N8 Policing Research Partnership

Serious Organised Crime: Evidence Review

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Background

Organised Crime (OC) is estimated to cost the UK £24b, and is viewed as pervading all levels of society. Although a government priority the level of empirical knowledge is limited, resulting in a limited source of information concerning good practice and effective methods of intervention. This evidence review sets out the main issues for policing this phenomenon in the UK and compares it with qualitative information gathered from Police and Community Safety practitioners who are engaged in tackling serious organised crime across the North of England.

Key findings

- There is no universal definition of organised crime. It is most commonly described as involving serious crime, committed by offenders who work together on a continuing basis, generally for the purpose of financial gain. Both hierarchical structures and opportunistic offender networks are used to describe the method of operation.

- 70% of the public feel OC is a problem, and increasing in threat. They highlight the threat of personal harm was more of a concern than the wider impact at community (local) or society (national) level.

- Limited empirical research exists on the career pathways of organised crime offenders, although more recently research in the UK and the Netherlands has started to describe their profile. Although a diverse group, they are generally: more criminally active, more likely to be convicted for drug offences, and be unlikely to specialize. A 'late starter' phenomenon has been observed where some offenders appear to be convicted for their first criminal offence in this arena during middle age.

- Law enforcement interventions are more commonly reported as being enforcement based (prosecution), however disruption activity (which focuses on making the operating environment hostile for the offender) and Situational Crime Prevention (that attempts to block the opportunity for the crime to take place) are becoming more prevalent.

- There is limited evidence of evaluation in relation to organised crime interventions. Further the most effective method of evaluation remains ambiguous.

- The most significant research gaps are:
    - The type and level of OC currently unidentified by UK law enforcement agencies;
    - The conceptual ambiguity between OC and street gangs;
    - The characteristics that make OC offenders vulnerable to a policing intervention;
    - Understanding what interventions work in what context;
    - Understanding how OC interventions should be evaluated.

The academic literature on Serious and Organised Crime is expansive. This review focuses on four aspects: identifying OC; the individuals who commit it; effective interventions to tackle it; and evaluation.

1. Identifying Organised Crime

Serious and organised crime is a contested term with nearly 200 separate definitions (von Lampe, 2014). In terms of concept OC is viewed as being 'systematic criminal activity for money or power' (Woodiwiss 2001:3), with some questioning the blurred distinction between illegal business dealing and more visible criminal offender activity. Turning to structure, Cressey (1969), analysing the Costra Nostra provided an enduring view of Organised Crime Groups (OCGs) as hierarchies, with rigid and disciplined management. However many argue this notion is outdated with numerous commentators suggesting in a globalised world, networks of offenders come together in loose affiliations, driven by criminal opportunity. As Sheptycki et al. (2011:12) argued, 'the practices are more linked with local opportunities, deregulation or change of laws than with a strong organisation…challenging the state'. Finally in relation to the purpose, although OCGs share many similarities with terrorist groups, they are predominantly motivated by profit – although the swapping of pornographic material shows this approach should be interpreted widely. Further many countries and agencies highlight specific offences that most appropriately fit within the parameters of OC (although highlighting these are not exhaustive).

What appears clear is that OC is a diverse phenomenon, encompassing different types of individuals, displaying various motivations, using different methods as well as a wide variety of operating structures to commit crime. As such operational definitions are often wide and ambiguous. The latest Home Office definition (2013:14) describes it as, 'serious crime, planned, coordinated and conducted by people working together on a continuing basis. Their motivation is often, but not always, financial gain.'

1.1. Quantifying harm

Organised Crime is often hidden from general view, therefore difficult to evaluate. However academics show its impact pervades from an international to local level. At an international level, failed states allow OCGs to operate unchallenged, affecting not only that country's stability, but risks to UK security. Similarly the trafficking of illicit goods (drugs, firearms) and people (illegal immigration crime and people trafficking), threatens UK border security. Similarly: cyber crime, financial crime, and counterfeiting undermine communication and financial infrastructure, which impacts upon national investment. More recently the local impact of OC has become more pronounced with violent gang confrontations and illicit drug markets generating fear at street level. Mills et al. (2013) have recently reviewed the financial cost of OC to the UK, cautiously estimating it in the region of £24billion. Bullock et al. (2009) attempted to establish how the community perceived this phenomenon. Surveying 1000 members of the community during 2004 and 2006 it was discovered 70% felt the problem was very serious with 67% feeling it had become more serious in the past two years. Although there was limited knowledge as to how OC impacted upon the quality of life at street level, respondents said the threat to personal harm, was considered more of a concern than the wider impact at community (local) or society (national) level.

2. The Offender

Recent studies have focused on the type of offender committing OC. Dutch studies utilise their National Organised Crime Monitor, which collates proactively investigated and prosecuted offenders. This shows offenders are: unlikely to commit OC as a first offence; exhibit a more persistent offending pattern than general offenders. Further, on their first judicial contact, OC offenders have an average age in their mid 20's, and if incarcerated, are likely to receive a sentence three times longer than a general offender and exhibit a more serious criminal history (van Koppen et al. 2010). The studies also showed a 'late starter phenomenon' highlighting the importance of what Kleemans & de Poot (2008) call the 'social opportunity structure', which explains how criminal opportunities can act as a precipitator for organised crime involvement later in life. A UK study meanwhile (Francis et al., 2013), distinguished 4109 OC offenders registered on the PNC (0.2%). The analysis corroborated many of the Dutch findings with the convicted UK OC offender more likely to be: male (95%); white European (53.9%); aged between 19-45 years (86%); prosecuted for drug offences (73%); receive their first general Criminal Justice sanction before 18 years (65.5%); with only a small number likely to specialize in any particular offence (11.8%). Diversity across offenders' pathways was also apparent. For example almost one third of offenders had received no sanctions in

the five years prior to their OC offence, a category that included the oldest group of offenders (average age 37). Conversely the second largest group was made up of prolific offenders with an average of 15 sanctions prior to their OC offence and these were the youngest group within the sample (mean 27 years).

3.   Policing Interventions

History shows that the most frequent approach has been a traditional investigation culminating in prosecution (now more sophisticated with improved covert techniques). However, although important for deterrence and public perceptions of justice (Kennedy, 2009), enforcement is resource intensive Further, some argue incarceration merely provides a void for others to fill, whilst others argue criminal enterprise can continue in prison (Mackenzie & Hamilton-Smith, 2011). As such different approaches have evolved.

The first relates to disruption, defined as '… a flexible, transitory and dynamic tactic, which can be used more generally to make the environment hostile for the organized crime group' (Kirby & Penna, 2010:205). This approach concentrates on a zero tolerance approach to all types of illegal activity by the offender. Secondly Situational Crime Prevention attempts to, '…successfully stop or dismantle a single organized crime event, specifically those that change a process of environment in a sustainable manner' (Kirby & Penna, 2010:205). As a consequence whilst disruption focuses on the offender, prevention focuses on the crime, analysing the actors, process and facilitators (Kirby, 2013). Kirby & Nailer (2012) argue that Rational Choice Theory (previously formulated in relation to volume crime by Cornish & Clarke, 1986) can be used in this context. The theory argues that offenders (as the general population), normally make rational decisions – balancing the benefit of the crime against the effort and risks associated with its commission. In this way law enforcement interventions should consider how they: increase the effort for the offender to commit the offence; increase the risk of detection; reduce the rewards from the offence; remove the excuses; and remove the provocation that may encourage commission. All of these approaches are encompassed within the 2013 UK organised crime strategy around the four pillars: Pursue; Prevent; Protect; Prepare.

4.   Evaluating Success in Reducing Organised Crime

Whilst interventions against organised crime have evolved in frequency and sophistication, evaluation remains scarce. The 1990's New Public Management approach, using key performance indicators and targets (mainly quantitative), led to unintended consequences - including wasteful and corrupt actions. (Smith, 1995; Seddon, 2008). The Organised Crime notification scheme, that followed, required agencies to collate a variety of information (e.g. arrest, conviction, disruption) (Gregory, 2003), was later modified and suspended. Now most Police Forces currently collect information as to the number of arrests, convictions, commodity and assets seized. This approach is critiqued by Mackenzie & Hamilton-Smith (2011), who working alongside the Scottish Crime and Drug Enforcement Agency (SCDEA) argue that a more sophisticated model is required to distinguish inputs, activities, outputs, outcomes and context. In their proposed 'programme logic model' evaluation of the agency takes place over a longer period across a number of levels. For example the quality of the intervention is compared against evidence based good practice, whilst a panel assess both support and impact, and outcome measures are used to assess the reduction of harm.

5.   The N8 OC workshop

The final stage of this document provides survey results from delegates who attended a workshop held at Lancaster University on the 13th March 2014. 47 delegates attended from: Cheshire, Cumbria, Durham, GMP, Lancashire, Merseyside, and North Yorkshire Police Forces. Representatives also attended from the CPS, NCA (OCCC), North West Regional Crime Unit, the Environment Agency, and a number of Universities.

Delegates felt the OCG Mapping (OCGM) process was seen as a significant step forward, albeit some concerns were highlighted with the process. Delegates said Chief Constables (69%), Government (59%), community (6%) and professional judgement were the factors generating their engagement with OC. The majority (75%) used the Home Office or OCGM definition of OCGs, although a number stated it was very broad. There appeared a consensus that OC could be distinguished due to the scale of threat, harm and risk they posed; the serious nature of the crime; their level of planning and organisation; and the resistance to law enforcement attention. A number

of factors were seen to affect prioritisation, notably: the OCGM threat score; the level of harm the OC was causing; professional judgment; and the opportunity to intervene. However some felt that firearms distorted the process, and street gangs had become blurred with other elements of OC. Further it was felt that Human Trafficking (34%); Child Sexual Exploitation (31%); Financial crime/ Fraud (25%); and Cyber crime (19%) were the crimes most likely missed by the current OCGM process.

In the second stage of the survey, respondents were asked to provide information about organised crime offenders and groups. The overwhelming majority (91%) had observed both network and hierarchical structures. OCGs could be further differentiated as to their level of operation (local, national or international level); the level of threat and harm posed, the type of crime they engaged in, their level of stability, and their propensity to violence. Meanwhile individuals could be distinguished as to their role i.e. principal, significant or peripheral member; and specific task (leader, facilitator, organiser, enforcer). When asked about characteristics that made them vulnerable, delegates listed: greed (30%); family/associates (18%), the need to communicate (15%), and hiding assets (12%).

The third stage explored effective interventions. Respondents said enforcement was the most prevalent, followed by disruption, and preventative approaches. Asset recovery was described as the most effective intervention (77%), followed by enforcement (42%), partnership activity (35%) and 16% child safeguarding approaches (16%).

Finally the last element dealt with evaluation. All respondents stated this was done infrequently and most likely to encompass quantitative criteria, with arrest and imprisonment cited as the most commonly used. However it was identified that community perception was important in any assessment. When asked about the best method for evaluation, a significant number highlighted a mix of quantitative and qualitative methods; with a number also highlighting the need for constructive debriefs. Others stated evaluation required national guidance and training.

In conclusion to this review although research in relation to Organised Crime has a long history often this surrounds conceptual debates surrounding definition and models of operation. There is limited research on the offender and the most effective interventions to reduce their impact. It appeared from the workshop that there is a significant gap in knowledge transfer between academics and practitioners and a much closer relationship can bring benefits. The research gaps are significant, specifically:

- The type and level of OC currently unidentified by UK law enforcement agencies;
- The conceptual ambiguity between OC and street gangs;
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- Understanding what interventions work, in what context;
- Understanding how OC interventions should be evaluated.

Further Information

N8 is a partnership of the eight most research-intensive universities in the North of England: Durham, Lancaster, Leeds, Liverpool, Manchester, Newcastle, Sheffield and York