Academic View on ILP & Organized Crime

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ILP: A Hype or Real Potential?

• ILP: A Hype in Law Enforcement Discourse
• Transition from “specific”, “specialist” and “secretive” to mainstream
• Basic Pillars:
  • Preventive Approach
  • Rational Approach
  • Strategic Approach
  • Calculated Interventions
    • Disruption, undermining
• Issues in the construction:
  • Constructive Ambiguity
  • Asymmetric Contributions
  Different Cultures of Intelligence-Sharing
ILP: Potential

May be the most effective & smart response in a world which is hyperconnected, increasingly anonymous and fragmented

- No rigid policing model, but a mixed economy of policing
- Pooling the most suitable resources
- Smart, flexible and contingent approach to fluid & transnational organised crime

Compatible with
- Hierarchical layering of information and intelligence, as well as with horizontal connection of information and intelligence (networks and sequences)
- Compatible with “responsive” and “repressive” policing: mixed model = possible

Applicable in
- “low” and “high” policing contexts
- (proactive) criminal investigation, but also in other realms of policing, e.g. public order policing, events policing
- strategic leadership contexts as well as in workfloor situations

Convertible into
- Real products, e.g. SOCTA
- Managerial tools
ILP & transnational organised crime

- ILP allows law enforcement to keep pace of:
  - **Transformations and Trends**
    - From crime hierarchies and families to criminal networks and ad hoc coalitions
    - Fluidity of social relations, financial flows, mobility patterns, telecom conduct
    - Criminal movements in real (geographical) space as well as in virtual space
    - Individual and common careers in crime and terrorism
  - **Tensions and Symbiotics**
    - Hybrid structures and marriages of convenience, e.g. between terrorism and organised crime, between the “upper” and the “under”world
  - **Mapping the impact**
    - of organised crime on communities and businesses
    - of law enforcement interventions on organised crime
ILP: Inherent Ambiguity

• Unresolved strategic choices concerning
  • the level and direction of intelligence-sharing (hierarchical and layered versus horizontal and networked)
  • the organizational context and the actors of Intelligence-Led Policing (general versus specialist)
  • the extent to which intelligence can be used to manage a police organization or to “manage and predict risks in the outside world” (managerialism versus risk assessment)
  • the way in which ILP will develop in the near future
ILP: Asymmetric Contributions

- ILP as an integrated, multi-layered concept requires symmetrical contribution from
  - Different countries who participate in an intelligence-sharing environment
  - Different agencies (Customs, Police, Immigration & Naturalisation Service, Borer Management)

- Conditions
  - Same goal / objectives / priorities
  - High level of trust
  - Sustainable levels of professional capacity
  - Supportive leadership
  - Sustainable commitment
  - Budgetary allocation
ILP: Culturally Diverse

- Intelligence Cocoons: Sharing vs Non-Sharing
- Intelligence Corners: Generalists vs Specialists
- Intelligence Countries: National Intelligence Models vs Tolerance of Traditional Response Mechanisms
ILP meets criticism

• LEGITIMACY & ETHICS, IN THE CONTEXT OF:
  • Technological innovation
  • Public-private co-operation
  • Real-time application

• PRIVACY
  • Does legislation keep up the pace?
  • Slippery slopes: data retention, data access, data finality, shifting configurations
  • Do we need higher levels of (international) harmonisation or standardisation of ILP-practices?
ILP: Evaluation from a Practical Perspective

- Police officers continue to be involved in response-led policing and no time remains for proactive work (Tilley, 2003: 333)
- ILP produces an information and intelligence overload; too much information of little practical value (Van den Hengst and Staffeleu, 2012: 188)
- Difficult to create and maintain a continuous flow of intelligence, analysis, preparation of target packages and to conduct operations on the basis of intelligence (Tilley 2003, 333)
- Police officers perceive several obstacles, such as complex data protection rules, high security demands, particularly with regard to proactive intelligence-gathering (Van den Hengst and Staffeleu, 2012: 188);
- Lack of training and senior officer commitment. Specialist units have difficulty communicating with one another, despite new legislative changes which should enhance the free flow of information between the agencies (Tilley, 2003: 333; Vis, 2012).
- ILP meets unsympathetic attitudes, cultural resistance and low morale among police officers who perform administrative tasks, because they feel excluded from this policing task (Tilley, 2003: 333).
- ILP throws up a range of potential ethical and operational problems, e.g. in the employment of covert means of investigation and disproportionate use of privacy-invasive intelligence-gathering (Tilley, 2003: 334)

Lack of tangible evidence that the application of ILP leads to the reduction of crime and criminal opportunities
Conclusion

• To turn ILP into an effective and legitimate way of policing, attention needs to be paid to, inter alia,
  • Governance
    • Leadership
    • Oversight
    • Securing Effectiveness & Legitimacy
  • Training
  • Communication
  • Interoperability
  • Trust!
    • Inner-Agency
    • Inter-Agency
    • Agency-Citizen