; revenue streams; key resources; key activities; key partners; and cost structure. Mapping the indicators, contexts, practices and outcomes identified by Scott et al. (2012) onto the canvass is particularly helpful in the modelling process. In building upon this business model approach our study explores the different business practices and behavioural characteristics reported upon in previous studies. These models helped us to explore the possibilities for disrupting the criminal activities of the organized criminal groups, rogue employment agencies, rogue businessmen and farmers (Smith, 2004; Smith and McElwee, 2013) involved using multi-agency working (Wilkinson et al., 2010). We thus build upon and develop ideas identified in the work of Lalani and Metcalf, 2012 in relation to understanding the business angle of organized crime, primarily because insufficient attention has been paid to the role of business (both legal and illegal) in this process (see Fig. 2).

## 4. Presentation of the case story, analysis and findings

The longitudinal case around which our supporting case story is constructed is an example of what has been referred to as illegal rural entrepreneurship [IRE] (McElwee et al., 2011; Smith and McElwee, 2013). We consider this under researched phenomenon of illegal entrepreneurship in a rural context by narrating the rise of the ROCG involved in the commission of illegal sheep slaughter for the halal market. The ROCG we focus on appears to be organized around the Welsh farmer Julian Jones. In this longitudinal case, we report on the activities of Jones and various co-accused accomplices that form a network of criminal farmers constituting the ROCG.

In this case-story we present an on-going narrative that illustrates the contemporaneous practices of OCG’s in relation to the

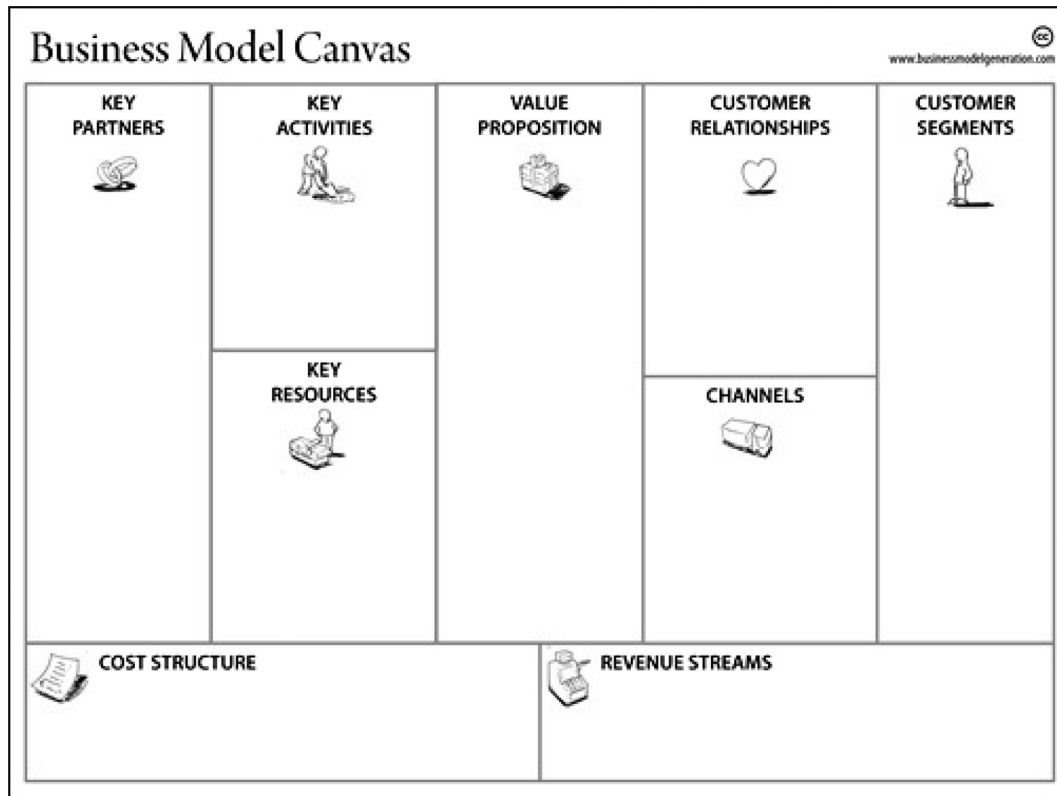


Fig. 2. Business Model Canvas (Osterwalder and Pigneur, 2010).

'Smokies' trade and criminal supply chain issues. Farmers are vulnerable targets for criminal gangs, particularly when the legitimate trade price is low; during the time frame of our narrative financially desperate farmers were accepting £20–£30 for each sheep killed illegally. The genesis of the UK illegal halal trade began with the outbreak of the foot and mouth disease *circa.* 2000, which coincided with the initial growth and expansion in the UK halal meat market (Lever and Miele, 2012).<sup>8</sup> The activities of Jones and his network of associates (Scott and Lawson, undated) illustrate the scale of the problem at hand by demonstrating that it is a continuing criminal enterprise with its own illegal supply chain, nodes and features. Jones has been exposed in the media as the mastermind behind a multi-million pound trade in infected meat and the following storied timeline (outlined in Table 1) usefully outlines the issues involved.<sup>9</sup>

#### 4.1. A storied timeline of the case

The purpose of the above case is to highlight that there is a clear need for more than ad-hoc arrangements in dealing with major food fraudsters. A judge once described the criminal activities of the central character in our paper as unsophisticated. However, we argue that the continuing saga demonstrates that Julian Jones could arguably be described as a criminal-entrepreneur involved in a criminal enterprise: he is not simply a rogue-farmer but an organized criminal operating in the illegal supply chain.<sup>10</sup>

<sup>8</sup> See Irvine and Anderson (2005) for a discussion of how the outbreak affected rural business.

<sup>9</sup> We should note at this juncture that other ROCC's operate in the UK.

<sup>10</sup> The term criminal entrepreneur is increasingly being used to describe organized criminals where criminal activities involve business practices and processes, particularly in crimes where financial gain is the motive. All parties involved are usually aware of the fact that the activities are criminal in nature. The difference between criminal and rogue farmers is that the motivations of rogue farmers may not necessarily be criminal: they may be necessary to subsist and survive financially.

To further develop our understanding we must consider the context and the economic factors that influence farmers to turn rogue, including consistently low margins and return on capital in the agricultural livestock sector over recent decades, and a lack of opportunity in some rural areas to move into alternative on-farm enterprises to raise revenue. There is a big difference between a rogue-farmer who, because of financial pressures becomes a criminal and a criminal farmer who uses a farming business as cover to hide their illegal activities. This story reveals that active rural criminals such as Jones and his associates are involved in organized criminal activities that are increasing in sophistication within supply chain terms.

## 5. Analysis and discussion

It is immediately apparent from the storied timeline that Jones and his associates are industry insider's rather urban marauders (Smith, 2010, McElwee 2010). Indeed it is out contention that Jones is more than a rogue or a 'bad farmer' (Craig et al., 2010) in that he knowingly and regularly commits criminal acts exploitatively for easy profit (Gallagher and Thomas, 2010). As can be seen from the above figure, the network/operation operates as a typical spoke and wheel entrepreneurial structure. Yet in this case the organisational structure is misleading. Although the criminal entrepreneur appears at the centre of the wheel, and despite having the appearance of being an entrepreneur, Jones is arguably a "trusted lieutenant". He shoulders a high level of risk by adopting a "hands-on" approach. The OCG boss is the "Mr Big/Financier" figure who in true organized crime fashion adopts a "hands-off" and thus low risk approach.

In this business model, Jones runs the business along geographical lines and is separated from his co-accused/co-conspirators by geography and regionalism, which act as cut-out mechanisms.

**Table 1**  
Timeline.

| Timeline | Story elements   | Supply chain relations   |
|----------|--|--|
| 1999     | Jones is banned for life from keeping animals after his conviction for cruelty offences on his farm in West Wales  | The Story begins and Jones relocates to Aberdeenshire, Scotland where he is less well known  |
| 2001     | Police and Animal Health Officers discover the farmer Carmello Gale and three other men committing an illegal slaughter  | This evidences the involvement of farming insiders   |
| 2002     | Jones is arrested in Haringey in London delivering 250 decomposing sheep carcasses and heads <sup>a</sup>  | This evidences Jones's first real involvement in a criminal enterprise and more notice should have been taken of his ban   |
| 2003     | Gale and Mohammad Kahn from Haringey in London are convicted of transporting illegally slaughtered meat: officers find 124 illegally slaughtered smokies   | Kahn was a Muslim Butcher evidencing insider involvement. This should have triggered alarm bells with the authorities  |
| 2003     | In another incident, Gale and another farmer Colin Patterson and others were charged with conspiring to supply unfit meat  | This case involved an allegedly corrupt Meat Inspector (an insider), but the case was later abandoned. Ironically, Gale caused a storm of criticism when it transpired that he had been hired by DEFRA as a halal meat consultant: this should have triggered a wider investigation  |
| 2004     | Jones is arrested on the A9 in the Northern Constabulary area in Scotland in possession of a vanload of 250 'Smokies' bound for the Halal market in London   | Jones and his accomplice Colin Patterson and another farmer give false names but are later identified and charged. At this point, a more joined up intelligence system would have identified the criminal conspiracy   |
| 2005     | An investigation by Moray Council Animal Health uncovered an illegal slaughterhouse producing "Smokies". Jones was caught in the act of committing illegal slaughter at a farm in Morayshire <sup>b</sup>  | In the raid, 60 sheep were found hanging from a rail bleeding to death and 40 more were shorn awaiting slaughter. Heath inspectors and vets found blowtorches, LPG cylinders and buckets of sheep parts in outbuildings on the farm. At this point Jones could have been facing conspiracy charges and should have been dealt with as a serious and organized criminal   |
| 2005     | Jones and four other accomplices were found in possession of 'Smokies. Jones was later jailed for these offences.  | Again, all his co-accused were farmers. During this enquiry animal health officials allegedly received death threats. This evidences that there was not a sharing of intelligence between agencies   |
| 2006     | Jones was stopped in a van in Aberdeenshire and charged along with a female accomplice with possession of animals. He was later jailed <sup>c</sup>  | He had 31 Calves, 6 Bantam hens, six collie pups and an American kestrel in his possession. This evidences trafficking in animals and highlights the ineffective nature of Animal Cruelty bans   |
| 2008     | Intelligence received indicated that Jones was depositing a significant amount of cash in bank accounts in London. This led to a raid on his mother's farm in Wales, which uncovered further evidence of his involvement in the trade <sup>d</sup>   | It was reported that there were 109 sheep carcasses, 133 sheep heads and 560 animal limbs as well as equipment for illegal slaughter. This suggests that the farm was used on more than one occasion for the purposes of illegal slaughtering. Again this evidences that Jones was engaged in a continuing criminal enterprise. The legal doctrine of joint enterprise could have been invoked   |
| 2008     | Animal Health Officer arrest Jones at a farm in Wales; he later pleads guilty with an accomplice Elfan Owens, a local farmer <sup>e</sup>  | More than 100 smokies and a large number of joints, offal and other sheep parts are seized. This evidences the low priority given to food fraud/ crime by the authorities and the legal system   |
| 2009     | A joint investigation is launched and Jones is detained by police in a van on the M4 near Newport. Also present and implicated is Arthur Philip Waring of Cardigan, Wales <sup>f</sup>   | Jones was found in possession of 2.5 tonnes of carcasses bound for the London halal market. <a href="#">Turner (2005)</a> links Waring to an organized crime group dealing in drugs. <sup>g</sup> Jones later pled guilty and the case against Waring is dropped. This evidences that there was no official overview of the criminal activities and that each case was being dealt with on a case-by-case and jurisdiction-by-jurisdiction nature. The involvement of organized criminals should have triggered an alarm with the Police |
| 2009     | The 'Smokies' carcasses impounded in the above scenario were kept in a Council cold store. It was twice broken into and the carcasses stolen. After the second break-in Jones and two associates Gary Midgley and Christopher Tamlin were arrested in a van en-route to the West Midlands in possession of the stolen carcasses. Midgley and Tamlin were later convicted of stealing a JCB used in the crime. <sup>h</sup> In the court case Jones's defence tried to suggest that he was involved in an 'unsophisticated crime'. This is a neutralisation techniques used by white-collar criminals to mitigate criminal charges ( <a href="#">Gottschalk and Smith, 2011</a> ) | Interestingly, Midgley and Tamlin had low-level connections to the Welsh crime scene and local organized criminals, rather than the farming community. They may have been hired as labour in the criminal process. Jones was subsequently jailed for 15 months at Swansea Crown Court. A Proceeds of Crime [POC] enquiry later established he had £280,000 of cash he could not account for. <sup>i</sup> This evidences a lack of official organisation or intelligence sharing   |
| 2009     | Jones is arrested in London asleep in a van containing 'Smokies' carcasses   | This evidences Jones continuing involvement in a criminal enterprise and further illustrates that food fraud is not regarded as a serious crime by the authorities   |
| 2014     | The story does not end here as the first prosecutions for the Horsemeat Scandal detailed that one of the offending companies was Farm Box Meats from Aberystwyth. In the meantime Jones has not taken  | Dafydd Raw-Rees, the owner and his manager Colin Patterson appear at Westminster Magistrates' Court facing 19 charges under the Food Safety Act. Inquiries establish that this is the same Colin Patterson associating with Jones in 2004. Combined with the location this is highly suspicious and it is suspected  |



Table 1 (continued)

| Timeline | Story elements  | Supply chain relations  |
|----------|---|---|
|          | an active part in the conspiracy and is rumoured to have left the country | that there could be other links. Patterson has a history of setting up and abandoning companies. He was a partner with Gale in West Wales Halal Meat Limited and Director of four more dissolved operations - Euro Meat Trading Ltd, Euro Meat Packers Ltd, and Celtic Imports Ltd; and Euro Meat Packers. Patterson appears to have been connected with a company Halal Meat and Poultry (Wales) Ltd. <sup>l</sup> This should have led to an investigation of the industry but appears to have gone unnoticed |

<sup>a</sup> See Unattributed (2005a,b) and Vermin Patrol 2005 - Part 1 [www.nwhsa.org.uk](http://www.nwhsa.org.uk) for details.

<sup>b</sup> This was reported in an official council document later sourced on the Internet: see: <http://www.moray.gov.uk/minutes/archive/EN20050420/convictionofJulianJones.PDF>; see also Scott and Lawson (undated) and Unattributed (2005a) and: <http://www.scotsman.com/news/scotland/top-stories/meat-scam-report-details-health-risk-1-708426>.

<sup>c</sup> As reported in [http://www.nwhsa.org.uk/vermin\\_patrol\\_2006\\_part\\_1.html](http://www.nwhsa.org.uk/vermin_patrol_2006_part_1.html).

<sup>d</sup> As variously reported - see Unattributed (2009).

<sup>e</sup> See: [http://www.cieh.org/ehh/man\\_charged\\_after\\_ehos\\_raid\\_farm.html](http://www.cieh.org/ehh/man_charged_after_ehos_raid_farm.html).

<sup>f</sup> For a fuller account see the article: [http://www.southwalesargus.co.uk/news/7988826.Farmer\\_jailed\\_over\\_unfit\\_meat/](http://www.southwalesargus.co.uk/news/7988826.Farmer_jailed_over_unfit_meat/).

<sup>g</sup> As reported in Turner (2005).

<sup>h</sup> As reported in BBC (2009a); see also: <http://multimedia.food.gov.uk/multimedia/pdfs/board/fsa100503.pdf> - and Unattributed (2010a,b).

<sup>i</sup> As reported: [http://www.southwalesargus.co.uk/news/7988826.Farmer\\_jailed\\_over\\_unfit\\_meat/](http://www.southwalesargus.co.uk/news/7988826.Farmer_jailed_over_unfit_meat/).

<sup>j</sup> See: <http://www.eureferendum.com/blogview.aspx?blogno=83622>.

Jones can be in Scotland one day and Wales the next. His co-conspirators may or may not be linked and may not have knowledge of each other: this is a classic cell structure of organized criminality. Jones is vulnerable at the point of theft and whilst he is transporting the 'Smokies' and is therefore expendable: he is responsible for organising the slaughter and for acquiring the premises, thus increasing his exposure and risk-level. The kill must be conducted in total secrecy and all those involved from the time of slaughter until the carcasses are handed over are vulnerable. Overnight transportation, when there are less police and council officials on duty is central to the operation. Jones controls a sophisticated and organized network and like an entrepreneur he uses contacts and acquaintances hired locally to ensure a smooth flow to market. He thus has and depends on a comprehensive regional network of rogue farmers and criminal businessmen.

In this illegal trade it is difficult to protect oneself from the criminality. At the point of theft, the thieves are vulnerable because they do not have the appropriate movement licences or paperwork for the stolen animals. At the point of slaughter, it is difficult to conceal the evidence of the slaughter process. Also, if those involved are caught with the product in transit, it is not a deniable crime: there is no point denying involvement unless one can provide a false name and address or flee the scene. In this respect Jones pragmatically admits the crime but refuses to implicate the organisers behind the network: there is little to be gained from remaining silent, as it is not a crime for which he would be immediately remanded in custody. Cooperating minimises disruption by the authorities and protects the illegal supply chain. Business thus continues as usual.

### 5.1. Business model Canvas analysis

An analysis using the business model canvas (Osterwalder and Pigneur, 2010) helps us to make sense of the business aspects of our case. The business model is a medium to high-risk parasitic criminal enterprise. There is medium to high-risk at the point of theft and medium risk whilst transporting and at the point of sale. It is a lucrative business because of the high value of the product at the point of sale in comparison to the minimal cost of stealing the sheep. A key partner or financier is required to pay costs and it is the financier who loses money in the event of the authorities confiscating the Smokies. A gofer/runner is required to organise and operationalise the theft, slaughter and transportation stages and act as a criminal entrepreneur: it is unlikely that the financier will undertake this role. Other key partnerships are informal transactions with hauliers and a legitimately paid labour force.

In terms of key activities, this is a cyclical crime in which the principle activity is the theft or acquisition of sheep. The theft requires a team-based approach with 3–4 thieves with specialist skills and knowledge. The next key activity is the slaughter stage, which requires a modicum of skill as does transportation. The retail phase is conducted by butchers and not the network: the key resources required are physical. Suitable premises for the slaughter are required - usually an isolated farm provided by a co-conspirator or a derelict urban factory. The slaughter itself is time and labour intensive and requires 5–6 people to herd and efficiently kill the sheep. A digger or JCB is also required to buy and hide the evidence of the slaughter. A lorry/animal transporter or horsebox is required to ferry the sheep to the point of slaughter and a large van is required to transport the carcasses and heads to the market place.

The value proposition offered by this criminal network is the delivery of a ready supply of halal meat to any market in any place, as the network is not restricted to the availability of sheep (or goats) at legitimate halal slaughterhouses. The ability to deliver on time ensures that the network extracts maximum value from the Smokies because the product is price dependent upon market and availability issues as well as convenience. An additional value proposition is that rogue butchers and meat businesses can use the product to launder into legitimate stocks: it is therefore a cash business transaction conducted on a no questions asked basis. The product is not declared to the tax authorities thus increasing the profit of the criminal business owners. In terms of customer segments this is a niche ethnic market. However, it is not a small market but a niche mass market. The market is segmented and exists in large UK cities where there are large Muslim populations. Another customer segment is shipment to Muslim communities in Europe. A third customer segment is the non-halal market in which rogue butchers can purchase meat direct from the network.

In terms of customer relationships this is a relatively low risk crime for the network as their final customer is isolated from the act of criminality, purchasing the product from a halal butcher who knows of the dubious origins of the product. The relationship between the network and the rogue butchers is supplier to middleman. This suits the thieves and the rogue butchers because neither have to outlay money up front. Because there is no money up front, there is reliability of delivery; the thieves meet any disruption in the supply chain: if there is no delivery, there is no payment of cash due. This makes it a relatively stable criminal business in that the thieves and rogue butchers seldom have any fallout. This is a low cost structure criminal business with medium cost outlay required by the financier. The channels used are informal and

illegal. The network does not use legitimate hauliers to transport the animals to the slaughterhouse, but instead uses unrefrigerated transit type vans. There are many cut out points along the channel and this is a very lucrative business/ revenue stream consisting of cash in hand with multiple repeat transactions. It is payment on delivery making it non-traceable. The network gains alternative criminal and legitimate revenues from transporting other types of animals or livestock or stolen goods on the return journey.

The *modus operandi* of this ROCG is financially based to provide a steady reliable source of Smokies to the trade on a weekly basis. They maintain as low a profile (in criminal terms) as they can and maximise the efficiency of the operation by moving day-to-day operations around the UK so that slaughter occurs nearest the point where the livestock are stolen or sourced. The *modus vivendi* of this OCG is linked to their *modus operandi*: they present themselves as rogue-farmers and not criminals enabling deniability; each member accepts responsibility as an individual for their actions and the existence of the criminal conspiracy is thus hidden from public and official view. In terms of *modus essendi*, the members of this ROCG, despite being an efficient and well-organized criminal operation are essentially farmers, not criminals. This shields them from official and judicial scrutiny. The activities can be rationalized in line with social network theory (McIlwain, 1999) and routine activity theories (Felson, 2006), which lend credence to the local, domestic and industry level contexts in which human relationships form the basis for organized criminal activity.

## 6. Conclusions

This paper illustrates an example of criminal-entrepreneurship which although productive and profitable for the criminal entrepreneurs exploiting food supply chains is nevertheless unproductive and potentially destructive to society in a Baumolian sense.<sup>11</sup> Overall this paper helps us to better understand the criminal enterprise practices involved, and how *modus operandi*, *modus vivendi* and *modus essendi* are linked to business models. The business model framework can be adapted on a case-by-case basis depending on the type of fraud committed by different criminal actors in the conspiracy, which can in turn be used as an investigative tool by the various agencies involved. It illustrates how these models can be used to help detect and disrupt the criminal enterprises. The applied model has engaged in the synthesis of practical knowledge and facilitated the transfer of knowledge process between academia, the food industry and the investigative and regulatory agencies involved. It helps us collapse differential boundaries to knowledge sharing by mapping and authoring a shared knowledge base and lexicon, whilst also disseminating the transformative knowledge to the academic and practitioner communities. We have thus met our key objective of developing a theoretically informed conceptual 'business model' for investigating food-fraud whilst simultaneously synthesizing academic and practical knowledge together into a transferable 'learning experience'.

There are distinct policy implications from this work, in particular the need to legislate not only against international criminal conspiracies, but also the everyday ordinary organized food frauds perpetuated over a twenty-year period by the OCGs operationalized by Jones. Low penalties do little to prevent such crimes and food fraud and food crime need to be taken more seriously by the authorities, and in some instances treated as major crime. Moreover, in formulating food laws, rules and regulations, greater cognizance should be taken to consider how supply chains in the

food industry could be better protected from predatory criminal actions.

There are also some practical implications and outputs, in particular our adaption and development of an investigative framework based on the business model canvass to cover illegal business models. What the research has shown is that OCGs can slip between the intelligence agencies and the police intelligence gathering apparatus. On this account there is a need for a greater intelligence gathering exercise to combat food fraud, whilst initiating greater and more coordinated multi-agency training in investigating organized food fraud. It is clear that the case discussed is a continuing criminal and entrepreneurial venture committed by a small number of criminal farmers operating to service the illegal halal trade; it is this that makes it of interest to supply chain scholars and food industry practitioners.

The repeated criminal acts must be seen as a criminal conspiracy and not simply viewed as the actions of one rogue farmer. This case is merely one such case and we should consider the possibility that it is merely more visible than others yet to come to light. Much can be learnt from this case. We stop short of theorising that the case is just the visible tip of a larger conspiracy. However, the Operation Aberdeen scenario and others described above does point to the possibility that the practices could be more widespread than presently known or understood. The three *modus* concepts discussed in this paper could be applied to the earlier case studies and emerging ones. Such an analysis would improve understanding of how food fraud and illegal enterprise is enacted.

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<sup>11</sup> Baumol (1990) argues that entrepreneurship could be productive (legal), unproductive (amoral/immoral) and destructive (and thus criminal) and that the entrepreneur could conduct either one or all forms simultaneously.

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