Transnational Investigation of Transnational Organised Crime: Towards a glocal willing and able police

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Abstract

Analysis based on semi-structured interviews with police participants involved in transnational policing.

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Abstract

Transnational policing and transnational police subcultures are examined in more detail in this paper. We argue that there is a strong culture of overall willing and able officers that challenge some of the generally negative aspects of subcultures analysed by Bowling and Sheptycki (2012). Bowling and Sheptycki (2012) and the wider literature on police culture indicate there is a domination of cultures that lead to policing that would not be viewed as legitimate in democratic societies. Therefore, there is a need to draw out and understand the existence of legitimate police cultures to promote legitimate glocal willing and able policing as the norm.

Bowling and Sheptycki (2012) draw out transnational police occupational subcultures, which included diplomats alongside ‘technicians, entrepreneurs, public relation experts, legal experts, spies, field operators and enforcers’ (p. 87-92). They argue that enforcers dominate transnational policing and appear to work outside the confines of the nation state pushing policing towards the global ‘war on crime’ rather than a more legitimate glocal diplomatic approach (Bowling and Sheptycki 2012). Whereas Severns (2015) and Severns, Paterson and Brogan (2020) found police officers working at the transnational level to be predominantly diplomats who appear to abide by nation state sovereignty whilst seeking transnational and global assistance. They push policing towards the local making it glocal.

We compare the study of the police transnational firearms intelligence network by Severns (2015) and the study of the transnational investigation of modern slavery by Severns, Paterson and Brogan (2020). This evidences what makes a glocal willing and able police team and suggests a strategic model towards achieving an overall glocal willing and able police, which Heeres (2012) suggests should be the aim of all those involved in transnational policing.

Introduction

Research carried out by Severns (2015) and Severns, Paterson and Brogan (2020) indicated the existence of a strong culture of willing and able police officers working at the transnational level, gathering intelligence and evidence on serious and organised crime. Heeres (2012, p.120) called for an adoption of ‘Glocal policing
(think global, act local) based on an overall ‘willing and able’ culture. But what makes a glocal willing and able police team?

This paper compares the findings from adaptive grounded theory research by Severns (2015) with findings from similar research by Severns, Paterson and Brogan (2020). The transnational police culture that exists within the transnational investigation of the illegal supply of firearms and modern slavery is analysed to suggest a strategic model for a glocal willing and able police.

Severns (2015) researched the police transnational firearms intelligence network (The Network) involving UK police officers working with officers from various other nation states investigating the illegal supply of firearms. Severns, Paterson and Brogan (2020) researched the transnational investigation of transnational organised modern slavery. The latter includes a detailed case study of the police involvement in a UK/Latvian Joint Investigation Team (JIT) known as Operation Doubrava and it was preceded by a Rapid Evidence Assessment (REA) of research into transnational investigation of modern slavery dating back to 2000 (See Severns, Paterson and Brogan 2020a).

Methodology

The Network was researched with the aim of identifying any reconstruction of policing that took place as a result of how that Network operated. Adaptive grounded theory methodology Grounded theory corresponds with the professional background of the researcher as a former police detective skilled in gathering information to be used as evidence or intelligence. An open mind was kept whilst gathering and analysing the research data. However, the researcher did have prior knowledge of the workings of the Network and associated theory and that prior knowledge makes the grounded theory adaptive (Chamaz 2006). Chamaz 2006) drew out what the Network police participants They are known here in as Avery (formerly Network Jordan), Blake (formerly Network Alex), Chandler (formerly Network Geri), Drew (formerly Network Billy), Emory (formerly Network Chris) and Francis (formerly Network Jean). Gender spellings of the names are mixed and do not necessarily relate to the gender of the participant. This was triangulated with evidence from the researcher’s previous insider police detective experience As stated by Corbyn-Dwyer and Buckle (2009, p56), ‘I leave it up to the reader to decide if my insider status would improve or impede my ability to carry out the study’. (Sugden and Tomlinson 1999) and Open-Source Intelligence (OSINT) research44The data has been analysed and corroborated with Open-Source Intelligence (OSINT) drawn from rigorously researched and evaluated information from publicly available sources (Tekir 2009). (Tekir 2009). The data was also subjected to nodal network analysis to establish which nodes in the Network exerted most influence (Shearing and Johnston 2010). It covered a snapshot in time between 1998 and 2012.

Similar methodology was used to gather data from Operation Doubrava 55They are known as Alex, Billy, Chris, Gene and Jordan. Gender spellings of the names are mixed and do not necessarily relate to the gender of the participant. participants at the local end of a transnational network. This was with the aim of developing further knowledge of the police response to Transnational Organised Crime (TNOC) through a critical exploration of Operation Doubrava and the role of Joint Investigation Teams (JITs). The long-term aim of researching the Network and Operation Doubrava (preceded by a REA66Evaluation research examines the effects of an intervention on a specified problem. It considers cause and effect to explain what has happened as a result of the intervention (Bachman and Schutt 2008, Semmens 2011). A rapid evidence assessment (REA) of the evaluation of the use of JITs to investigate and disrupt transnational modern slavery impacting on the UK was completed. The assessment was of evaluation, reviews and inspections carried out by various organisations before a cut-out date of 9th March 2019. It did not include individual JIT debriefs as there was no access to such debriefs other than the annual review of debriefs completed by the JIT network of experts. of transnational policing of modern slavery from 2000 to 2019 and supported by separate undergraduate research of Trafficking in Human Beings (THB)77Modern slavery is the terminology used in England and Wales as an umbrella term to cover all forms of slavery and Trafficking in Human Beings (THB). It is accepted that this terminology is contentious (see Sereni and Baker 2018) but modern slavery is the predominant terminology used in this paper.) to develop knowledge on TNOC and the police response
to TNOC with a view to establishing what works to reduce TNOC. This is in line with the quest to develop evidence-based policing (COP 2017).

The grounded themes drawn from the Network research were:

1. The Firearms Threat to the United Kingdom (UK)
2. The Key UK Nation State Nodes in the Network
3. Transnational Nodes in the Network that Develop Nation State Policing
4. People and ‘The Tools of late Modernity’ that Facilitate the Network

Analysis of the Network themes demonstrated that the Network, “is a co-operative organisation of transnational organised crime policing anchored within the nation state. It is a development of nation state policing, involving some pluralisation with other public organisations, rather than a top down global reconstruction of policing from the outside facilitated by pluralisation with private providers.” It contributes towards a glocal reconstruction of policing (Severns 2015, p. 243).

The grounded themes drawn from the Operation Doubrava research were:

1. Modern Slavery as a TNOC Threat
2. The Victims
3. Transnational Policing of Modern Slavery as a TNOC

Analysis of the Operation Doubrava themes demonstrated that, “JITs do work as a tool to investigate organised modern slavery when they are underpinned by a glocal victim focussed willing and able JIT approach. However, there is a need to understand all forms of modern organised crime and the ever-changing spaces in which they operate, and to research how best to prioritise and respond to organised crime and its victims” (Severns, Paterson and Brogan 2020, p. 234).

The common theme between the Network and Operation Doubrava is clear evidence of a glocal willing and able police response to TNOC. It was also a common theme across the modern slavery research evaluated for the REA.

The research of the Network involved semi structured interviews with police participants gathering intelligence and evidence to prevent and/or prosecute various transnational firearms trafficking offences, whereas the research of Operation Doubrava involved semi-structured interviews with police participants gathering intelligence and evidence to prosecute one Organised Crime Group (OCG) for modern slavery offences. Nevertheless, both studies involved the transnational police response to transnational organised crime (TNOC) involving UK police officers and drew out similar grounded themes from which comparisons can be drawn. The thematic findings from the Network and Operation Doubrava have now been compared and analysed together with the current literature and the REA to draw from a broad range of evidence on, ‘What makes a glocal willing and able police team?’

The Current Literature

Both Severns (2015) and Severns, Paterson and Brogan (2020) drew out similar themes on the crime threat and the response. The overall response was found to be glocal and sustained by willing and able police officers who were diplomatic in their approach. Bowling and Sheptyki (2012) identify transnational police occupa-
ional sub-cultures, which include diplomats alongside ‘technicians, entrepreneurs, public relation experts, legal experts, spies, field operators and enforcers’ (p. 87-92). However, unlike Bowling and Sheptyki (2012), Severns (2012) and Severns, Paterson and Brogan (2020) found police officers working at the transnational level to be predominantly diplomats as opposed to enforcers. Enforcers appear to work outside the confines of the nation state pushing policing towards the global ‘war on crime’ rather than the glocal (Bowling and Sheptyki 2012) whereas diplomats appear to abide by nation state sovereignty whilst seeking transnational and global assistance and push policing towards the local making it glocal.

The transnational crime threat is facilitated by globalisation, whereby OCGs and terrorists have embraced the increased connectivity between nation states and the ability to travel, using improved networks and technology (Held and McGrew 2003, Levi 2007). Therefore, the transnational policing response and any reconstruction of policing should be examined within the context of globalisation (Castells 2004) and a theory of global policing to ensure the threat is being mitigated by flexible ethical legitimate policing. Legitimacy being legitimate in the eyes of those policed as part of a democracy where human rights are fully accepted and recognised (see Rumbaut and Bittner 1979, Kennedy 2004, Bottoms and Tankebe 2012). Bowling and Sheptyki (2012) propose such a theory of global policing which, they evidence as weighing in the direction of policing towards the global rather than the local, but in doing that they advocate the need for more diplomatic policing to check the advance of global enforcers.

Current literature indicates a continuation of ‘policeization’, a form of bureaucratisation where police officers, operating independently from the democratic nation state, meet to create transnational policing processes (Deflem 2002, p. 228). In addition, a reconstruction of policing in the form of pluralisation and privatisation, which extends to the transnational has taken place (Bayley and Shearing 2001, Jones and Newburn 2006). Sometimes, that reconstruction leads to influences by organisations not based in the UK, which could add to the perception that a global police state exists (Westmarland 2011, Stenning and Shearing 2012, Bowling and Sheptyki 2012). Whilst there are no global police forces, global policing does exist in the guise of transnational policing that is delivered locally. Police officers and staff working on a transnational basis make decisions that have an impact on how policing is delivered at the level of the Basic Command Unit (BCU) within a nation state. Therefore, the theory of global policing is best explored within the glocal, national, regional and global geographical spheres of police operation (Bowling and Sheptycki 2012).

Bowling and Sheptycki (2012) view policing taking place in the several geographical spheres from the local to the global. Global policing is complex, it is facilitated by an ‘occupational subculture of policing’ (p. 28) and includes a subculture of police personnel who operate in the different spheres of policing. In some cases, those police personnel take part in poor policing whereby they circumnavigate the law. This leads to insecurity and, with the increasing inter-connectedness of globalisation, the insecurity becomes global and influences nation state policing. That influence is delivered via transnational policing through links to the different geographical spheres of global policing, which have several centres of control. As a result, the nation state is undermined by a global network of policing (Bowling and Sheptycki 2012).

Global spheres of policing have a global range and include organisations such as Interpol. However, global spheres do not put the global in global policing, and organisations such as Interpol, which is included in the global sphere, do not dominate global policing. Instead, as with organisations and operations in the other spheres, global sphere organisations like Interpol, are nodes, which form part of a complex network that is global policing. Regional spheres in the network are concerned with the security of a region of the world and include Europol. National spheres are concerned with the security of the nation state and include organisations such as the National Crime Agency (NCA) in the UK and glocal spheres include local police forces and operations with transnational links (Bowling and Sheptyki’s 2012).

Interpol and Europol have in the past been dismissed as facilitators of communication between nation state police forces (de Buck 2007, Walker 2008, Yates et al 2011). However, they should, without striving to become supranational police forces, be more proactive in gathering and disseminating intelligence between nation states to generate action and facilitate glocal policing. They should be taken more seriously as
strategic partners in glocal policing (Heeres 2012, p. 107).

The term glocal, which Hobbs (1998) used to describe the impact of global activity on local criminal activity can also be used to describe the policing of criminal activity at this level. Police forces in the UK, US and Australia respond to local crime such as drugs, with an understanding of the wider global influences of drug trafficking through a network of trafficking routes. As such, they take part in transnational policing throughout the different global spheres of policing to help deal with the local threat from drug crime and related criminal activity. This makes them glocal in nature (Bowling and Sheptycki 2012). Most of the policing that takes place is done locally. Even when organised drug dealing with links to the various spheres of global crime is committed, most of the police work takes place locally with support from the various spheres of global policing. Therefore, any local policing that takes place needs to consider global influences and the global policing support that is available. This needs to be done willingly, based on a culture of trust that the local will not be undermined by the global (Heeres 2012).

Bowling and Sheptycki’s (2012) subculture that exists within global policing impacts on world order and it consists of police officers and police staff working across nation state boundaries, using surveillance and coercion, to deal with criminal threats. According to the literature, in some instances, police officers use evidence available in other nation states that is not available under their own nation state criminal law to control crime. For example, during the 1990s when the interception of telephone conversations was not allowed in Belgium, the Belgian police requested that other nation states carry out the intercept for them, which they then used as evidence in Belgium Courts (Bowling and Sheptycki 2012, p19). Global policing is, therefore, more than just law enforcement. It involves a variety of techniques driven by a subculture of police personnel who are fallible and do not always operate as they should.

The strength of culture that exists at all levels of global policing should not be underestimated. It influences political, legislative and operational police decisions and can lead to mistrust between nation states. What is needed is strong leadership to manage that culture, to engender trust between police forces from different nation states, to ensure policeization continues to influence policy and legislation and move policing forward for the better by increasing interconnectedness that is sustainable, professional and legitimate (Heeres 2012). In operational policing, investigative teamwork culture impacts positively on the investigation of crime. A good teamwork culture leads to the frank exchange and sharing of knowledge and that enables the police to perform well and bring about a successful conclusion to the investigation. Such a culture exists among groups of police officers who are engaged in various complex investigations including trafficking in illicit commodities (HMICFRS 2017). The culture exists because there is an identified goal to aim for (Glosmeth, Gottschalk and Soli-Saether 2007). This teamwork culture can in turn engender glocal willing and able policing (Heeres 2012).

High and low policing is also part of the architectural analysis. High policing secures the interests of the state and national security and low policing involves day-to-day police patrolling, crime investigation and solving community policing problems (Brodeur and Leman-Langlois 2003, Bowling and Sheptycki 2012). Despite the assertion from Brodeur (2007) and MacVean (2008) that high policing is still distinctive through its intelligence absorption as opposed to case building, the wider literature states high and low policing are becoming increasingly blurred particularly through pluralisation of government policing nodes (Jones and Newburn 2006, O’Reilly and Ellison 2006). That blurring between high and low policing is confirmed by the Network and Operation Doubrava research. Organised crime is listed as a national security threat to the UK (CPNI 2020). The glocal nature of the threat, which is evidenced in this paper, means that the covert techniques once the domain of national security and high policing are now widely deployed in everyday local low policing in the UK. Such deployment is subject to proportionality and necessity tests that are required by law (Billingsley 2009).

Transnational policing and transnational police subcultures are now examined in more detail in this paper. We argue that there is a strong culture of overall willing and able police officers that challenge some of the negative aspects of the subcultures analysed by Bowling and Sheptycki (2012). In the wider literature on police culture there is a domination of cultures that lead to policing that would not be viewed as legitimate
in democratic societies. Therefore, there is a need to draw out and understand the existence of legitimate police cultures to promote legitimate glocal willing and able policing as the norm.

The Network v Operation Doubrava

To draw out what glocal willing and able policing looks like it is necessary to compare the Network with Operation Doubrava. The Network themes and the Operation Doubrava themes can be split into two broad areas:

The transnational criminal threat, and

The police response to that threat.

Both the Network and Operation Doubrava have a single theme which critically analyses the threat. The remaining themes critically analyse the policing response, apart from the Operation Doubrava victim theme which contains aspects of victimology. The vulnerability of victims contributes to the analysis of the threat, and the victim theme also contains analysis on how police see victims, which contributes to the policing response. Overall, the police gather intelligence on the threat, they make sure they understand the threat and how it impacts on victims locally, this then drives them through a process of policeization to establish transnational contacts within the global world of policing to set up a co-operative network of willing and able police officers (loyal to the nation state) who gather intelligence and evidence to prevent the crime locally and bring offenders to justice. This is glocal willing and able policing in action and throughout the process police officers are motivated by wanting to do their best for victims (See Fig 1).

Fig 1 – Glocal willing and able policing in action.

However, such victim centred glocal willing and able policing is easier said than done. This is summed up by Jordan a UK based police officer on Operation Doubrava, striving to support victims:

“Well, when it comes down to it, . . . it’s about people, and that was my stance right from the very start. It’s around people . . . Victims. . . . it’s around them victims and people and around that vulnerability that sits within there. Because, as an organisation we’ve turned our mind now to . . . focusing on that vulnerability; if you can tackle that vulnerability, you know, it’s a win/win for everybody around there. But the pressures that came were, at that point in time, for me, were more about resources and, not so much a battle but repeated discussions, and the same discussions over and over again on why we should do certain things; you know, why should we fund this type of criminality when there’s all this other stuff going on. So, there was a lot of negotiation”

That negotiation revolves around explaining the threat and justifying the resources that are needed on a case by case need. With both the Network and Operation Doubrava there was a clear understanding of the threat posed and that there was a local impact on victims. The main firearms threat was glocal in that it revolved around diverting legitimate live, deactivated firearms and blank firearms from a legal global market into an illegal local market of reactivated and converted firearms which had a local impact on the criminal use of firearms in the UK (Severns 2015). That glocal firearms threat remains (NCA 2020). Similarly, the modern slavery threat was glocal in that it revolved around the availability of vulnerable people who could be moved from one country to another and exploited in the local UK job market or as house slaves for the OCG locally in Latvia. The Operation Doubrava OCG operated a business structure whereby the proceeds of their crime could be moved from one country to another and converted and used locally (Severns, Paterson and Brogan 2020).

When they are used, firearms have a serious impact on victims, their families, and the fear of crime (Golding and McClory 2008). Therefore, it is necessary to clearly state what the threat is and participants in the Network did have a clear understanding of the threat and its implications for victims and their families. As a police officer the Network researcher witnessed several presentations by Blake from the Network on the need to improve firearms investigation. Blake always explained the threat and put the victim first showing
pictures of all those killed using firearms in the UK in recent years. This emphasised the need to be effective in managing the firearms threat on behalf of those victims and their families and to prevent more people becoming victims (Severns 2015).

That desire by police personnel to want to do the best for victims and families is extraordinarily strong. Again, the Network researcher gives his own experience of this. He cites one example as having attended a double shooting where a man shot his partner dead with an illegal sawn-off shotgun then killed himself with the same gun. Much of the incident was witnessed by a member of the partner’s family. The researcher describes such suffering of victims and their family as motivation to track down the illegal suppliers of the firearm (Severns 2015). This is just one of a number of similar incidents where victim suffering motivated a police response. Such a response is evident in many careers and situations beyond policing and if captured and managed well leads to expeditions action to help people. The COVID-19 response is one example where many people at all levels including the prime minister talk of the suffering of victims of COVID-19 and use this as a potential motivator for taking positive action (BBC News 2020).

However, putting victims of crime first must come with a warning. The ethics which are part of the police National Decision Model (NDM) must be considered (COP 2014). The human rights of suspects and accused are just as important as those of the victim and they must be preserved to prevent any miscarriages of justice. There are examples of where the determination to bring offenders to justice can lead to miscarriages of justice. Therefore, investigations must be impartial (Kennedy 2004) and open minded. Detectives must always keep an open mind, even when putting victims first. This did not appear to happen during the flawed Operation Midland paedophile investigation run by the metropolitan police where, early in the investigation the SIO stated the allegations by the alleged victim were “credible and true”. This led to a lengthy investigation into what turned out to be false allegations made against several individuals (Dixon and Evans 2019).

Knowing and understanding the complex crime script and the nodal network it forms can help in determining how to prevent, detect and disrupt TNOC (Cornish and Clarke 2002, Kenny 2008, Shearing and Johnston 2010) whether a structure or activity approach (Sergi 2013)11Organised crime can result including the structural approach to defining and prosecuting organised crime predominant in in Italy or the UK approach of dealing with organised crime as an activity that can be disrupted (Sergi 2013). The Network and Operation Doubrava suggest that there is in fact a mixture of both approaches in the UK is taken. It also helps to break down the crime for investigative purposes as shown by Operation Doubrava participants who used a form of script analysis when viewing the Operation Doubrava OCG as an illegal business structure. In addition, by identifying the motivation for the crime, in response to criticism of the ‘simplistic’ Rational Choice Theory (RCT) and Situational Crime Prevention (SCP) which underpin crime script analysis (Tierney 2009), other distinctions can be made. This enables wider social controls to be implemented from the causes of crime end of the continuum identified by Stenson (1991).

From a study of the existing literature, organised crime can be summed up as, ”More than one person working together over a period of time to commit crime for personal gain. By committing crime, or in protecting their criminal enterprise, those persons present a serious threat to society by way of violence, corruption or damage to the economy” (Severns 2015, p33). However, ‘There is a continuum of organised crime activity which is dependent on the type and seriousness of crime, the amount of violence, corruption or economic damage caused and whether it is glocal or transnational in nature’ (Severns 2015, p105). Therefore, an open mind needs to be kept as to ‘what is organised crime’ and ‘how organised it is’. Rather than making sure boxes are ticked and criterion has been met to allocate resources, experience from the Network and Operation Doubrava suggests the allocation of resources should be done on a case by case need. There should be greater flexibility in understanding and accepting how organised the criminal activity is, and that includes what impact it has on victims.

As evidenced by Jordan:

“…it’s quite obvious that, as we would say in Policing terms, there’s a job in it. You know from the information and the intelligence that we found, there’s a job in it. That’s when some of the political battles
start to come in because people have thrown modern slavery about and not really understood the depth (of the problem). There was the battle of well if we are going to treat it as a longer-term investigation does it . . . fall under the organised crime mapping. But of course that’s where then there’s the rub because I understand from my previous roles around organised crime routes and the mapping of them and how that works and some of that how long it actually takes to get things through the mapping process and all the intelligence research that goes through it, and I wasn’t prepared to let . . . an admin process get in the way of the investigation . . . it was quite obvious when the detectives started doing their research work . . . it’s quite obvious there is a victim background starting to come out.”

Jordan and Operation Doubrava colleagues had to argue their case to deal with the threat as a TNOC and allocate the appropriate resources. However, they were assisted by willing senior officers who enabled them to progress the investigation. Such officers are not always so willing to enable action and that willingness needs to be encouraged. Drew, a Network participant, when discussing the difficulties of organising senior officers from several forces to deal with a threat, stated that:

“... when we tried to pull people together it was about (identifying) coalitions of the willing . . .”

When those people are convinced, and the willingness is there then things happen. This was the case with the Network and with Operation Doubrava. As summed up by Francis from the Network, when discussing national strategic action to disrupt the illegal supply of firearms:

” ... when ten Chief Constables get together in a room and agree a course of action nationally it tends to happen even though we do not have a national police force.”

Once it is clear what the TNOC threat is and the resources are allocated the investigative strategy needs to consider what global policing assistance is needed to act locally and achieve the aim, be it to eradicate the supply of illegal firearms and reduce the number of victims or to rescue victims from modern slavery. There needs to be a leaning towards a creative diplomatic transnational police culture to achieve continued policeization and to establish a transnational co-operative network of willing and able police officers who, whilst working on a transnational basis to achieve a glocal result, remain loyal to their nation state.

There also needs to be trust in any transnational team, particularly when high policing tactics are used and there is a ‘need to know’ policy to protect sources of intelligence. Sharing of information and intelligence has been a recurring issue for JITs and transnational policing in general (Yates et al 2011a, JITs Network 2017 and 2018). This leads to a mistrust of any forms of transnational policing and it is something that needs to be overcome to achieve a willing and able team (Heeres 2012). It is not something that was discussed as an issue by the Operation Doubrava officers. Similarly, the Network participants were reluctant to talk about high policing matters. However, they did allude to the involvement of the lead high policing organisation, the Security Service (MI5), whose core function is the protection of national security (MI5 2020). The participants declined to discuss the detailed involvement of MI5 in the Network for security reasons as they did not wish to disclose any operational tactics. Instead, they went so far as to state that MI5 contributed to transnational operations in that they participated in national Counter Terrorism and Organised Crime strategy meetings. Also, Avery mentioned MI5 when discussing the dissemination of transnational intelligence on firearms:

"It would depend on the type of intelligence ... SOCA 22 SOCA and some of those working in partnership with it were brought together under one organisation (the NCA) on 7th October 2013 (BBC 2013) .... are the ... UK portal for that type of stuff coming in, apart from the Security Services (MI5) (that is) . . .”

Discussions about protection of intelligence sources (if indeed it was a factor in Operation Doubrava or a challenge in transnational policing for the Network) is something that is unlikely to be shared with the researchers. The researchers understand that; especially when one of the researchers has regularly had to run a ‘need to know’ policy about covert police work, some involving MI5. That researcher also understands the tension that can exist between staff when at a later stage there is a need to disclose that some aspects of a police operation have been kept secret from colleagues. It can lead to mistrust between officers. Therefore,
the situation must be managed and carefully explained to keep any team willing and able. Transnational policing ‘diplomats’ and ‘legal experts’ need to be tasked with working out such issues for transnational policing.

The work of police ‘diplomats’ and ‘legal experts’ is analysed together with other transnational subcultures of police by Bowling and Sheptycki (2012). They theorise that the global policing response involves various subcultures of police actors working within the ‘architecture’ of global, regional, national and glocal spheres rather than as a global police force. They and others argue this represents a perceived move towards a global police state, identified in the wider literature (see Westmarland (2010)), where policing of the nation-state is controlled from the outside. Bowling and Sheptycki (2012) suggest the existence of an abundance of ‘enforcers’, at all levels, who stifle problem solving. They shift global policing in their favour and towards a global police state of enforcers waging a ‘war on crime’. However, there is evidence from the Network, Operation Doubrava and the Severns, Paterson and Brogan (2020a) REA that the transnational subculture of policing leads to an overall global response, with the police being loyal to the nation state but generally willing and able to work transnationally. This is mainly due to a diplomatic approach backed up by legal experts who aim for a legal and ethical co-operative policing response.

To understand how the subculture of the Network and Operation Doubrava differs from Bowling and Sheptycki’s (2012, p87-92) subculture of police actors, they are best analysed by way of a direct critical comparison. Elements of all the transnational subcultures can be found in the Network and Operation Doubrava and within all the architectural spheres of policing. However, this paper focuses on evidence from the participants that the policing they were involved in worked and how the relevant transnational subcultures can be applied to show that they contributed to a global willing and able policing response. As a result, the ‘Diplomats’, ‘Legal Aces’, ‘Field Operatives’, ‘Enforcers’ and ‘Technicians’ are drawn out within this analysis:

‘Diplomats’ are fully aware of the law, practice and procedure in various areas of policing. They are experts in language and cross border working. According to Bowling and Sheptycki (2012) they are a rare but valuable commodity in policing and there should be a push for them to take the lead in all areas of policing. It is clear from the Network and Operation Doubrava, as well as in the REA that not all those taking a purely diplomatic approach have the full range of legal and procedural knowledge. They do seek out the advice of those with the knowledge to support a diplomatic approach to put together a global willing and able team. Those with the expertise remain in a support and facilitating role (usually at the national or regional level) to enable the local officers to take operational decisions and develop their own expertise. This is clearly evidenced in the way Gene (and others) from Operation Doubrava operated to develop the transnational element of the operation (and in this case they literally worked diplomatically with an International Liaison Officer (ILO) attached to an embassy): “…prior to making SIENA (Secure Information Exchange Network Application) submissions. . . we’d been engaging with the Latvian Embassy, there was a cop there that’s embedded in the Embassy, … and we . . . struck up a relationship with this cop . . . when we wanted some quick information or quicker access to information we’d get in touch with the Embassy - so things around family tree, identities, certain addresses in Latvia, we were contacting the Embassy and getting the information almost instantly. So . . . the guy from the Embassy came up (with a colleague). Therefore) we had two Latvian cops for the enforcement and we did get some bits and pieces through that 4 days of enforcement that were useful, and actually while the cop was over from Latvia we used that situation to brief him up about the job fully and we spent some time with him, I took him out for some food, you know, and we kind of clicked really I suppose, straight away they got the job - they come from a dedicated Trafficking Unit out there so that’s all they look at. So he went back armed with a load of information about our job, obviously got a bit of an affiliation to it because he’s been involved in the enforcement, he could see the effort that we were putting in, he was there at 2 o’clock in the morning when I
briefed up 60 odd cops, he was there at one of the addresses when we put the doors in, you know, so he’d got some affinity to the job. So, it was a bit of a strategy really to brief him up at the time to take it back to his gaffers.” Gene then explained how the Operation Doubrava diplomatic work continued: “...we started to put loads of information in through SIENNA, telephone numbers that we’d put in were being linked to different criminality or associates of our nominals were linked to different criminality in other parts of Europe and we were really pushing for a JIT or I was pushing for a JIT through ...Europol ...we did the enforcement in September and it took weeks and weeks of badgering ... and we eventually managed to secure a face-to-face meeting at Europol which I think was in mid-November 2017. So myself and (another officer) ... travelled over to The Hague, to the Europol building to pitch our job to the Latvians and in order to get a JIT the member state that you’re trying to engage with had to have an investigation or has to be some benefit to them over in Latvia. So we sat down with the Tack Advisor from the NCA, (who) knew about the job, ... and formulated a strategy about how to pitch the job, what the Latvians might be interested in, where they might see benefit in our job and I did some research around the Latvian Criminal Justice System and the Police, I established that they have a completely different setup overseas as they do in the rest, most of the rest of Europe, it’s actually the Ministry of Justice or the equivalent to CPS that run investigations; the Police aren’t allowed to just generate a crime report and start investigating anything. Having done the research Gene and others elected to meet their Latvian counterparts at Europol and Eurojust premises in The Hague. They could have met in the UK as they were initiating the JIT part way through their investigation or they could have elected to go to Latvia. However, they felt that the meeting would be better taking place in a neutral location where the facilities were described as ‘really good’, with translation resources and Europol and Eurojust staff used to facilitating JITs. This diplomatic approach clearly worked with establishing a JIT of willing and able officers taking a global approach. The JIT was a transnational tool drawn from the global spheres of policing to enable local action in the UK and Latvia. Similar diplomatic policing was evidenced in the Network in developing a Memorandum of Understanding (MoU) for sharing of intelligence between the UK National Ballistics Intelligence Service (NABIS) and the US Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF). This came about as a result of a meeting between a NABIS officer and an ATF officer at a regional event in Europe and enables tracing of firearms originating from the US and used by criminals in the UK. A transnational tool drawn from the global sphere to enable various police nodes within the Network to take local policing action. ? ‘Legal Aces’ bring cases to court to promote changes in legislation and increasingly look to the civil law to manage serious and organised crime. They can use the law to the best advantage of the police or to protect the police from counter claims (Bowling and Sheptycki 2012). There is little evidence provided by the Network participants of the use of legal aces. However, those working from the UK as part of the Network do rely on the legal expertise of those working in the NCA to formalise the gathering of information for intelligence and evidence from other nation states through a network of NCA ILOs. Operation Doubrava participants also rely on the legal expertise of the NCA, Europol and Eurojust, particularly when drawing up the terms of the JIT which includes provisions to ensure nation state sovereignty is not breached and the law of the relevant state is always complied with. Nation state law is regularly referred to as paramount by both Network and Operation Doubrava participants: Chandler from the Network was adamant that: “Anything that (NABIS staff) do on a transnational basis has to adhere to UK law, policy and procedure.” Gene from Operation Doubrava was just as adamant: “It’s got to be legal in both countries so whatever’s happening, ... it’s got to stand up to scrutiny at court, it’s got to be... we can’t just go over and work to our rules in Latvia, it’s got to be to the Latvian way but whatever you gather out there it’s got to stand up to scrutiny here.” In addition, Operation Doubrava participants state that the Crown Prosecution Service (CPS) and barristers who put the case for the prosecution had a good grasp of the case. Similar Criminal Justice (CJ) research by Annison (2013) who as well as finding success in the investigation stage was due to police specialist knowledge, found success at the trial stage was due to good knowledge of THB amongst CPS workers and barristers appointed by them, as well as amongst the judiciary. ? ‘Field Operators’ are usually involved in community policing initiatives such as partnership working and Neighbourhood Policing Teams (NPT). They also contribute to problem solving and carry out the everyday visible aspects of policing at a local level. They police by consent but the role is shunned by police in general in favour of enforcement by the enforcers who believe they do ‘real crime
fighting police work’ and take the lead in all spheres of policing (Bowling and Sheptycki 2012). ‘Real police work’ is a general subculture of policing where some groups of officers see anything other than the role of visible crime fighting enforcer as a waste of time (Paoline et al 2006, p. 578). The Network would not, however, operate if enforcers were taking the lead. The Network needs every day meticulous field operators whether they are at the local UK level, gathering information for intelligence, or analysts and intelligence officers making sense of the information to produce intelligence at the local and transnational level. The police in the UK operate in a community policing philosophy (Baggott 2007). Therefore, whatever their rank, experience, or sphere of operation they will carry some of that philosophy with them. That philosophy appears to exist within the Network with the mission to prevent and detect gun crime on behalf of victims and their families. Those victims live in the community and firearms crime is a community problem that requires intelligence as part of the problem-solving process and sometimes the best information comes from the community (Gregg 2014). This was highlighted in the Operation Doubrava investigation where the initial information that led to the modern slavery offences being uncovered came from a domestic abuse call from a member of the community. This led to uniformed response officers working in the field identifying lines of enquiry for detectives to develop through more field work. Enforcement only came at the end of protracted investigations and was carried out locally. ‘Enforcers’ tend to take the lead and want to be the most visible of police officers. They fully embrace the monopoly of force and see it as the way to get the job done. They work on the premise of guilty until proven innocent. They see the criminals as the enemy and tend to abuse their power and their use of force. The outcome of the enforcer taking the lead is bad policing. They have become prominent, especially where the rhetoric is about a war on crime (Bowling and Sheptycki 2012). Researcher police experience is that the police do like to engage in enforcement and some UK police officers and politicians, use the rhetoric of a war on crime. However, enforcement is best delivered when it is based on well researched intelligence from reliable well managed sources and the ethical open-minded gathering of evidence. This is demonstrated in the Network by Operation Barker. Operation Barker was the investigation of a Derbyshire OCG supplying deactivated firearms with the means to illegally reactivate them for criminal use (Severns 2015). and illegal firearms supply offences at the transnational level, where enforcement was just a small part of a wider long-term intelligence gathering and problem solving phase and the enforcers were led and managed by those engaged in the intelligence field. The fact that enforcers are led by and managed by those engaged in intelligence, reinforces the importance of intelligence and supports Grieve’s (2008) assertion that ‘analysed intelligence is more potent than coercive force for policing’ (p17) and Phillip’s (2008) assertion that enforcement intervention is only a small part of the overall policing picture. The same applied with the enforcement of Operation Doubrava. Although, victim rescue was the priority and early enforcement was sought, it did not stop officers gathering evidence to support that enforcement and bring offenders to justice. Again, the local enforcement was a small part of an overall global picture. Operation Doubrava officers gathered evidence following the initial field work before enforcing in the UK with Latvian police officers present. Then they had to work with Latvian officers through the JIT agreement before enforcing in Latvia. The lead up to the Latvian enforcement is described by Gene: “The second meeting is held at Eurojust and … the legal framework around the JIT is drafted out and agreed and the parameters of the JIT are agreed at that meeting. … we took a contingent from the UK, it was myself (the officer in the case and the) Senior Investigating Officer … (the NCA) came, … our Desk Officer from Europol came along, … CPS, … a UK representative from AP Phoenix55Project Phoenix at Europol is the dedicated team to support investigations into modern slavery and THB and the analyst is based in the Europol National Unit–UK (ENU-UK) (MSPTU 2018), … our Eurojust UK representative and then a similar kind of setup for the Latvian side. Again, we did another presentation; what we sort the benefits of involving Latvia were, again we’d done another evidential and intelligence review prior to that meeting so again an updated overview of the investigation … The Latvians did the same on this occasion … they didn’t present at the previous meeting, but they came on with some information and a presentation to this meeting based on the work that they’d gone off and done in the background. So, they gave us an update on who they’d identified in Latvia, where they thought they might be … … So, the 17th January was the sign-off for the JIT and the 21st or the 19th, couple of days after, was the submission for the funding, 2 weeks after I was in Latvia having the first coordination meeting, first planning meeting with 2 cops from my team with the
Latvians in Latvia and then 2 weeks after that we were putting doors in. So, it was rapid; ... from January to mid-February was planning, funding, flights booked, strategies put in place, enforcement teams put in place in Latvia, travel arrangements for 8 of us to go over, a media strategy, liaison between the two media teams, gone out, arrested 4 and extradited them back to the UK, now that is absolutely rapid.” ‘Technicians’ use technology to gather information for intelligence and evidence. They use a range of analytical tools such as the identification of hot spots. They can be hampered by surveillance and intelligence systems that are fallible. Their role in operating such systems can impact on the freedom of the individual (Bowling and Sheptycki 2012). Such technicians exist within the Network. However, they are more concerned with the development and governance of forensic intelligence systems and merging them with human intelligence systems. There is no indication of any breaches of individual freedom as a result. Similarly, no such breaches were indicated by Operation Doubrava participants. They cited use of technology as a best practice outcome. Once the Latvian Police were signed up to the JIT and prioritised the victims, according to Chris (a Latvian participant) they also adopted the UK approach to videoing victims giving their witness statements: “We do learn every day; we do learn from each case but regarding Doubrava we saw...we noticed how British police normally do interviews regarding technical stuff for instance audio video...from a technical point of view. We have tried doing it ourselves as well using ...from a technical point of view but we thought it’s pointless really to invent the bicycle again so we decided to just take over what they are using so we would use that. And last year we had some changes in criminal proceeding law and that is regarding from technical point of view as it would be a lot easier to use that as evidential. The Latvian officer that was dealing with the Doubrava case now normally deals with all the investigations and interrogations the English way...sort of with technical support.”66This aspect of the Operation Doubrava investigation also highlights a willingness to overcome problems that arise during an operation using a mixture of the highlighted subcultures, as the Latvian use of video interviewing arose out of UK officers not being allowed to do such interviews in Latvia, when they fully expected to do so under the terms of the JIT. From a technical and organisational learning point of view, Jordan later confirmed that the UK Home Office are putting Operation Doubrava under the microscope to identify new technical opportunities. This includes information technology to speed up translation and the gathering and analysis of evidence.

Whilst most of the Network and Operation Doubrava participants were not permanently working at the transnational level like the Bowling and Sheptyki (2012) ILOs, they did become temporary ILOs for the purposes of a specific operation. They were glocal officers using transnational tools and contacts to deal with a local problem and they were assisted by permanent ILOs at the national and regional level who facilitated Network and Operation Doubrava policy throughout a co-operative network. This all supports a glocal willing and able team model and it is based on diplomatic policing, which Bowling and Sheptyki (2012) highlight should be the dominant subculture to counter the rise of the enforcer.

Whilst the Network, Operation Doubrava and much of the research in the REA cited positive results from the point of view that victims were rescued and offenders brought to justice, there is little evidence of a thorough review of the long term impact on victims and revictimization or the impact on the OCGs investigated and the knock on impact for the community in which the OCGs operated. Much of this is down to a lack of resources and police time but it is a key feature of any problem-solving model (including the NDM) to evaluate the impact of any operation to see what if any further action is required. The police look to academia for assistance with this (Westmarland and Conway 2019) and it is identified by Severns, Paterson and Brogan (2020) as an area where academia could lead on further evaluation. This is especially so now that new police officers in the UK are required to have obtained a degree before they join the police, or to complete a degree apprenticeship during their probationary training period (Williams 2020). These will need to understand evidence-based policing and carry out research to identify what works. Therefore, they and other degree students are a resource supported by academics who could undertake the impact evaluation that is required as part of their own research.

Concluding thoughts on, ‘What makes a glocal willing and able police team?’

Chris, a Latvian police officer on Operation Doubrava highlighted the need to get to know the people on the
team when asked what made the JIT work he said:

“... We got acquainted as humans... as people.”

Those who took part in the Network and Operation Doubrava research and the many police who contributed to the research subject of the REA followed transnational systems and processes which are the product of Deflem’s (2002) policeization. Many of those systems and processes follow a problem-solving model, which has developed over the years and is currently taught to police in England and Wales as the NDM (COP 2014). Although not specifically mentioned by research participants, they have naturally followed the NDM in their investigative decision making from the operational to the strategic level. At the same time, they have been flexible with the process followed and they enabled willing people to do the job. In any form of bureaucratization (from which policeization is developed) it is people who make the bureaucracy work. Therefore, sometimes there is a need to allow flexibility in some of the bureaucratic process and take account of the people running it. The ‘one best way’ can be challenged in that it does not always allow for flexibility in a changing environment (Gajduscheck 2003) and the police, as a bureaucracy need flexibility in dealing with any criminal threat (Paterson and Pollock 2011).

It goes without saying that the police at whatever level should ensure that the right person is doing the right job that matches their skills and abilities and that should include a large dose of resilience (Police Now 2020). At times, there is a need to have hard conversations with staff to manage their career expectations and encourage and enable them to do what they are best at. However, researcher police experience shows that conversation and the enabling does not always take place and sometimes people (at all levels and ranks) are moved from one role to another with little or no conversation or explanation. As a result, people end up in posts that they are not always fully willing and/or able to perform. Yes, the police are a disciplined organisation and there are circumstances when as a police officer you have to just get on with the job. Many have stood for long hours in the pouring rain and cold protecting a crime scene and learning on the job how to run a scene log. Even then, a word of explanation about what is happening with the job, where it fits within the bigger picture and some instruction on scene logs served up with regular food and drink, makes them willing and able to do the job, perhaps with a glocal understanding of the situation.

However, what else can be learnt from the Network and Operation Doubrava about that makes a glocal willing and able police team for investigating TNOC?

Fig 1 (Repeated) – Glocal willing and able policing in action.

With reference back to Fig. 1 and based on the research data:

It is about identifying and understanding the threat by gathering as much information as possible to develop intelligence in a way that completes as much of the crime script as possible, including the structure and organisation of the crime and the impact it is having on victims and the community. This includes considering the global aspects of the crime and where intelligence can be sought from the global to assist understanding of what is happening locally. Consider putting the victims first but at the same time remember to keep an open mind and ensure the rights of suspects and any accused are protected (COP 2014, Kennedy 2004).

- Justify the need for the extra resources required to potentially use high policing tactics to deal with day to day low policing local problems by detailing the threat and understanding how it is a TNOC threat and the glocal nature of it. Police at all levels need to understand ‘what organised crime is’ and ‘what resources are required to investigate such crimes’. Those working on TNOC need to be enabled by their managers to gain the required knowledge on all forms of TNOC and using JITs to investigate TNOC. It is not always possible to put together a fully trained team, but they need to be signed up to the mission and be willing to learn. Managers also need knowledge of TNOC and methods of transnational investigation including covert law enforcement management. They need to be flexible in understanding the threat and not be too prescriptive on what constitutes organised crime. Prioritisation of crime investigation needs to consider impact on victims and their vulnerability. Putting victims first appears to galvanise a team but again that requires an open mind and a need to treat suspects fairly.
two way briefing of staff and managers is required to keep a team on mission.

- Match the response to a glocal crime with a glocal policing network. Both the areas of crime studied were glocal in nature in that a global (including the transnational) movement of a commodity created a local crime impact and local victims. Therefore, the police responded to that by looking to the global policing spheres and via bilateral agreements and JITs, developed through historical and continuing policeization, gathered further intelligence and evidence to prevent the crime and bring offenders to justice. To do that the police needed to fully understand the glocal threat and how it was scripted and match its own network to the transnational network of the OCGs and other criminals involved. They needed to understand how to do that and be flexible in the allocation of resources.

- Take action to enforce locally, based on the intelligence and evidence obtained and subject to the risk to the victims. However, enforcement is not the end of the job. There needs to be full engagement with preparing the case for court and supporting victims through the court case and beyond, whilst taking account of their vulnerability. This then needs to be followed up with a full debrief of what went well with the operation and what could be learnt from it. Not only an internal audit as per those carried out for the JIT (JIT Experts 2019) which are effective and have helped develop and embed JITs, but also be open to academic research to the allow those taking part to tell their story freely. Similarly, that academic research can contribute to understanding the impact of any transnational investigation on victims, the communities involved and any OCG investigated to see what further action is required.

This is one example of a strategic model based on analysing limited research data on transnational investigation and intelligence gathering on two areas of transnational crime (illegal supply of firearms and modern slavery). However, it is a model based on what works as evidenced is this paper. We suggest it can be used to support transnational investigations by setting parameters that ensures a ‘glocal willing and able approach’ can be taken by supporting willing staff to enable them to do the job, keeping an open mind and being flexible.

It might be obvious to some, but it is not easy to do and is it always done? We suggest it needs to be done to support Heeres’ (2012, p.120) aim of adopting ‘Glocal policing ’ based on an overall ‘willing and able ’ culture.

References


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