1. Introduction (1)

In 1997, the Weberian perspective on contemporary Western police that focused on order maintenance and coercion as the defining capacity of police, mainly exercised by low-ranking officers (Bittner, 1970) was challenged by Ericson and Haggerty (1997). They provided a comprehensive theoretical alternative beyond coercive policing (Brodeur, 1998; Sheptycki, 1998) situating police in a post-modern, complex and diverse environment orientated towards the detection and management of all sorts of risks. The police are only one of the institutions engaged in monitoring and managing risks and therefore have to communicate and exchange information with others. As a consequence, police structures, strategies and intelligence requirements have been profoundly influenced by this risk orientation and have developed into institutions with an insatiable demand for data on all sorts of activities and events.

In such an environment traditional intelligence models that are focused on ‘knowing’ what has happened in order to be able to respond, are challenged (Kessler and Daase, 2008). A clear shift can be discerned in that respect: reports describing the past criminal (and law enforcement) activities are being replaced by assessments that have much more forward-looking and future-orientated ambitions. Prevention and multidisciplinary actions are key words in such a discourse. Policy-makers no longer focus on repressive aspects, but want to be informed about coming challenges and threats to anticipate, take appropriate preventive action and target their reactive response better (Zedner, 2007). The (retrospective) crime situation is not considered of interest, but the possible risk or threat that a phenomenon poses to society (Levi and Maguire, 2004: 401-402). The question remains, however, if it is possible to know exactly what is relevant and understand what will or could happen with a view to developing (preventive) strategies. These questions are not only of an academic nature, but affect policy-makers and field workers within law enforcement. Making rational choices on what to do (first) and aligning these choices to a policy design concerns all participants in a system. And this always includes questions about what information and data are needed (and thus looked for) and how they can be found and known in order to use them to take action.

In this paper two possible answers to these questions are discussed and applied to the case of the assessment of organised crime. First, the position and discourse of those who believe that it is possible to collect relevant data about all sorts of issues and use this to assess and manage contemporary security risks in an objective manner (Innes et al., 2005) is analysed. This

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(1) A previous version of this paper was presented at the Workshop on Forecasting, Warning and Political Response, King’s College London, 18-19 September 2009 and published in De Franco, C. and O. Meyer, C. (eds), Forecasting, warning and responding to transnational risks: is prevention possible?, Palgrave Macmillan, 2010.
believer approach has led to the introduction of more technocratic and expert-based forms of risk calculation, generating quantitative estimates of the probabilities and impacts of crime events. Such analyses seek to make estimates of probabilities, using various conceptual models, known past cases and available historical data. There is, however, a second non-believer approach in which it is accepted that not everything can be known or predicted and that not all risks can be known or calculated. Especially since 2001, uncertainty and unpredictability seem to have found their way into discussions on policing (Gill, 2006). How should or can police agencies think and respond to risks which contours can only vaguely be known? In this paper it is argued that the uncertainty approach has many merits but has seldom been developed consistently in the area of crime analysis and intelligence.

2. The believers: organised crime assessments about the future

2.1. A risk-based approach

Traditional organised crime assessments contain data and statistics about perpetrators and criminal activities. This information is mainly retrieved from what has been collected in specific investigations. A major critique to such assessments is that they often report on law enforcement activity than on the phenomenon itself. Indeed, enhanced activity to fight organised crime may lead to more investigations and more data about perpetrators and activities and thus a lengthier annual report the following year. Such organised crime assessments risk becoming self-fulfilling prophecies. Moreover, the usefulness in policy terms of these assessments is questioned. What does quantified information about the number of criminal groups or offences and their nature contribute to the decision-making process about the seriousness of the phenomenon and the priorities to be taken? The consequence of this is that simple questions — so obvious to an outsider — are hardly answered: is there much organised crime? Is the situation serious? Is it bad that we think there are more criminal groups now than in the past? Which criminal groups are the most dangerous? (Vander Beken, 2004).

As a response to this, risk-based approaches for the assessment of organised crime have been developed. The purpose of this was twofold: (1) collecting and systemising existing data about criminals and activities in a (better) way to allow priorities to be set; (2) and identifying new sorts of data that can be relevant for the assessment of organised crime. A risk-based approach is believed to be a suitable framework to realise both ambitions. In this context, concepts like risk, threat, harm and vulnerability are used. Risk is then defined as the chance of something happening that will have an impact upon law enforcement objectives. Threat arises when a source of risk has an intent to occur or has the capacity to do so (Vander Beken, 2004). Harm is described as the damage occurring should a threat be realised and vulnerability as an aspect of the environment offering opportunities to the threat to cause harm. In such an approach, risk is considered the combination of threat (focusing on the abilities and willingness of offenders — linked to the likelihood of crimes to be committed) and harm (orientated towards the negative impacts or consequences of criminal activities on the society in general and victims in particular) (Black et al., 2001). Vulnerability can be considered as a factor to be placed between both threat and harm as it encompasses the weak points in the legitimate environment that allow criminal intentions and capabilities to cause harm to society (see Figure 1).

Figure 1: Relationship risk, harm, threat and vulnerability

Organised crime risk assessment approaches, or parts of it (threat, vulnerability or harm assessments — see below), have been introduced in a growing group of
countries. Australia (see e.g. QCC, 1999) and Canada (see e.g. RCMP, 2000) can be considered as important forerunners in this, whose influence on the European research and policy cannot be underestimated. The risk approach, not always explicitly labelled as such, is more visible in west and north European countries like (Belgium, Denmark, Germany, Netherlands, Sweden, United Kingdom) (Vander Beken et al., 2004) (2).

2.2. Threat assessments
In a threat assessment, the likelihood of a threat can be considered as a function of the intent and capability of identified actors to achieve specified aims and where intent refers to the ‘likely desire of a subject to engage in activities...and their confidence that they will be successful’ (Brown 1998). Likewise capability can be seen as the function of the resources and knowledge available to the subject in this pursuit (Figure 2). To each of these elements in the sets of relationships described above, can be attributed a value — either quantitative or qualitative.

![Figure 2: Threat assessment matrix, based on Brown, 1998](image)

There are various ways in which the threat of organised crime groups can be assessed. Most approaches, however, are inspired by what has been developed in the Canadian Sleipnir project (RCMP, 2000). In this project the development and ranking of salient attributes of criminal groups is combined with the use of a four- or five-point qualitative scale for each attribute. Comparable exercises have been developed elsewhere (Klerks, 2000; Black et al., 2001) and applied in practice. Such an approach is advocated by the European Union in its Organised Crime Threat Assessment (OCTA) (Europol, 2008). A closer look, however, reveals that the nature and methodology of this report is rather hybrid and too diffuse to be instrumentally used as a common threat assessment at European scale (Van Duyne and Vander Beken, 2009).

2.3. Harm assessments
Some assessments focus on the consequences caused by organised crime in attempting to rank phenomena, groups and vulnerabilities in order of the harm they (might) cause. An accurate costing of organised crime, however, poses similar difficulties. Considering that organised crime exists, at least to a large extent, to supply the demand for goods and services that are either illegal themselves, or whose production and/or supply is illegal and thus hidden, the ability to accurately assess these areas is considerably reduced. Thus, while it seems appropriate to use broader descriptors of affect, the actual application of a value is difficult. As a concept, harm covers economic, emotional, physical, intellectual and political damage. The determination of harm is not something that should be done in isolation. Ideally, in the case of determining the impact of organised crime on society, it needs to be defined by as broad as possible a range of interests, and must depend upon the offences being committed in the various markets. An interesting calculation of the (economic and social) costs of organised crime activities was presented by Dubourg and Prichard (2007). They distinguish between costs in anticipation of crime, costs as a consequence of crime and costs in response to crime, and express them in monetary terms. This is not always an easy and transparent exercise — for example, what is the cost of corruption or of child pornography? — for which strong caveats have to be formulated.

2.4. Vulnerability assessments
The first to realise the importance of analysing the context in which organised crime operates was Smith (1980), who partially abandoned the traditional approach embraced until then (which concentrated on the characteristics and the activities carried out by organised crime groups) to move towards a wider approach where attention was paid to the same markets in which such groups operate. In his ‘spectrum of enterprises’, Smith (1980) concentrates on the structural forces that determine the logic of organised criminal forms and activities and theorises that legal and illegal activities do not operate on parallel and distinct levels, but rather that they are connected and interdependent. Following this reasoning, the next step is to acknowledge that there is a point where the two

(2) For critical reviews on these applications and developments see Zoutendijk (2010) and Hamilton-Smith and Mackenzie (2010).
businesses, legal and illegal, necessarily meet. This point is profit, which is the main driver of the activities of both. Smith’s theory was picked up by Albanese (1987), who made an exploratory attempt to predict ‘high-risk’ business conditions, rendering businesses vulnerable to organised crime infiltration (Albanese 1987: 103). Albanese stresses that his model is designed to predict an intermediate condition (i.e., high-risk business), rather than the ultimate behaviour of concern (organised crime). In other words the predictive variables that he identified in his study can be understood as variables that once again attempt to define vulnerability, rather than predicting organised criminality (see Figure 3).

<table>
<thead>
<tr>
<th>Predictors</th>
<th>Low Risk</th>
<th>High Risk</th>
</tr>
</thead>
<tbody>
<tr>
<td>Supply</td>
<td>Few available, small, financially weak businesses.</td>
<td>Readily available, small, financially weak businesses.</td>
</tr>
<tr>
<td>Customers</td>
<td>Elastic demand for product</td>
<td>Inelastic demand for product</td>
</tr>
<tr>
<td>Regulators</td>
<td>Difficult to enter market</td>
<td>Easy to enter market</td>
</tr>
<tr>
<td>Competitors</td>
<td>Monopoly/oligopoly controlled market</td>
<td>Open market with many small firms</td>
</tr>
<tr>
<td>Patronage</td>
<td>Entrepreneurs are professional, educated managers</td>
<td>Entrepreneurs are non-professionals ill-equipped to deal with business problems</td>
</tr>
<tr>
<td>Prior Record</td>
<td>No prior history of organised crime involvement in market</td>
<td>Prior history of organised crime infiltration in industry</td>
</tr>
</tbody>
</table>

Figure 3. Predictors of low-risk and high-risk businesses (from Albanese, 1987: 109)

Recognising that there are probably going to be some necessary refinements, Albanese cautions that the model serves as a starting point rather than a comprehensive analytical tool. Possible problems identified included concern that the study may have been based on atypical examples, thus skewing both the model and its subsequent utility.

The idea of a vulnerability study has explicitly been taken up in research on a risk-based approach to the assessment on organised crime (Black et al., 2001, further specified in a MAVUS (Method for Assessing the Vulnerability of Sectors) road map (Vander Beken et al., 2005) and applied to specific economic sectors such as the diamond sector (Vander Beken et al., 2004), the European transport sector (Bucquoye et al., 2005), the European music industry (Brunelli and Vettori, 2005), the European pharmaceutical sector (Calovi and Pomposo, 2007), the fashion industry (Calovi, 2007) and the European waste management industry (Van Daele et al., 2007).

In identifying the weaknesses of the sector that could be exploited for criminal purposes, MAVUS embraces both an economic (e.g. Porter, 1990) and a social and criminological perspective (Smith, 1980) that leads to an analysis carried out on different levels. The methodology developed comprises several steps grouped in two broader phases, a descriptive phase and an analytical phase. This description takes place on various levels and provides information on the sector itself (meso-level), the cluster around it (macro-level) and the business activity within the sector (micro-level). Building on some specific criminological models, especially Albanese (1987) and, for business process vulnerabilities Rozenkrans and Emde (1996), some vulnerability indicators have been developed (Vander Beken and Van Daele, 2008).

Besides vulnerability studies as such, environmental scans are conducted to gather and subsequently process information about the external environment of organised crime. It is a process that requires limited dedicated resources to identify major trends affecting an entity and enabling analysis to define potential resultant changes. As such it contributes to the development of a proactive focus and makes more transparent the relationships between identified trends (convergence, divergence, change in speed etc.) and the posture of the organisation. The goal of environmental scanning is to alert decision-makers to potentially significant external changes before they crystallise so that they have sufficient lead-time to react to the change. Consequently, the scope of environmental scanning is broad (Morrison 1992). There are numerous ways in which environmental scanning is done and
its success depends predominantly upon providing a structure that reflects the broader environment. The most common method for examining the macro-environment capable of affecting organisational interests’ (directly and indirectly) is to consider its theoretically discrete components or sectors. This generally means scanning for developments that fall under the broad headings of the political, economic, environmental, social and technological sectors.

Williams and Godson (2002) suggest that as opposed to prediction, anticipation of organised crime developments is possible using such an approach. They state that anticipation stands for analysis based on an effective knowledge base, the use of underlying warning indicators, and intelligence that is timely and actionable. As believers of the risk paradigm, they argue that while the future of organised crime cannot be predicted ‘careful use of models and extrapolations from past experiences enable us to contend that if certain conditions are present then there is a serious probability that particular kinds of developments will occur’ (Williams & Godson, 2002: 314).

3. The non-believers: assessing organised crime in an uncertain world

3.1. Accepting uncertainties

The belief that it is possible to collect all relevant data (of past situations) to assess the organised crime situation of tomorrow, is not shared by everyone. The idea that evolution is underpinned by laws and is determined has been criticised by Popper who called this ‘historicism’ a misunderstanding of the methods of physics (1957; 2002: 2-3; 149). Historical prediction, which would have to be attained by discovering the ‘rhythms’ or the ‘patterns’, the ‘laws’ or the ‘trends’ that underlie the evolution of history, can and should not be the aim of the social sciences. In his essay ‘Describing the Future’ (1998) Luhmann argues that we can neither learn from history, nor can we hope to anticipate the future: ‘We can only be certain that we cannot be certain whether or not anything we remember as being past will in the future remain as it was’ (Luhmann, 1998: 67). According to Luhmann, modern societies can only describe their future in the present. The future is not pre-destined but the uncertain, contingent, outcome of human action and decision-making. We can only make decisions in the present about an uncertain future. Modern societies therefore experience their future in the risk of deciding. Anticipating or preparing for possible directions in organised crime is then no longer about calculating probabilities. It is about making decisions, which may have unintended outcomes, in the light of an uncertain future. The future of organised crime is the outcome of human action and decision-making.

The consequences of this disbelief on the assessment of organised crime cannot be underestimated. While some argue that the fundamental uncertain nature of our contemporary environment can be overcome by new methods to collect more and other information about the environment (see e.g. ‘neighbourhood policing’ (Innes, 2006), ‘third party policing’ (Ransley and Mazerolle, 2009)), we believe that the acceptance of uncertainties implies a fundamental reshuffle of the methods for (organised) crime assessments. The application of scenario techniques or a resilience approach might be examples of that.

3.2. Scenario techniques: anticipating plausible futures

Schwartz and Ogilvy (2004: 2) describe scenarios as ‘narratives of alternative environments in which today’s decisions may be played out. They are not predictions. Nor are they strategies. Instead they are more like hypotheses of different futures specifically designed to highlight the risks and opportunities involved in specific strategic issues’. Scenario thinking is not new (see e.g. Ringland, 1998). Even though scenarios remain a much-debated issue, they have proven to be valuable in the context of corporate strategy building, catalysing change and action, stimulating collaborative learning and creating a shared vision and increased alignment around strategic direction (Verfaillie and Vander Beken, 2008a).

Scenarios have their origins in the military planning process where they are used to imagine what the opponent might do and to subsequently help organise a more rapid and efficient response to enemy strategy. It was not until the 1960s, under the impetus of Herman Kahn, that scenarios were introduced to the corporate world. One of the first companies to accept the development of scenarios as part of its strategic planning process was Royal Dutch/Shell which had scenarios that allowed anticipation of the oil embargo, and the ability to anticipate and prepare
for the dramatic drop in oil prices in the 1980s. Since then, scenario thinking has become a popular tool for the development of strategy in the private sector.

Applied to the field of organised crime assessments, these considerations give new meaning to anticipating or planning for organised crime developments. Instead of trying to assess what organised crime developments will occur, it is wiser to reflect on what has the potential to significantly change or have an impact on economies, societies, or public services or organisations. Scenario planning thus deals with strategic risks and opportunities in a very different manner than traditional organised crime assessments. It shifts the focus from historicist reflexes, from making estimations or calculating probabilities about the future of organised crime, towards imaginative and flexible reflections on the consequences of public (criminal) policies, and social or contextual developments. Scenarios are thus more than arbitrary, imaginary stories about future organised crime developments and can thus stimulate policymakers to reflect on the foundations of their choices, make choices based on more than law enforcement data alone and reflect on issues which are vital to societies (Verfaillie & Vander Beken, 2008a).

3.3. Resilience: focusing on uncertain high-impact events

Scenario exercises indeed have the interesting feature that they allow for (organised crime) assessments that accept uncertainty and move away from analyses in which the likelihood of certain events is addressed. In practice, however, the belief that the future (of organised crime) cannot be known or predicted is not completely overturned. The purpose of scenarios remains anticipation of multiple, but plausible, futures. Scenarios therefore only accept and use uncertainties for some of the driving forces used. Some elements of the scenarios are considered predetermined and thus stable over a given future timeframe and are used as ‘certain’ building blocks of the story. Other forces are labelled as uncertain, volatile or highly dynamic and have the potential to change the issue at stake in significant ways. Only driving forces of the latter nature that are ‘critical’ to the issue at stake, are the uncertainties used in scenario work. This implies that scenarios about the future of criminal markets in Europe will, for example, accept that it is uncertain to what extent globalisation will impact on dualisation (thus allowing for scenarios on the two extremes of the continuum of possibilities), while globalisation as such is considered as a certain building block supporting each of the scenarios developed (Verfaillie & Vander Beken, 2008b).

Since 9/11, further stimulated by the 2008 credit crunch, attempts are made to move the uncertainty approach in (organised) crime assessments one step further. Rather than trying to evaluate the likelihood of events (risk) or to make statements about uncertain but plausible future situations (scenarios), the future is seen as fundamentally unknown and uncertain. In such an approach the focus is turned to the worse imaginable events, not only including the ‘known unknowns’ (events that are known to exist but whose timing or magnitude is not predictable) but also the ‘unknown unknowns’ (what is not imagined until the moment they cause impact) (Longstaff, 2005: 13). These highly unlikely or even unimaginable events stay under the radar of all risk-based (organised crime) assessments or scenario work. Assessments focusing on such high-impact Black Swans (Taleb, 2007) have a resilience purpose (how to recover from a serious attack), rather than the ambition to calculate the likelihood and impact of criminal events. Especially in anti-terrorist policies, like in financial market developments, an enhanced awareness of the uncertainties attached to systemic turning points can be seen. This new approach, developing alongside the more traditional risk approach, opens interdisciplinary debates between scholars from different disciplines like natural science, environmental studies, disaster-management, business, markets, etc. (Klima, 2009), as shown in anti-terrorist policies, that precautionary interventions taken to forestall possible future, uncertain but big-impact events may carry with them their own risks (Sunshein, 2003).

Did the interventions in Iraq and Afghanistan trigger unexpected difficulties which may have magnified political dissatisfaction and hence threats? And how can such precautionary interventions, and their costs, be evaluated since nobody actually knows what would have happened if the action had not been made? (Klima, Dorn and Vander Beken, 2011).
4. Conclusion

During the past decades, the nature, purpose and methodologies of organised crime assessments have changed significantly. We have seen that the traditional situation reports listing numbers of criminals and criminal activities are being replaced by assessments that claim a risk-based approach in which concepts like threat, harm and vulnerability are used. Since September 2001, assessments that start from the assumption that it is useful to prepare for the probable, have become the subject of criticism as well. Calculating probabilities and risks in relation to activities like terrorism and organised crime in order to prepare for future events, is increasingly considered as mission impossible. The uncertainties of contemporary society and the criminal activities it induces, push assessments on organised crime in new directions. It is argued that scenario exercises in which uncertain elements are accepted contain promising possibilities for crime assessments to address and prepare for multiple futures. Applications of organised crime assessments of approaches that focus on unpredictable high-impact events and on the resilience of the environment after such impact, are, however, still in their infancy. Much is still to be learned from other disciplines engaged in comparable challenges (Klima, 2009). Future research may help to identify conditions and parameters for the successful employment of scenarios for the purpose of controlling crime and terrorism by police organisations throughout Europe.

References


