Law enforcement training and learning: a comprehensive capacity-building approach

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Abstract

‘Building an international learning community’, the ambitious idea of the 16th Interpol Training Symposium (Johannesburg, 2007), has become over time a shared philosophy and a common strategy in the police community.

Accordingly, the Oslo Dialogue, launched by the OECD in March 2011 and aiming at preventing, detecting and prosecuting criminal activities and at recovering the connected proceeds, pointed out the need for a capacity-building approach. This should involve an interdisciplinary common strategy to improve and share expertise and best practices in the field of financial investigation and asset recovery.

Within this framework, and in deference to the EU ‘lifelong learning policy’, Italy’s Guardia di Finanza (G. di F.) proposed to the European Commission, and subsequently implemented (2013-2015) on its behalf, the ‘Economic and financial investigator project’ (EFI), advocating financial investigation as the pivotal investigative technique that all EU Member States should adopt. The underlying idea of this initiative is to refocus police training on the attending officers’ capacity for acquiring and implementing common know-how in order to meet the growing challenges of transnational crime.

In addition, in 2014 the OECD entrusted the G. di F. Tax Police School with the setting-up of the International Academy for Tax Crime Investigation. Meanwhile, the school managed various European Union Agency for Law Enforcement Training (CEPOL) courses, supporting the participants with a proprietary e-learning platform.

Moving from this in-field experience, this paper highlights the most recent trends in the field of law enforcement training and education: a comprehensive capacity-building approach; the improvement of the effectiveness of the organisational and cultural climate in education through the management of diversity; and the rising role of financial investigation in countering global crime.

Keywords: education and economic development; illegal behaviour and the enforcement of law; innovation, research and development; management of technological innovation and R & D; capacity building.
1. Introduction (1)

The increasingly globalised nature of financial markets, the diffusion of the internet and the rising impact on the legal economy of money laundering techniques have all led governments, international bodies, law enforcers, analysts and academics to consider the issue of how to tackle the global dimension of the most serious criminal acts.

That was the inspiring background to the United Nations Convention against Transnational Organised Crime (Palermo, 2000), summed up by the motto ‘answer a global challenge with a global response’ (2).

A ‘global response’ to international crime does not simply require effective police cooperation and extensive information exchange, but also the sharing of training programmes between law enforcement agencies, aimed at building an ‘international learning community’. The underlying idea is that ‘by helping countries to learn from one another’s police training programs and philosophies, we improve the likelihood they’ll be better prepared to prevent and fight serious international crime’ (3).

Along the same ideal path, the launch of the OECD Oslo Dialogue at the Tax and Crime Conference in Oslo in 2011, improved efforts to harness the capacity of different government agencies to work together to detect, deter and prosecute these crimes (a whole-of-government approach). The next Tax and Crime Conference, in Rome in 2012, led the participant countries, jointly with the OECD, to agree that ‘building the capacity of criminal tax investigators to investigate illicit financial flows was a priority.

More in general, the capacity-building approach, i.e. to focus police education on strengthening the ability of the investigators, especially those from developing countries, to detect and investigate crimes by improving their skills through intensive training courses, with a key focus on tax and financial matters, represents a new trend in law enforcement education.

The OECD has not been alone in this paradigm shift. The idea of a capacity-building approach has been also supported, jointly, by the European Union and the Council of Europe in various programmes addressed at law enforcement, responding to the EU’s lifelong learning policy, as an essential instrument for acquiring competitiveness, social inclusion, active citizenship and personal development. The challenge is to provide learning opportunities for all adults, throughout their whole life, especially disadvantaged groups who need them most (4).

Adhering to the abovementioned policy, and under the auspices of the European Commission, the Italian Economic and Financial Police (‘Guardia di Finanza’, hereafter G. di F.) implemented the ‘Economic and financial investigator project’ (EFI, Lido di Ostia, 2013-2015), stressing the use of financial investigation as a pivotal investigative technique that all EU Member States should adopt (5).

The supporting idea of all these initiatives is to focus the attention on attendants’ capacity for acquiring and implementing common ‘know-how’, to meet the growing challenges of transnational crime.

In this context, the long-running G. di F. Tax Police School became, between 2013 and 2014, the site of the OECD International Academy for Tax Crime Investigation and the centre of the EFI Project and of various CEPOL courses. A proprietary e-learning platform supported all of the trainees’ activities. Eventually, the G. di F. signed a partnership agreement with CEPOL (Rome and Budapest, 2016).

2. Building an international learning community

‘Just as I have dedicated myself to teaching, I am also very aware of the importance of learning’.  

Noble, R. K. (6)

Training very much forms part of Interpol’s core business. According to the most widely known criminal

(1) I would like to thank Jürgen Leske, from OECD — CTPA, for his outstanding contributions and CEPOL, Italy for sharing their data with me. All mistakes are mine.


(4) The project was included in the EU programme ‘Prevention and fight against crime’, approved on 4 October 2012, within the framework of the Council Decision 2007/125/SHI on 12 February 2007.

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police organisation, the development and support of a global learning community allows police forces to systematically exchange best practices and experience, avoid unnecessary duplication, reach a wider audience and — most importantly — offer cost effective law enforcement, which is particularly needed in the aftermath of the global financial crisis.

In addition, an international learning community allows the growth of a long-lasting partnership, one that is not restricted to annual conferences, geographic locations, a small number of police forces or academic institutions.

European institutions have promoted, on their side, several studies to detect the factors that affect the building of an effective learning community and, in particular, the dynamics that govern these factors within the law enforcement environment.

Within this framework, it is worth mentioning the report submitted by the SEPEB working subgroup in 2010, concerning the interconnections between EU police education and the Bologna Process.

The purpose of the subgroup was to provide an overview of education and training programmes in the field of police and policing in Europe, open to foreign police officers, with a focus on the degree of implementation of the Bologna Process at national police training institutes in the EU Member States and relevant cooperation partners.

This is because the building of an effective law enforcement learning community cannot ignore cultural, educational, behavioural and bureaucratic barriers paradoxically arising as a product of national systems taken as a whole, which may be hindering the development of standardised operational procedures in the fight against global crime.

The subgroup notes that since 2012 at least 20 EU Member States have delivered 77 police education programmes accredited according to the Bologna Declaration.

Only five programmes grant a doctoral degree. Thirty-seven police education programmes grant a master’s degree and 23 programmes grant at least a bachelor’s degree. Another 12 programmes grant either a professional diploma or credit points. Figure 1 summarises the outcomes of the survey in this regard.


(3) The Bologna Process is a collective effort of public authorities, universities, teachers and students, together with stakeholder associations, employers, quality assurance agencies, international organisations and institutions, including the European Commission. Stemming from the joint declaration of the European ministers of education convened in Bologna on 19 June 1999, the main focus of the process is the introduction of the three-cycle system (bachelor’s/master’s/doctorate), strengthened quality assurance and easier recognition of qualifications and periods of study. It looks, in particular, at the objective of increasing the international competitiveness of the European system of higher education, supporting the idea that the vitality and efficiency of any civilisation can be measured by the appeal that its culture has for other countries.

(4) Ibidem, 16-18. Belgium, Denmark, Greece, Cyprus, Luxembourg, Slovenia and the United Kingdom reported not having Bologna-accredited police education programmes. In Italy, France and Spain a cooperation agreement between police schools and academies and public or private universities grant police officers a university degree.
Digging into the data suggests two considerations. On the one hand, it is possible to argue that differences in educational systems across Europe are still sensitive, which might explain the difficulty in the acknowledgement of police training programmes, despite the fact that in many ways they take advantage of notions, technical achievements and theoretical formulations that represent a shared core in academia.

On the other hand, the survey shows that the training courses arranged and delivered by most law enforcement training institutions still concentrate on legal/criminological topics, which may explain a certain prejudice towards an educational universe that is still viewed as somewhat extraneous by traditional academia. These are possibly sensitive constraints in the acquisition of a common educational background towards the building of a shared learning community.

Remaining within the framework of the Bologna Process and with a view to a shared learning area, the European Commission recently published the results of another survey conducted in 40 European countries (\textsuperscript{13}). The Commission focused its attention on the higher education area and, in particular, on the implementation of ECTS (\textsuperscript{14}), student-centred learning, the qualifications framework and internal quality assurance within higher education institutions as shown in Figures 3 and 4.

(\textsuperscript{11}) Ibidem, 17. The reported percentages refer to the period 1997-2012.
(\textsuperscript{12}) Ibidem, 21. The report does not contain information on the Bologna-accredited programmes in the science of economic and financial security and in corporate tax law, delivered in Italy to, respectively, the attending officers of the Academy of the Guardia di Finanza and to the senior officers of the same corps attending a 2-year superior course for tax police, after a national public competition.

(\textsuperscript{14}) European Credit Transfer System.
Higher education institutions in 40 European countries were asked to rate several elements of student-centred learning on a scale from one (not important) to five (see Figure 3).

![Figure 3: Importance of elements of student-centred learning in the eyes of European Higher Education Area (EHEA) countries (maximum score: 5). Results for countries where steering documents mention the concept of student-centred learning](image)

It appears that the perception of the elements of student-centred learning differ sharply between the group of countries in which steering documents mention the concept of student-centred learning (a large majority) and the group of countries in which steering documents do not mention this concept (see Figure 4 (16)).

![Figure 4: Importance of elements of student-centred learning in the eyes of European Higher Education Area (EHEA) countries (maximum score: 5). Results for countries where steering documents do not mention the concept of student-centred learning](image)

Even though the European Commission recognised that the steering and encouraging of the use of learning outcomes in curriculum development had grown substantially, it concluded that the precondition for the proper introduction of learning outcomes and assessment processes is a change of paradigm from teacher- to student-centred learning (17).

The Commission reached similar conclusions in studying the effectiveness of adult-learning policies in Europe, the outcomes of which are summarised below in Figure 5 (18).

![Figure 5: Importance of elements of student-centred learning in the eyes of European Higher Education Area (EHEA) countries (maximum score: 5). Results for countries where steering documents do not mention the concept of student-centred learning](image)


(15) Ibidem, 73-74.
(17) Student-centred learning, also known as learner-centred education, broadly encompasses methods of teaching that shift the focus of instruction from the teacher to the student. Student-centred instruction focuses on skills and practices that enable lifelong learning and independent problem-solving.
(18) Armenia, Austria, Cyprus, Czech Republic, France, Ukraine and the United Kingdom (except Scotland). In the report they are designated as Group B.
Among the key success factors for learning, the European Commission’s analysis includes all actions aimed at improving people’s disposition towards learning, increasing investment in learning and delivering programmes that meet the needs of learners, and, finally, all policies directed towards coordinating effective lifelong learning, which represents a key pillar of the EU’s strategy on training and education policy.

Building a learning environment is undoubtedly one of the emerging trends in law enforcement training programmes at an international level (19). This means that a single police officer — no matter their nationality, task, language, economic conditions or cultural or educational background — should be in the position to learn — better: to assimilate — a few basic principles and some standardised procedures when they encounter transnational crimes.

This is, at the same time, the challenge that law enforcement agencies are going to face and the goal they should pursue, because of the globalised dimension of the major crimes.

3. Tackling global crime: between standardised training techniques and diversity management

Building an international learning community to tackle global crime implies facing and combining two different issues: conceiving and realising standardised training methodologies and operational techniques, taking into account the diversity of the police officers involved.

Both issues have to do with human resources management, since training programmes are directed to the improvement of the police officers’ skills and, more generally, to better employment of the workforce.

However, diversity management has different perspectives from one country to another, depending on gender inequality, religion and ethnicity (India and...
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the Middle East), migrants from rural areas rather than urban centres (China), multiculturalism (Western countries, including the European Union) or racial equality (South Africa and the United States) (20).

Even though diversity management has historically been used to provide a legally defensible position against charges of discrimination, nowadays it not only recognises but also values and harnesses workforce differences, such as individual characteristics, backgrounds, orientations and religious beliefs, so that individual talents are fully utilised and organisational goals are properly met.

Diversity management thus takes advantage of the growing cultural pluralism from the internationalisation of business, and of communications, the development of world markets (including financial markets and digital transactions), growing workforce mobility and increasing awareness of individual and institutional differences. Industry and public institutions currently adopt this human resources strategy in order for all people to maximise their potential. By bringing a wider range of perspectives to problem-solving, different teams foster speed and innovation and produce substantially higher-quality solutions over whole development cycles, thanks to a ‘learning from difference’ process (21).

On the other hand (and this is of crucial importance in the field of law enforcement) is the standardisation and implementation of techniques and methodologies coming from industry and available at a global level.

A sample of this approach is the creation and use of software for conducting computer forensics activities rather than intelligence analysis, designing a link chart of a criminal group, identifying key individuals with target networks with social network analysis or filtering millions of wire-transfer transactions going around the world.

Diversity of contexts also means diversity of case studies, and this implies innovation technology capable of facing and solving investigation problems in a unique flexible but standardised model or e-learning platform, which can help to quickly turn complex sets of disparate information into high-quality actionable intelligence. Analysts and police officers can subsequently take advantage of this in identifying, predicting and prosecuting criminal, terrorist and fraudulent activities, as shown in Figures 6 and 7 (22).

Figure 6: Multiple methods of representing information within a chart to support dynamic thought processes


(22) Excerpt from IBM i2 Analyst’s Notebook (2015).
4. Refocusing education from training to learning

As already seen, the latest tendency in the field of education is to shift its paradigm from training to learning. This is why the building of a learning community has become a priority in training programmes, even in the world’s largest international police organisation (ICPO—Interpol). (23).

Academic professors, company HR managers and researchers from specialised institutes (24) nowadays agree on the fact that the conventional training paradigm is no longer effective. Based on the idea that training consists of the transfer of authoritative knowledge from expert instructor to novice learner, it capitalised on the notion that knowledge can be packaged into units, modules and lectures and delivered in a standardised fashion to the workforce.

On the contrary, the greatest gift of learning is the capacity to adapt. It allows the learners and the organisation — such as a law enforcement agency — to remain agile in the face of uncertain future conditions, whereas other learning outcomes, like new knowledge and skills, tend to have specific applications and a shorter shelf life. The challenge, therefore, is to move from a strategy based on the delivery of training towards one based on support for learning.

Training is characterised as an instructor-led, content-based intervention leading to desired changes in behaviour, and learning as a self-directed, work-based process leading to increased adaptive capacity.


The shift from training to learning may be characterised as a progressive movement from the delivery of content to the development of learning capabilities as a people-development strategy, as shown by Figure 8 above.

Many factors influence this shift. Learning can be cultivated by practices that raise commitment among learners, creating what might be described as an organisational ‘growth medium’ (26). The logic of this kind of growth is simple: in the right climate people will commit to learning (27). The researchers identify three conditions that a law enforcement agency or an international police training agency need to meet in order to build a growth medium: create a sense of purpose in the workplace; give police officers the opportunity to act on their commitment; provide officers with a supportive learning environment.

5. Law enforcement training and its relationship with the scientific and academic environment

It is self-evident that an ‘international learning community’ conceived for law enforcement requires a broader and enhanced relationship between police training institutions and the scientific and academic environment as a whole.

On the other hand, numerous police training topics find their conceptual requirements and operational procedures in notions, methods and technicalities that stem from information and communication technology, economic and banking regulations, accountancy, pathological anatomy, sociology and law: all disciplines offered in traditional graduate or postgraduate university programmes (28).

The question is how to involve scientific and academic institutions, bureaux and centres of study and research in law enforcement training activities to obtain mutual and effective development in cooperation against global crime.

The figures already shown in Section 2 with regard to the interconnections between EU police education and the Bologna Process largely describe how hard and numerous are the cultural and legal constraints against achieving reciprocal and progressive acknowledgement of the respective activities, despite the fact that both institutions operate within the framework of the same community.

At a global level, difficulties are fed by a lack of budgetary resources, by differences in ethnic and cultural backgrounds and by differences in economic development.

(28) The 2016 CEPOL training catalogue includes, among others, the following categories: cyber forensics, operational and strategic intelligence analysis, social network analysis, financial investigation, money laundering, quality control and assurance of crime scene investigation/examination, fundamental rights and police ethics management of diversity.
Nevertheless, police trainers and academic scholars have many fields of cooperation for mutual comprehension of the factors that give rise to global crime, in order to detect and implement the best practices, methods and techniques to fight transnational criminal groups.

The delivery and sharing of case studies is a good basis from which to start. They foster a multidisciplinary approach and contribute to design models of investigation.

The study of foreign legal systems is essential in the fields of tax and financial crime and asset recovery in order to accelerate the process of bilateral and multilateral conventions towards a common regulatory ground.

Finally, IT innovations and the social network system contribute to the creation of a common ideal heritage that is the natural framework of an international community of learning.


In March 2011 the OECD launched an extensive plan — known as the Oslo Dialogue — aimed at preventing, detecting and prosecuting criminal activities — mainly economic and financial crimes — and at recovering the connected proceeds between member countries and foreign partners (29).

The further Italy–OECD joint declaration delivered on 12 June 2012 summarised the core of the new strategy as being based on three key pillars:

- internal cooperation among the various agencies that fight against financial crime (domestic interagency cooperation);
- international cooperation;
- capacity building.

The last key pillar stems from the impressive dimensions and consequences of financial crime in terms of threats to the economic and social well-being of people living all over the world. Illicit financial activities such as tax evasion, corruption, computer crimes and money laundering are a global issue demanding a global response.

A critical part of this initiative consists of improving the ability of the concerned institutions (especially those from developing countries) in strengthening the capacity of criminal tax investigators to tackle illicit financial flows, to detect and investigate financial crimes and, finally, to recover the proceeds of those crimes. The way to pursue this objective is to implement intensive training courses (4-week courses) through which the skills of tax and financial crime investigators, analysts, magistrates dealing with tax and other major financial crimes are developed.

The subsequent ‘Capacity-building programme’ for both conducting and managing financial investigations involves an interdisciplinary common strategy to improve and share expertise and best practices in the field of financial investigation and asset recovery.

Further to a foundation programme piloted in April 2013, the OECD International Academy for Tax Crime Investigation was officially established in June 2014, in Rome — Lido di Ostia, at the Tax Police School of the Guardia di Finanza, to build the skills of tax crime investigators and other government officials, particularly in developing countries.

Table 1
The OECD’s ‘Capacity-building programme’ for conducting and managing financial investigation. 2013-2016 period — participants.

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<th>Order number</th>
<th>Country</th>
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Table 2
The OECD’s ‘Capacity-building programme’ for conducting and managing financial investigation. 2013-2016 period — instructors.

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As is shown in Tables 1 and 2, to date the programme has involved about 200 people — participants and instructors — coming from 50 countries on all continents.

The academy programme is open to all countries and territories eligible to receive official development assistance, and to date it has reached 36 developing countries.

The underlying idea of this initiative is to refocus police training on the attending officers’ ‘capacity’ for acquiring and implementing a common know how in order to meet the growing challenges of transnational crime (30).

Within this framework, and in deference to the EU ‘lifelong learning policy’, Italy’s Guardia di Finanza (G. di F.) proposed to the European Commission and subsequently implemented (2013-2015) on its behalf the ‘Economic and financial investigator project’ (EFI), advocating financial investigation as the pivotal investigative technique that all EU Member States should adopt. About 400 officers have been trained within the framework of the project, 120 of whom came from Lithuania, Hungary, Malta, Poland, Portugal, Romania and the United Kingdom. Meanwhile, the school has managed various CEPOL courses, supporting the participants with a proprietary e-learning platform, and eventually the G. di F. signed a partnership agreement with CEPOL (Rome and Budapest, 2016).

A similar training programme was implemented, from 7 to 17 July 2015, by the Tax Police School, focusing on ‘Illicit economy, financial flows investigations and asset recovery’, upon specific request of the Caribbean Community (Caricom) and Cuba (31).

The Italian Ministry of Foreign Affairs and International Cooperation supported the training programme by financing the participation of the applying officers, magistrates and analysts coming from the Caricom member countries. The whole initiative was conceived as an opportunity to improve the network of relations and the cooperation between the respective judicial authorities and law enforcement agencies. This purpose was pursued by facilitating the acquisition of specific capacities in dealing with financial crimes, corruption and transnational organised crime, along with Mafia-type associations, investigation into money laundering, advanced data analysis and high-tech investigation (32).


(31) Caricom is a grouping of 20 countries: fifteen member states and five associate members. It is home to approximately 16 million citizens, 60% of whom are under the age of 30, from the main ethnic groups of indigenous peoples, Africans, Indians, Europeans, Chinese and Portuguese. The Community is multi-lingual, with English as the major language complemented by French and Dutch and variations of these, along with African and Indian expressions.

All these initiatives have in common a capacity-building approach, i.e. the learner’s capacity for acquiring and developing their own skills with a view to cooperating with each other in fighting global crime. Moreover, the creation of a network composed by the participants in different training programmes represents a crucial form of cooperation. Participants become the best contact persons in their respective countries to show the best means to manage and solve a case. To this end, the reciprocal knowledge of history, culture, arts and traditions plays a role not unlike that traditionally assigned to the knowledge of legal systems and technical equipment.

Taking into account this aspect of training contributes, in different ways, to the improvement of the effectiveness of the organisational and cultural climate in education, which is also a trend in law enforcement training.

That is why the OECD’s ‘Capacity-building programme’ assigns such an important role to this aspect of training, and why the other programmes mentioned followed this approach as a key success factor.

Finally, all the training programmes mentioned show the increasing role of financial investigation in countering global crime.

In fact, financial investigation:

• involves the collection, collation and analysis of all available information with a view to assisting in the prosecution of crime and in the deprivation of the proceeds and instrumentalities of crime;

• enables the authorities concerned to establish the existence of otherwise unknown crimes and assets;

• can be used as an instrument to reveal undiscovered predicate offences and to identify other people or companies.

This means that financial intelligence should flow freely to and from regulators, supervisors, financial investigation units, law enforcement and other competent authorities.

If such a fluid system of sharing financial information and intelligence were established, countries would make more effective use of financial data, thus becoming more effective in combating money laundering, terrorist financing and major proceeds-generating offences.

That is why the role and the importance of a financial approach within the framework of an investigation as a whole, especially when conducted against transnational criminal groups, have grown over the years.

7. Conclusion

As already seen, there seem to be three recent trends in the field of law enforcement training and education: a comprehensive capacity-building approach; an improvement in the effectiveness of the organisational and cultural climate in education through the management of diversity; an increasing role for the financial investigation in countering global crime.

Academic scholars, centres of research, higher education institutions and international Bodies tend to focus their attention on learners. Law enforcement training and education programmes can hardly escape this tendency, especially if the aim of training and education is to foster a more effective international and inter-agency cooperation with a view to fighting against global crime.

All these actors should work together as a single team to promote and value the building of an international learning community to fight and defeat the global dimension of crime, corresponding to the increasing demand for safety coming from civil society. It is up to them to take up this challenge/opportunity in the coming years.
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