LPC Journal of Policing & Crime

Letter from the Editor-In-Chief, Parm Sandhu MSc FCMI

Dear Readers,

It is with great pleasure and excitement that I introduce you to the very first issue of the LPC Journal of Policing and Crime. This journal has been established with a clear mission: to advance knowledge and understanding in the field of policing and crime through the publication of high-quality, peer-reviewed research articles, reviews, and other scholarly content.

In today's rapidly evolving world, the importance of evidence-based policing cannot be overstated. Evidence-based policing involves the use of research, data, and empirical evidence to inform and guide policing practices and policies. This approach ensures that decisions are made based on what is proven to work, rather than on tradition or intuition alone. By grounding our practices in solid evidence, we can enhance the effectiveness, efficiency, and fairness of policing.

Academic insight, research, and best practice from across the globe are vital for understanding the complex developments and challenges within the realm of policing. The LPC Journal of Policing and Crime aims to be a conduit for this knowledge, bringing together diverse perspectives and findings from researchers, practitioners, and policymakers worldwide. By doing so, we can foster a deeper understanding of the issues at hand and support the identification of effective and proportionate policing solutions.

Moreover, evidence-based policing plays a crucial role in promoting accountability and transparency within law enforcement agencies. By relying on rigorous research and data, we can ensure that policing practices are not only effective but also just and equitable. This, in turn, helps to build trust and confidence between the police and the communities they serve.

The LPC Journal of Policing and Crime has been created to support these goals. Our commitment is to publish research that is not only of the highest quality but also of practical relevance to the field. We aim to provide a platform for the dissemination of significant research findings that can inform policy and practice, ultimately contributing to safer and more just societies.

I would like to extend my heartfelt thanks to our contributors, reviewers, associate editors, and editorial board members for their dedication and hard work in bringing this inaugural issue to fruition. I also want to thank you, our readers, for your interest and support.

I hope you find this journal to be an informative and valuable resource. Your engagement with the LPC Journal of Policing and Crime is crucial for the continued advancement of evidence-based policing. Together, we can make significant strides in understanding and addressing the challenges within policing and crime.

Thank you for joining us on this journey. I hope you enjoy reading the journal and find it to be an informative and enriching resource.

Sincerely,

Parm Sandhu

Editor-in-Chief
LPC Journal of Policing and Crime

LPC Journal of Policing and Crime

Aim and Scope:
Evidence-based policing leverages research, data, and empirical evidence to shape and direct policing practices and policies. This method ensures that decisions are grounded in proven effectiveness rather than tradition or intuition. By basing practices on solid evidence, we can improve the effectiveness, efficiency, and fairness of policing.

Global academic insight and research are crucial for comprehending the intricate developments and challenges within policing. The LPC Journal of Policing and Crime strives to serve as a bridge for this knowledge, uniting diverse perspectives and findings from researchers, practitioners, and policymakers around the world. In doing so, we can deepen our understanding of the issues at hand and support the identification of effective and proportionate policing solutions.

Peer review integrity:
Articles in this journal have been subject to a rigorous peer review process. This includes initial editor screening and anonymous refereeing by at least two independent referees.

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More information about the journal and submission guidance can be found at:
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Articles

Are killers literally getting away with murder: Can developments in technology and artificial intelligence assist in serial homicide investigations?

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ABSTRACT

Serial killing is a phenomenon that is perceived in equal measures of fascination and abhorrence by the public. Whilst there is an appetite for entertainment in relation to the subject, the fact that there may be serial killers active that are unknown or that there are unsolved murders that could be attributed to serial killers is a concept that strikes fear and uncertainty in the public and in law enforcement. This article aims to examine how advances in technology and Artificial Intelligence (AI) can assist in serial homicide investigations. It explores what defines serial killing and the scale of the problem from a national and international context and the ambiguities in statistics against populations. It examines how the criminological theories have shaped and can shape investigative strategies such as behavioural and geographical profiling in the context of AI along with specific forensic techniques. An unexpected finding was the identification of a gap in our knowledge with regards to unsolved homicides because of a failure in a centralised system for collating and coordinating data around unsolved homicides and cold missing persons cases that AI may be able to solve.

INTRODUCTION

The populism of serial killings may be a recent concept, but the extensive media coverage of the subject suggests increased accessibility to information and entertainment, rather than a rise in public interest. In 1888, the Jack the Ripper murders in London, portrayed graphically in the press, sparked public interest and sensationalism that became a significant public event. At a time when Victorian reporting was reticent in describing sex crimes, it was unusual for the stories to be so prominently displayed in the newspapers. Theories suggest that serial killers' disregard for life and suffering shocks humanity, questioning safety and security, and appeals to basic instincts of survival (Bonn, 2023). Writing in Crime and Media, Brian Jarvis (2010) explores serial killers and consumer culture. The principal argument is that the commodification of violence in popular culture is structurally integrated with the violence of commodification itself. Starting with the rather obvious ways in which violent crime is marketed as a spectacle to be consumed.

BACKGROUND AND CONTEXT

The phenomenon is not a modern concept, in his book Gilles de Rias, Benedetti (1972) takes us back to the 1400's where the French nobleman took great pleasure from torturing and killing several hundred children. The term "Serial Murderer" is a relatively recent concept coined during the "Son of Sam" homicides in New York in the 1970's by Robert Ressler who was a Special Agent in the Federal Bureau of Investigation (FBI). It is estimated that, by that time, only ten serial murderers had been identified in the United States of America (USA). By the 1980's the FBI estimated there were thirty-five active serial murderers in the USA. By the mid 2010's this had grown to two to three hundred accounting for about two thousand to three and a half thousand murders a year (Miller, 2014). There have been, and still are, several theories as to what the definition of a serial killing should be. The most accepted is that adopted by the FBI in 2005 as "the unlawful killing of two or more victims by the same offenders in separate events". This paper explores contemporary views on serial killings, examining research and theories, and addressing international disparities in recording these crimes. The study explores the use of technological advancements and AI in investigations, analysing current strategies and techniques, and examining data collection and collation methods to support these advances. Serial murders are complex investigations involving vast amounts of information. Artificial intelligence (AI) is being used in forensic science and criminal investigation for data analysis, pattern recognition, and facial imaging. This research aims to explore AI's potential in solving serial killings and examines data organization for success.

OBJECTIVES AND SCOPE

The paper aims to provide an understanding of serial murders, examine their international and national context, critically analyse contributing factors, demonstrate how these theories are based on investigative techniques, examine how AI has been used to solve serial offences, critically analyse data collection and collation, and evaluate how technology and AI can improve future serial murder investigations.

SIGNIFICANCE OF THE STUDY

In a modern society with continuous developments in technology and AI to analyse and evaluate data is it not right that we consider this technology in the context of solving unsolved murders?

DESIGN AND METHODOLOGY

Serial killings are uncommon occurrences. Serial killing, as a phenomenon, has been the subject of extensive research and publication in a wide range of contexts. Secondary research offers a cost-effective, ethically-sound alternative to primary research in this subject, utilizing the vast amount of available information for a thorough analysis. The author used an unbiased methodology, reviewing a wide range of literature to provide context and historical perspective on serial killings and their investigation, aiming to highlight inherent problems faced by investigators. A mixed methodology will be the central research theme, it is not a new approach in criminal justice and criminology. Between 2001 and 2017, there were 327 mixed methods papers published (Wilkes et al., 2021). To understand the size of the problem, there must be reference to data collected, the historical context and international discrepancies. Ethical considerations need to be taken into consideration because serial killing can be an emotive subject matter.

Whilst the public and media fascination is enduring, it has resulted in a wide range of categorisations as to why these killers kill, but the academic knowledge is surprisingly restricted (Hodgkinson et al., 2017). Peer reviewed and academic journals will be the objective behind achieving integrity. However, publications by law enforcement, government reports that contain validated data and other publications such as respected media and validated non-profit organisations will offer research opportunities. Information published on websites of recognised and professional organisations dedicated to research topics specific to the area of study should be considered also. It is important that any findings are not misused or sensationalised by the media or others and so due consideration needs to be given to this. It is hoped that this can be mitigated by providing context and thorough professional evaluation and analysis. The use of case studies may assist in developing the main themes of the paper and how technological advancements may assist serial killing investigations in the future.

LITERATURE REVIEW

Defining the phenomenon

In the 2000's there were thirteen different theorised definitions of what constitutes serial murder often involving many elements. However, the more elements used to define can not only cause ambiguity but can cause operational limitations when in context. In 2006, the FBI's Behavioural Science Unit hosted a symposium in San Antonio, Texas, where experts from various fields proposed a definition of serial killing. The gathered experts agreed that serial murder should be defined as "the unlawful killing of two or more victims by the same offenders in separate events" (Morton, 2010). This definition was adopted by the organisation that is responsible for supporting the largest Non-governmental Serial Murder database in the world. This is The Radford / Florida Gulf Coast University (FGCU) Serial Killer Database. They produce an annual report with the purpose to provide the most accurate statistics possible about serial killers and their victims (Aamodt et al., 2023).

The international context

The research into serial killings from an international context is very limited. Any re-search conducted results in a common source being cited and that is the Radford / FGCU Serial Killer database therefore reinforcing that it is probably the most accurate database. However, Radford / FGCU also include interpretation cautions such as underrepresenting the actual number of serial killers outside of the USA. That the database is much more likely to contain data from countries such as the USA that have more effective law enforcement agencies that openly publish information about these crimes (Aamodt et al., 2023). The United Nations Office on Drugs and Crime (UNDOC) goes some way to collate and publish data on Homicide internationally with the Global Study on Homicide (2023). However, it does not publish any information on serial killings or unsolved murders.

The Radford / FGCU serial Killer database provides an international context. This is where the disparities in the statistics raise certain questions. To examine this in context the following table draws down some data based on countries whose share of the world population is more than 1%.

Country	No. of Serial Killers	% of Serial Killers	Country's Share of World Population	Ratio
USA	3690	64.16	4.24%	15.12
Russia	164	2.85	1.87%	1.52
Japan	138	2.4	1.62%	1.48
India	130	2.26	17.7%	0.13
Germany	99	1.72	1.07%	1.6
China	68	1.18	18.64%	0.06
Mexico	64	1.11	1.65%	0.67
Brazil	42	0.73	2.73%	0.27
Turkey	15	0.26	1.08%	0.24
Iran	13	0.23	1.08%	0.21
Nigeria	12	0.21	2.64	0.09
Pakistan	11	0.19	2.83%	0.07
*England	182	3.16	0.68%	4.66

Source – Radford/FGCU

*Included for demonstration purposes.

This data raises statistical probability questions, significantly in countries that have relatively smaller populations but high levels of serial killings.

Could this be a consequence of western culture? Haggerty & Ellerbrok, (2011) examine this and identify three theories. The Society of Strangers, modern development and mass urbanisation and the fact that serial killer's target strangers, may be an ideal setting for the killing of strangers. Mass media and the culture of celebrity. There are some killers that crave celebrity and attention. The infamous killer Ted Bundy revelled in the detail he provided to interviews prior to his execution and commanded attention during his trial (Michaud et al., 2019).

Marginalisation, this focuses on the disproportionate amount of those marginalised in society such as the homeless, sex workers, homosexuals, children and even hospital patients. In the USA, serial murder victims who were sex workers accounted for 32% of all serial murder female victims during the period 1970 to 2009 (Quinet, 2011).

This marginalisation in the context of UK victims is also apparent in the most killed by one person being the elderly patients of Dr Harold Shipman. This is also reflected in the Yorkshire Ripper, Peter Sutcliffe and in the serial killer Steven Wright in Ipswich targeting sex workers, Colin Ireland and Dennis Neilsen targeting vulnerable homosexuals as well as Fred and Rose West and Ian Brady and Moria Hindley targeting vulnerable females and children (Hough, 2010).

Therefore, there may be merit in these arguments but relatively low levels in China and India would tend to indicate there are other factors beyond this. The homicide rate in China per 100,000 people is about a tenth of the global average.

In 2021 6,522 people were murdered which is down 80% from two decades ago. The crime data is published by the state, and it has been viewed with doubt by analysts suggesting that impressive data cited by the Communist Party is justification for its rule (The Economist, 2023).

Twenty years ago, a leading academic on Chinese crime Bakken (2004) wrote that, in China, there had been a very slow increase in homicides since the 1980's and by 2003 it was at a rate of 2.1 per 100,000 population compared to 1.9 in 1990 and states that the Ministry of Public Security may have withheld the real homicide figures. In 2016 the Chinese authorities stated the homicide rate was 0.62 per 100,000 population. Again, Bakken argued that this was false in a 2018 article in World Magazine stating that the Chinese Police underreport crime statistics and that a lack of transparency means that false numbers are accepted as fact (Cheng, 2018).

There are issues with crime and recording in India but the rationale behind this does not appear to be political but structural. In India the reliability of police-recorded crime statistics is severely affected by reporting and recording. Many crimes are not reported to the police, but the police may also not record all the crimes reported. In terms of homicide, in India, it is accepted that it is measured more accurately than other crime, but it is far from perfect. There are many people missing in India that may have been murdered. The practice of cremation of dead bodies also makes the disposal of bodies easy. Although the recorded murder rate is low, the rates of suicide and accidental deaths by unnatural causes are exceptionally high when compared with the global trends. Due to issues around police recording crime it is entirely possible that many homicides are recorded as suicide or accidental deaths (Ansari et al., 2015). So, there is a real argument that the numbers of serial killers recorded in the two biggest populations in the world is significantly lower than what is the case. A basic percentage calculation can demonstrate the potential scale of this based on the numbers in populations. The population of the USA is 340 million, China is 1452.7 million and India is 1428.6 million (United Nations, 2023).

If we assume, and it would be right to, that the data from the USA is as accurate as it can be, then as per the above table there have been 3690 serial killers identified in the USA. Dividing the population by the number of serial killers: -

USA
340 million / 3690 = 0.00001085 i.e. per head of population
If we then apply this to China and India populations: -
China
1452.7 million x 0.00001085 = 15468.845 (data shows a figure of 68)
India
1428.6 million x 0.00001085 = 15500.31 (data shows a figure of 130)

Granted this is a very rough calculation and does not consider cultural, economic or rate of population growth differences. However, even if we consider this, we can come to a qualified opinion that there are many serial killers in these countries that have not been identified or there are many murders that have not been linked to demonstrate a series of offences. As discussed above this may be due to politics, a lack of proper crime recording, a lack of knowledge and understanding of the phenomenon or low levels of police capability and forensic investigative capacity.

Contributory factors

We cannot examine how developments in technology and Artificial Intelligence can influence or assist in serial murder investigations until we examine the research into the contributory factors underpinning the serial offender's behaviour. This is because many of the previous and current techniques used within the investigations are underpinned by the contributory factors. Due to the significant amount of criminological

research in the subject matter there have been several different sets of typologies that attempt to differentiate the types of serial killers. Miller (2014) amalgamates these into a basic set of common subtypes:

Sexual Sadists. Through dominance, power, brutalisation and humiliation enjoy murdering.

Delusional killers. Who want to clear the world of people they believe are undesirable and are psychotic or ideologically driven.

Custodial killers. For example, those that kill those in there care e.g. Harold Shipman and Lucy Letby, this has crossover with delusional killers.
Utilitarian killers. Where some financial or material gain is motivation or where the motive is anger or revenge.

Miller (2014) also gives detail about how the FBI's Behavioural Science Unit (BSU) split serial killers into just two categories, Organised and Disorganised.

Organised. They usually have a higher-than-average intelligence but believe they are superior to others. The crimes are usually well planned, they have knowledge of law enforcement and often appear normal to those that know them.

Disorganised. They usually have below average intelligence and are a loner or a recluse. They can be seen as "creepy" or "weird". Have a more spontaneous violent element that can be characterised as overkill. Often involved in voyeurism and other sexual activities.

There are many theories as to why people become serial killers, and these are underpinned by the concept of nature versus nurture. This paper examines how technological developments, and Artificial Intelligence can assist in serial killer investigations independent of what the underpinning theory is. This is because both elements could be relevant dependant on the context of what is being examined.

Nature

Are serial killers born that way? Is there something genetic that means their behaviour is inevitable? There has been a considerable amount of research in this area. The areas of impulsive and predatory aggression have been researched. Impulsive aggression involves spontaneity and high levels of emotional and physiological arousal in the context of dominating and intimidating the other. Predatory aggression involves low emotion and requires a degree of stalking or planning in a more hunter and prey context (Miller, 2014). Positron Emission Tomography (PET) scans have been used to examine the brains of both impulsive and predatory murderers. The results demonstrated heightened activity in subcortical limbic brain regions in both types but only the impulsive samples showed impaired frontal lobe functioning. This indicates that impulsive murderers may lack the ability to control their aggressive behaviours. Whereas predatory offenders retain the frontal lobe ability to direct, control, and moderate their behaviour (Raine et al., 2017). Monoamine oxidase (MAOA) is a gene that is used in the body to modify norepinephrine, epinephrine, serotonin, and dopamine. This gene has its origins in the X chromosome and prevents high amounts of aggression. Higher levels of MAOA enables individuals to resist harming others (McDermott et al., 2009). There has been research that the behaviour could be caused by complex interaction of biological, psychological, and sociological factors. Allely et al., (2014) identified that neurodevelopmental

disorders like autism spectrum disorder (ASD) or head injury was present in a significant number of serial killers. In examining 239 serial killers' background they established that 28.03% had some form of ASD or possible ASD and 7.46% of these also had a head injury. 21.34% had a head injury or suspected head injury 13.72% also had evidence of ASD traits. Out of the 106 killers with ASD and/or head injury, 55% had experienced psychosocial stressors. This is demonstrated in the graphic below.
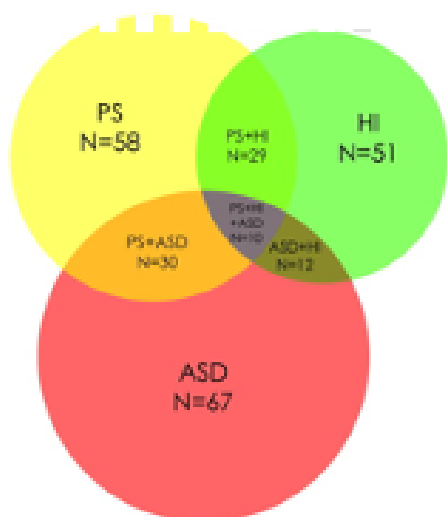
ASD : Autistic Spectrum Disorder
PS : Psychological Stresses
HI : Head Injury   **(Allely et al., 2014)**

Nurture

One of the early research studies into this area was Macdonald (1966) which was the foundation of what was referred to as the MacDonald triad. The basis of this is that he found that there were three common childhood behaviours of bed-wetting, animal cruelty and fire-setting as indicators of future violent behaviour and even serial killing. However, it has been generally concluded that whilst the triad behaviours may be present, they are more of an indication of a stressful home environment and/or development issues (Parfitt & Alleyne, 2018). Childhood abuse and the link to serial killing has been widely studied and there are strong academic arguments that it can be a significant factor in determining the phenomenon.

There are strong arguments citing historical childhood abuse as a significant factor. Mitchell & Aamodt (2005) carried out research on 50 USA serial killers who were classed as having lust as their motive and who had abusive indicators during childhood. The results were compared to statistics of child abuse within the general population of the USA. The results of this research are detailed in the table below.

Comparison of serial killers to the general population.

Type of Abuse	General Population	Serial Killer Population
Physical	6%	36%
Sexual	3%	26%
Psychological	2%	50%
Neglect	18%	18%
Other	6%	N/A
No abuse reported	70%	32%

Mitchell & Aamodt (2005)

Demonstrating clearly that childhood abuse is prevalent in serial killers classed as "lust killers". However, their research did highlight that incidents of abuse commonly go unreported. Reid et al., (2019) go further with the research and look at several factors that could contribute in the making of a serial killer. In a study of 70 serial killers from the USA and the UK they examined many areas of the backgrounds to establish commonalities and identified childhood physical, sexual, and psychological abuse, exposure to domestic violence, childhood abandonment and complex maternal relationships as adverse childhood experiences common to serial killers. Research is now pointing away from nature versus nurture in the context of contributory factors that underpin a serial killer's behaviour. When trying to develop a theoretical model to explain the motivation of serial killers Deepak & Ramdoss (2020) concluded that the motivation behind the murders can only be understood with the unique context of the killer's life. That is its multiple factors that interact with each other that contribute to the evolution and that siblings of killers who experienced the same childhoods do not necessarily follow the same path.

Investigative strategies

The more that research has uncovered what we know about serial killers and their behaviours the more this knowledge has been the foundation on which investigative strategies are developed. Behavioural analysis has been used for decades. The rapid growth in serial killings in the early 1970's resulted in the FBI Behavioural Analysis Unit (BAU) being established. Investigating agencies were not communicating with each other. In 1983 in the USA the National Centre for the Analysis of Violent Crime (NCAVC) was established to assist agencies with training, research, and criminal profiling.

In 1986 the FBI introduced the Violent Crime Apprehension Programme (ViCAP). The objective of ViCAP is to connect agencies to facilitate communication between law enforcement. The FBI receives these reports to be analysed and entered on ViCAP and possible connections identified. The FBI has also used data from crimes to develop the Behavioural Analysis Units (BAU) that can use Criminal Profiling to assist agencies dealing with serial killings although some commentators are still questioning the accuracy of profiling (Osowski, 2018).

Behavioural profiling was implemented as far back as the early 1970's when one of the USA's most prolific killers was active. The Golden State Killer (GSK) began his activities in the early 1970's and was not arrested until identified through DNA in 2018. He eventually pled guilty and received 11 life sentences, he is believed to have killed 13 people, committed 51 rapes and 120 burglaries. The developing nature of his crimes and his mobility across states made it difficult to connect the crimes and it was believed that there was more than one offender. This resulted in multiple investigations in which a total of nine different behavioural profiles were written. In their research into these profiles, Rossmo, (2023) established that, in the GSK case, individual profile accuracy was about 54% on average but these ranged from a high of 75% to a low of 29%. So, whilst the assessment of profile accuracy needs to be considered it still can be useful to assist an investigation. Its contribution will depend on how it is used in an operational context.

Technology and Artificial Intelligence

Behaviour Profiling

Artificial Intelligence (AI) is the ability of a machine or computer program to perform human-like tasks such as visual perception, speech recognition, cognitive thinking, decision making, learning from experiences and solve complex problems with ultimately higher speed and less error rate than humans

(Jadhav et al., 2020). In the 1980's the FBI began to use computers to assist in generating criminal profiles. They developed the Violent Crime Systems Analysis Model. The computer system traced the philosophical activities associated with the detection, prediction, and prevention of violent crime. At the time the aims of this were to introduce computer assisted criminal profiling (Icove, 1986). Historically, psychological and criminal profiling have been offender focused. It can be argued that equal effort should be made in examining the victims when investigating who the killer may be. That by understanding the victim, decisions can be inferenced with regards to how and why the location and victim were chosen. Godwin (1998) refers to this as Victim Target Networks (VTN). That the situational context within network connections occurring is vital to understanding the hunting patterns of the offender. For example, if the victim and offender interaction is in a location where it is likely to be witnessed there is more chance that a suspect will be identified. Therefore, the focus should be aimed at where this interaction is likely to have happened.

Geographic Profiling

Geographic profiling (GP) uses the locations of connected crimes to establish the most probable area where the offender may reside. It can be used as the foundation for multiple investigative strategies including suspect prioritisation, address based searches, patrol intensity, and surveillance. It does not solve cases but is a useful tool for managing information and assisting investigators (Rossmo, 2000). Research into how effective this is in the UK identified that, whilst GP has been widely accepted and incorporated into the crime analysis capability in the UK forces, there is little evidence to demonstrate how effective it is. It was established that despite the potential of GP to assist in serial offending, a lack of knowledge and awareness is affecting its use in these investigations (Halford, 2023).

Predictive profiling

Advocates of predictive profiling say it offers cost savings and efficiency stating that computer programmes can predict future crimes more accurately than the human can. Opponents of the technology argue that a lack of transparency and the possibility of racial bias within the algorithms weaken its application (Lau, 2020).

Location based property crime is probably the biggest application that has been used in predictive profiling and this is generally based on thousands of pieces of data and information. Predictive profiling can be person-based but is more controversial. An example of this was when responding to an epidemic of gang related murder in Chicago. Using police data and applying social network analysis the Chicago police produced a list of about 400 people that would be likely to be involved in violent crime (Brayne et al., 2015). So, the question then must be asked can we use this technology to predict a serial murder? Using the data from the Radford / FGCU database, this was researched by Ha (2021) who used the data to establish whether machine learning could be used to predict serial killer's vital goals. The conclusions were not specific and basically showed that there were three states in the USA that were more likely to have serial killers. Therefore, highlighting the difficulty as there are so many variables involved. However, there are still possibilities in this area as technology and Artificial Intelligence develops. There is a possibility that high tech modelling could, in the future, produce a "digital twin" of a serial killer and so produce data on a potential offender, potential crime scenes and victims (Bertovskiy et al., 2022).

Machine Learning

Artificial Intelligence is described as "creating a computer process that behaves in a way that an average person would consider intelligent". To examine the potential for Artificial Intelligence (AI) within forensic science it is useful to explain the terminology within the field. Machine Learning (ML) is a subcategory of AI that facilitates computer systems to draw conclusions from large data sets without being specifically programmed. Deep Learning (DL) is a subcategory of ML. Nural network is the ability for the human brain to learn from previous experiences. An Artificial Nural Network (ANN) has a similar functionality to the human brain. They can complete complex tasks like object classification and recognition. Data Reconciliation (DR) is the function of data comparison to confirm an action or proposition and can be used in forensic anthropology and odontology (Gupta et al., 2023). Recent technological developments have furthered the use of Virtual reality, Facial recognition and Geospatial analysis are all contributing to homicide investigations.

UNSOLVED MURDERS

Homicide clearence

How can technology assist in solving unsolved murders by linking them to serial offenders? When the number of unsolved homicides is examined, the question follows "are there unsolved homicides that have not been linked to a series?". In the USA there has been a significant decline in the homicide clearance rates over the last 50 years. In the 1960's the clearance rate was more than 90%. By 2000 that figure was 60% (Ousey & Lee, 2009). By 2020 this had declined to 54%. International comparisons are difficult due to variances in definitions and judicial systems. In the UK the homicide clearance rate for 2021/22 was 63% (Allen & Mansfield, 2023).

The data

In the USA the Murder Accountability Project (MAP) (2022) stated that there were almost 340,000 unsolved murders since 1965. There are no centralised figures for this, the numbers were obtained from the individual states. This is a similar problem with the data in the UK where there are 43 forces all of whom keep their own data, but it is not centrally collated. Therefore, the figures can only be obtained through freedom of information requests to individual forces. So, the figures are dependent on how many responded and the accuracy of their records, it has been reported that there are 1583 unsolved murders in the UK (Piggott, 2016). But this has also been researched to be significantly higher at approximately 2300 (Williams-Thomas, 2020). Consideration also needs to be given to those that have gone missing and never been found.

Cross border killing

The Murder Accountability Project is a non-profit organisation established in the USA in 2015 whose board of directors consist of investigative journalists, retired law enforcement investigators, criminologists, and other experts. MAP obtains information about unsolved homicides and publishes this. It allows users of their website to access the data and interrogate it to establish if cases can be linked. MAP has developed an algorithm that can detect serial killers who kill multiple victims using similar methods within specific geographical areas. The algorithm looks for clusters with very low solved rates and believe that these have an elevated probability of containing serial killings, (MAP, 2023). Some serial killers move from one area to the next, this presents problems in terms of identifying the serial killers

operating in different jurisdictions. Mobility of these killers could be seen as contributing to them being unidentified for some time. Peter Sutcliffe, the Yorkshire ripper, killed in West Yorkshire and in Manchester, Peter Tobin killed in Scotland and England and Robert Black also travelled around the UK as he killed. Two of the most infamous serial killers in the USA, Ted Bundy and Samual Little killed many in many states. Little's killing spree covered 19 states (Stephens, 2023). Bundy's killing spree took him from Washington State to Florida via Colorado (Michaud et al., 2019). It can be argued that they may have been caught earlier had they stayed in one location. When considering mainland Europe and the ability to move around without borders then there could be or may have been serial killers operating in more than one country but Interpol and Europol do not keep a central database of unsolved murders and so it is impossible to determine.

The missing

Interpol has started addressing this issue with Operation Identify Me. This is a public appeal to identify 22 women who were believed to have been murdered in Belgium, Germany and The Netherlands possibly going back 40 years. Despite widespread police investigations, the women have never been identified, and evidence suggests they could have come from other countries. Interpol issued a black notice for each of these victims (Interpol, 2023). Their theory generated some merit when the appeal to identify a female who was dubbed 'the woman with the flower tattoo' was successful. This female was found in Antwerp in 1992, had been stabbed and had a distinctive flower tattoo on her left forearm. A relative recognised the tattoo and the female was identified as Rita Roberts from Cardiff who had moved to Antwerp in 1992 (Morris, 2023). Whilst there is nothing to suggest that these murders are linked or could be part of a serial or serials there is also nothing to suggest that they are not. According to the International Centre for Unidentified and Missing Persons, that collates missing persons cold cases, there are 907 people missing in Europe, in the UK there are 165 missing people classed as cold cases (DOE Network, 2024). Looking at it from a global context, Interpol issue a yellow notice when they are informed that someone is missing, Interpol state that there are 9546 current yellow notices in circulation (Interpol, 2024). Again, with no central government database in the USA, a non-profit organisation called the Charley Project collates those missing without trace that are over a year old, their database currently stands at 15,957 missing people (The charley project, 2024). Therefore, when we examine these numbers, it would not be overdramatic to say that statistically, there may be many unsolved murders that could be part of, or a series of killings.

DISCUSSION

This research paper began with the open question of how technology and AI advancements can assist in serial homicide investigations. The research has demonstrated that there are investigations using the development of technological advances in homicide in general. Many of these developments and techniques can be applied in both homicide and serial homicide investigations but there are areas where the technology is particularly relevant to serial homicide.

Technology

Some may have the impression that good intuitive and determined detective work is responsible for solving serial murders. However, despite the popular TV and film depictions, although good detective work may go some way to solving these crimes, research has shown that this may not necessarily be the case. In a research study that focused on 671 serial killers aimed at examining the method in which the offenders were identified, there were 22 methods of identification (MOI) established. The ten most

common MOI's were victim survived attack, DNA, turned in by an associate, family, or friend, suspicious circumstances, witness identification, last seen with victim, confession, connected by location, arrested on unrelated charge(s), and technology. When examining the role of technology in MOI this accounted for just 0.5% in the 1970's. By the 2000's this was 4.55% but by the 2010's this had grown to 17.0%. The second most common MOI was where the suspect was identified through DNA evidence. The likelihood of serial killers being identified may increase with the development of technology and AI along with a reduction in the time it takes to identify offenders and solve the crimes (Hood et al., 2022).

Criminal profiling

Profiling generally consists of five stages. Assimilation – the collection of evidence. Classification - information integration and offender classifying. Reconstruction – of the behavioural orders. Signature identification – the idiosyncrasies. Profiling – construction of the profile (Kapler & Wright, 2005). There has been a lot of research into the validity of criminal profiling. Studies were being conducted for alternative ways to improve profiling as far back as the 1990's. Verma, (1997) examined the possibility of using fuzzy logic in profiling. Traditional profiling follows the Boolean logic system where the rules around excluded material are profoundly embedded. Therefore, data can be interpreted two ways, it is either true or false, or yes or no. It does not take into consideration of something in between these that is neither true nor false. Boolean logic would place this into an "impossible" category and so it would be ignored. A simplistic explanation of this is when the detective is taking the statement from the witness who describes the offender as "tall." Tall can be described as a "fuzzy" characteristic meaning that there is subjectivity in the characteristic. One person may describe tall as being six foot plus. Another may describe tall as over five foot eight inches. Therefore, a mathematical technique could be introduced that takes fuzzy logic into account in determining a criminal profile.

The developments in AI and in machine learning have taken the concept of "fuzzy logic" and made it a realistic concept. This approach to profiling makes it possible to identify the characteristics of the offender in relation to the victims and the crimes. To determine the patterns of the associations are paramount. Profiling is often used to try and provide information about a serial killer that could assist in identifying and apprehending them (Delgado & Sánchez-Delgado, 2024). In their research they examined approaching profiling using the Bayesian networks, where several interrelated random variables are dealt with. Their study developed a Machine Learning tool to predict offender characteristics from those of the murder victims, acquired from a database, which can assist in producing profiles of offenders in multi-victim homicides. It will be a probabilistic classifier that ascertains the dependency relationships between characteristics using this to make the most conceivable predictions for those that are not known, and which will therefore correspond to the offender. Although this tool was developed for mass murder perpetrators not serial killers there is no logical reason that this type of Machine Learning logic could not be used for creating profiles of serial killers.

The reality of unsolved murders

The argument here is what relevance is this to the objectives to the research with regards to how technological developments and the increased potential of AI can assist in serial killing investigations. The relevance is that if we are not, as a society, whether that be nationally or internationally, correctly recording, and collating data in relation to homicide and serial homicide then the foundation on which AI can build upon to assist is significantly weakened. In the research completed the author has demonstrated that there are significant questions that need to be raised with regards to there being serial

killings going unreported or unidentified in certain parts of the world. To demonstrate that, the research made comparisons of the data from the USA where it is accepted the reporting is accurate to an extent, to India and China. The logic behind this is the fact that India and China have very large populations. The research has demonstrated that, statistically, there is a high probability that there are serial killers operating in these countries and that these murders are either not being reported or not being linked. Apart from the obvious difficulties in addressing this with the countries concerned there is a responsibility for the international community to address this issue. UN News, (2023) reported that during the period from 2019 to 2021 approximately 440,000 deaths worldwide were due to homicide. This was more than conflict related or terrorist killings combined. Therefore, there is a responsibility here for the UN to address the level of reporting in certain countries. This research has also demonstrated the issue of the cold case missing persons. Whilst the veracity of these figures cannot be fully tested there is no reason to suggest that they are not realistic.

USA unsolved murders 340,000 (MAP, 2023).
UK unsolved murders 2,300 (Williams-Thomas, 2020).
Europe 907 cold case missing people (DOE Network, 2024).
UK 165 cold case missing people (DOE Network, 2024).
USA 15,957 cold case missing people (The charley project, 2024).
Interpol 9546 yellow notices (INTERPOL, 2024).

The only conclusion that can be drawn from this is that there are serial killings going unsolved, Operation Identify Me demonstrates this. However, it would appear, to be the tip of the iceberg. There is an argument that the Western world should lead by example and that would start with countries like the USA and the UK creating a central database of unsolved homicides.

Solving unsolved serial homicides

The Murder Accountability Project (MAP) has demonstrated that there is a real possibility that by using technology and creating algorithms, unsolved murders can be linked as serial killings or part of a series. MAP was able to develop an algorithm that could identify serial killers targeting multiple victims using similar methods in a geographical area. They believe that this can assist police in identifying difficult to see patterns over a period of several years. The algorithm looks for clusters with very low solution rates and that those clusters with lower-than-expected clearance rates have an increased chance of containing serial killings. The graphic below is a screenshot of the algorithm at work.
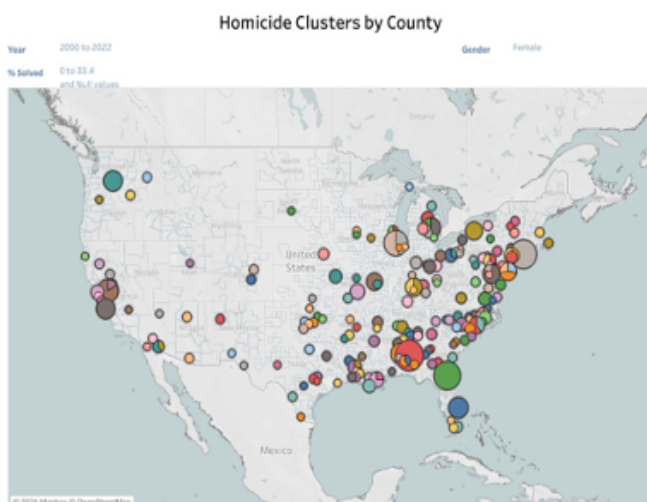
MAP (2023)

This programme can alter the range of years and the solved percentage, therefore giving investigators the ability to focus on certain areas where there may be linked homicides within clusters. So, if we know how many unsolved homicides there are and combine this data with those cold case missing person investigations, there is nothing to suggest that a similar technique could not be used in the UK and other countries to identify potential serial homicides. But the data needs to be collected and collated.

Centralisation

A key factor in success here is the adoption of a more "joined up" approach to policing in the UK and internationally. The argument for localised or centrally governed policing has carried on for decades culminating in the 1960 Royal Commission that, through the concerns over police corruption, brought about the 1964 Police Act that saw the formation of the 43 police forces (Williams, 2003). In analysing the nationalisation of Police Scotland and the police service of the Netherlands that happened at the same time in 2013, Terpstra & Fyfe, 2019 concluded that whilst these types of organisational and structural reforms are challenging, they can be successful. Writing in the Guardian in 2022, the Chief Constable of Police Scotland detailed the advantages of the national service. The article reported increases in public confidence with a survey that found 87% of respondents trusted the police. A highly impressive statistic within this article has significant relevance to this research. Since the formation of Police Scotland in 2013 there have been more than 520 murders, only two remained unsolved (Livingston, 2022). Therefore, although the arguments over a national police service will undoubtably continue, this is a compelling example that demonstrates the potential to solve murders with a centralised approach to collecting and collating unsolved homicide data national.

CONCLUSION

The research set out to examine how developments in technology and AI can assist serial killing investigations. It explored what is meant by the term "serial killing" and how research defines the phenomenon. It has identified the vast differentials in data from an international context. The way data on serial killings is collated has been scrutinised. It has attempted to understand the criminological theories and the contributory factors that are the foundation of how serial killing investigations are built. This was necessary to then be able to understand how technology has been used and may be used in serial homicide investigations. An examination of what technology is being used in these investigations and how it and AI can both enhance current strategies and offer new opportunities has been conducted. The research has identified two areas of consideration. The first is what technology is available to assist homicide investigation and the relevance to a serial homicide context. The second is how the development of technology and AI could assist in linking unsolved homicides to identify a series, or to link them to a series where an offender has been identified but whose full offending is unknown or uncertain. Developments in Machine Learning and the use of Bayesian networks as an alternative to Boolean logic gives the opportunities for more accurate behavioural profiling. There are conflictions in the research as to the effectiveness of geographical profiling, but the development of high-tech modelling and AI may offer opportunities for future development. There are clear opportunities in the development of AI use in forensic science. Apart from the obvious benefits in forensic pathology, the potential for forensic anthropology and the ability to complete three-dimensional facial reconstruction from cranial remains is a significant development and is clearly being used by Interpol in the Operation Identify Me project. Facial recognition technology is already being used in criminal investigation but the potential for it to be used in serial homicide investigations as its capability develops is significant. Additionally, techniques such as geo-spatial analysis, the ability to take thousands of pieces of information and produce a three-dimensional

timeline and the opportunities that can give to decision making within these investigations is considerable. However, by far the most significant conclusion that the author has identified is that the opportunity to link unsolved homicides to a series of killings is extensively hampered by the lack of central coordinated data on unsolved homicides and cold missing person cases. No more so than in the UK and demonstrated in Europe through the Operation Identify Me project. The Murder Accountability Project and the algorithms it has developed demonstrate that this is possible. Further research in this area needs to establish how this can be achieved. Without this data being collated and analysed in a centralised and coordinated method it may well be that some people are literally getting away with murder.

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Were the 'New Police' really that New? An analysis of community-led governance within Medieval Britain

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ABSTRACT

The term 'legitimacy' is used extensively throughout contemporary debate surrounding the actions of police officers across Britain. Fuelled by global discussions on law enforcement practice, force areas have become focused on developing new initiatives and processes to improve trust and confidence within communities, believing this will enhance relationships and foster positive outcomes. Policing by consent has long been seen as the dream of Sir Robert Peel and from 1829, this became a reality with the creation of the Metropolitan Police. The paper will discuss if the radical reforms of the 19th century were building upon a pre-existing culture of community involvement within enforcement which dates to the 10th century. Rather than decades of oppression, social and political elites left governance to the citizens themselves, delivering force only on limited occasions and often when mass rebellion was taking place. The piece intends to provide an alternative perspective suggesting that the dark ages may not have entirely lived up to its name.

INTRODUCTION

British Policing as with most of the country's institutions is grounded in tradition. The Metropolitan Police, created by a parliamentary act of the same name, is viewed as a truly groundbreaking moment in criminal justice history, and 'regarded as an exemplar of civility' (Reiner, 1992: 435). The article intends to discuss the realities of policing across the British Isles before the Metropolitan Police with particular focus upon the community-orientated approach towards enforcement that existed during the medieval period. Governance may have appeared different to that of the unformed service we are familiar with today but the principles of policing as a community enterprise, informally driven by the desires of the public may not be as new as first thought.

HOW NEW WAS THE NEW POLICE?

Policing the British Isles has not been without its controversies, with generations of officers forced to navigate the turbulent seas of political, social, and technological dislocation. Scholars and the public are largely aware of the Parliamentary Act 1829 which formed 'the Met', and that the social reorganisation

created by the Industrial Revolution formed the basis for its creation, (Rogers and Frevel, 2018). However, the role of a public constable, going by various names and guises, remains one of the oldest professions, dating back to before 1066. The organisation which became known as the Metropolitan Police and was established in 1829 was far from the first full-time tool for policing in London (Emsley, 1996). London and the rest of the country had not been 'unpoliced' suggesting there was nothing 'revolutionary' about Sir Robert Peel's ideas (Feilding, 1995). The positioning of the public at the heart of the model may too have not been radical either, with a culture of community enterprise becoming an essential part of public governance before 1829. What would later become revolutionary about the legislation was not that it introduced consent but rearranged the piecemeal approaches into formalised, bureaucratic systems that attempted to meet the needs of the public. The 'New Police' rather than create new ideals, instead continued to govern through law enforcement principles which had been at the heart of communities in Britain since 1066.

The role, function, and representation of the police in Britain has long been debated and continues to be a highly contentious area. Whilst policing remains a universal feature in social relationships and human cultures, formalised police institutions are not (Reiner 2010:65). These structures often vary in size, scale, and authority, with many reflecting social complexities. Orthodox accounts of the 'New Police', focus on the inevitability of its formation and that the demands of commerce, trade, and industrialisation, as well as urban population rise from the 18th & 19th centuries, led to an increased public demand for a new approach to enforcement (Reith, 1956). This perspective, often described as 'cop-sided' history, began to be challenged in the 1970s by revisionist historians, who argued that the introduction and continued development of the 'New Police', was fuelled not by public consent but by a desire of powerful elites to control the working-class majority and ensure 'urban discipline' (Critchley, 1972). This interpretation has itself been re-examined by historians eager to explore a middle ground between the two with the Neo-Reithian synthesis, inspired by Charles Reith (1956) in his work - A New Study of Police History, suggesting both interpretations could be used to help explain and understand its formation and acceptance.

The subjective nature of the work conducted by officers is often viewed through multiple ideological lenses, with an act being interpreted as either an act of kindness or oppression. The social dislocation created by the Industrial Revolution and the infancy of understanding by politicians and the public in the powers and function of the New Police created direct and in-direct hostility towards those early 'bobbies' that patrolled the great Victorian metropolises (Reith, 1943). As the work of the Metropolitan Police became increasingly more complex, greater efforts were made to redesign the training of recruits, equipping them with the tools they would need to maintain order and legitimacy. Specialised departments were established, including the Criminal Investigation Department in 1878, corresponding with specialised training courses provided in large urban forces. In 1907 the Metropolitan Police Training School was established in London to provide basic police training, in operation until 1974, and was then rebuilt in Hendon.

To police by consent, institutions must ensure that citizens' voices are heard but also create processes which allow regular reform, responding to the increasing changes in the political and social environment (Faull, 2017). The rapid expansion of the Metropolitan Police model across many emerging industrial cities from 1829, culminating in the County and Borough's Police Act 1856, suggests the orthodox view, of widespread public acceptance of Peel's reforms. Critchley (1970) suggests that the continuing need by powerful elites to ensure 'urban discipline' amongst the working populations and manage the 'threat' posed by political movements such as the Chartists, may better explain its widespread adoption of the police across the country, demonstrating the variations when exploring police history (Murray, 2013). The reasons for its introduction and eventual acceptance continue to be examined through a multitude of ideological frameworks but what remains evident is that the rapid technological advancement of the period created

social dislocation and thus demanded a political response. Introduced to this cocktail of unknowns is the view that governing through legitimacy was far from new but built upon a continual culture within Britain of the community-led practice, requiring continuous consent to ensure control and acceptance.

COMMUNITY-LED POLICING PRACTICE IN MEDIEVAL BRITAIN

The start of the often-fraught story of policing across Britain could begin with the equally turbulent period of Anglo-Saxon rule (400-1066). Contrary to popular notions of brutal governance during this period, enforcement appears to have been derided largely from collective community action, with criminal acts investigated and prevented by those living in localities, (Rawlings, 2008:47). Feudal powerbrokers placed little importance on creating a centralised system of law enforcement, providing a vacuum of authority which was filled by citizens themselves. The need for maintaining order was seen by powerful elites as a requirement but offered the tools to unite communities together and encouraged the development of shared codes of conduct regarding social norms and behaviours. The feudal system did not adopt a widespread centralised model of law enforcement and instead looked to localities themselves to govern from within. Communities made their own decisions around enforcement and governance, creating uniquely different responses depending on locality. Perceptions of consent and legitimacy would have been self-generated from within the communities themselves, with feudal lords giving minimum oversight when required. This Anglo-Saxon system of justice, as Reith (1948:56) describes, was a 'tribal police system', in which small groups would come together and organise themselves into 'tythings'. In addition to the enforcement of laws and protecting those within the community from harm, tax collection was an essential task, ensuring that policing became increasingly associated with local public management. Joyce (2021:2) suggests that "Tythings were grouped into 'hundreds', a subdivision of the country (the larger ones of which were divided into units, termed divisions)". The system was supported using the shire-reeves, who managed individual localities and enforced laws through the sheriff's courts. Even as early as the period of Anglo-Saxon rule, governance involved little centralised oversight and instead relied upon localities managing themselves, with policing being a largely community endeavour.

The Norman Conquest (1066), built upon the ethos of the Anglo-Saxon system, whilst also making some significant changes. The traditions of public policing remained largely intact from the previous three hundred years, adding only the frankpledge, in which all adult males were instructed to become members of tithing and swear an oath of lawful conduct. This approach developed a culture of self-policing, in which subsequent generations have increasingly seen law enforcement as driven by the needs of the localities and that the community may know best. Policing relied upon partnerships with communities and the fostering of neighbourhood governance that continued the principles first established within Anglo-Saxon England. The community-focused approach within early policing development created a uniquely British public psychology of the role and function of the state within enforcement and control activities. When examining the origins of the apparently 'new' ideals of policing by consent, it could be suggested that 19th-century politicians like Sir Robert Peel recognised the need to build up a historical legacy and that the spirit of community enterprise would remain rooted in the design of his 'new police'. By viewing through this lens, the Metropolitan Police Act 1829 appears less revolutionary and instead a continuation of a pre-existing pattern of community-led enforcement (Melville, 1901).

Later interpretations of Sir Robert Peel's now famous quote of 'the police are public, the public are the police', should not be seen as 19th-century enlightenment but instead in the legacies of policing throughout the early medieval period, with public cooperation central themes of the judicial culture. The public resistance to centralisation during this period, suggests that those who held power often lacked the

necessary local knowledge of the affairs of townships and villages. Contemporary models of neighbourhood policing are built upon similar notions and continue to place importance on local responses to issues, with citizens seen as necessary aspects of the construction and administration of law enforcement (Hough, 2021). The methods of obtaining legitimacy and public expression in policing have of course changed since the eleventh century but there exists a continuing focus on public involvement within decision-making, allowing for transparency and scrutiny of actions. However, adopting such a model ensures that policing can be held hostage to the chaotic influences of rapid technological and social change and the continuous influence of politics. Thus, the origins of the culture in obtaining legitimacy within British policing may be found further back than 1829 with its origins found in the often-turbulent times of the early medieval period.

Paley (1989) suggests that for many observers of policing history, the Statute of Winchester of 1285, is seen as the start of the journey by 'establishing the policing procedures for England for the remainder of the middle ages', (Sagui 2012:179). The statute of 1285 did add increased levels of governance to an existing system, establishing the role of high constable as well as new local administrators and 'law enforcement' positions known as petty constables, but many were recruited from within the pre-existing structure (Emsley, 1991). Far from the creation of anything new, the statute further reinforced the continued focus on public autonomy through the Hue and Cry, which required all citizens to unite to support the arrest of a criminal or provide compensation to victims if the perpetrator was not caught. Additionally, the statute required town leaders to develop a new system of 'watch and ward', where high constables would supervise the provision of patrol during both the day and night (Joyce & Laverick, 2021). Paley (1989) suggests that these structures reflected the unequal and biased power dynamics of the feudalist system, but to understand the continued obsession of contemporary society with community-focused approaches should recognise how such a culture was adopted long before Sir Peel. Recognising that English and subsequently British social history has helped to shape perceptions of what constitutes 'effective policing', allows further understanding of the need for transparency, accountability and protected public scrutiny over the actions of those charged with upholding governance (Hough, 2021). The absence of clear central authorities and dominance by powerful landowning aristocracy throughout the medieval period suggests an absence of care and responsibility on the part of those in power, preferring not to burden themselves with the pursuits of a large peasant population, (Paley, 1989). The legacy of this period should be viewed differently, with many of the concepts which shape our modern understandings of legitimate action being present in some form during the medieval period. King (2004) suggests that the statute of 1285 built upon pre-existing beliefs that policing was a community affair, in which officers of the law should understand the problems of their localities. Along with the Statute of Winchester of 1285, in Wales and thanks to the unifying action of Welsh leader Hywel Dda in the tenth century, 1284 saw the creation of the Statute of Rhuddlan. This statute enforced the use of English law for all criminal cases in Wales. However, the laws created by Hywel Dda continued to be used for civil cases until 1540. The laws created did share similarities to those decided at Winchester but more clearly set out a system of compensation for victims of various crimes which would include the families of those murdered, who would be reimbursed financially, (Harris, 2004).

Increased developments in the creation of organised and centralised forms of law enforcement continued throughout the medieval period. Richard I in 1195, established officials known as 'keepers of the peace', which would later form the bedrock for the role of Justices of the Peace of 1327. The increased legislative framework would slowly downgrade the pre-existing role of Petty Constables, eventually making them a source of public ridicule. Sagui (2012) shows that the reign of Edward III (1312-1377) brought military success after the disastrous rule of his father Edward II but that the return of large numbers of soldiers from wars in France provided the context for the expansion of the powers and duties of these newly formed

officers of the state (Ayton, 1994). The new authority would be used to combat the increased levels of disorder brought about by poor and destitute former fighters, pillaging their way through England on their return from war (Curry,1993). Not for the last time in history would the return of large numbers of demobilised soldiers act as a catalyst for increased levels of police reform, designed to manage spikes in crime, disorder, and vagrancy.

The increased centralised response of law enforcement through the early Medieval period was reshaping the traditional relationship of feudalism, in which nobles continued to retain a community-led policing model whilst operating within a hierarchal structure over the population. The traditional role of the sheriff declined, in favour of a more clearly defined judicial system, (Musson, 1999). The choice of sheriff had often been determined by a person's relationship with the monarch, ensuring large-scale corruption and brutality. As early as the reign of King John (1199-1216), judicial roles required increasing levels of 'professional administrators' to manage the size and scale of medieval society (Feild,1981). The growing demand for capable public management suggested competency over loyalty, providing an early example of the fundamental relationship between public legitimacy and policing in Britain. Holmes (1976) demonstrates that English governance of culture recognises that authority and compliance with the law are directly linked to public legitimacy. Faull (2018) suggests that there is a clear contemporary understanding of the interconnectedness of policing and professionalism, which continues to form the core basis of trust and confidence. It is this understanding of what is defined as 'effective policing' rather than radical simply is a continuing culture of public consent which has survived since the Medieval period. Beattie (2012) suggests that the often 'revolutionary practices' of Sir Robert Peel in 1829, should be viewed as far less innovative than first thought and were instead, building upon centuries of community-led involvement within law enforcement. There is thus a long-established citizenship memory within the community enterprise model, situated in a localised structure of governance, (Davies et al, 2005). As societies of the later Medieval period grew in scale and sophistication, the structures tasked to maintain the law began to undertake their restructuring, to meet the demands of increased crime rates, urbanisation, and public expectations. However, this restructuring continued to maintain the core elements of public accountability and involvement which had become intrinsic to the British policing system and relied upon control through structures that owed their power to legitimacy and public-led approaches.

THE BLACK DEATH AND MAINTAINING GOVERNANCE

The 12th century saw some of the largest social upheavals of English history, with the destruction reaped from the Black Death eroding the established tools of social authority and power, (Melville, 1901). The origins of the pandemic are widely debated but written accounts place the disease as being recorded in England around 1348. Lindley (1983) suggests that the growth of international trade over the previous two centuries allowed the disease to spread quickly across Europe and Central Asia. The rapid naval advancements of the period, created an increase in migration and expansion, producing wider challenges to social cohesion. The destruction reaped upon the social and governance structures of Britain created a crisis of legitimacy, as church systems and local judicial systems failed to explain the deaths or stop the spread of the virus, (Beatie, 2001). This breakdown led to the rise of dissent amongst the public, with many seeing the plague as having religious or supernatural causes. Flagellants organised public acts of penitence, including whipping themselves to seek what they believed would be forgiveness from God, (Paley, 1989). Palmer (1994) suggests that the unfortunate result of such public acts was to spread of the virus more easily as the mass movement allowed for infection to take hold and spread rapidly to villages and towns. Porter (2004) argues that violence immediately occurred with governance systems attacked, creating large-scale public discussions surrounding the inability of many in power, to protect citizens from the pestilence. The

breakdown of social cohesion throughout the Black Death demonstrates the delicate relationship of law enforcement with public legitimacy. Feilding (2005) shows that judicial legitimacy requires public belief that state institutions have the right to administer laws and use force, carried out with fairness and integrity. The social shock of the death and destruction of this period provided fertile ground in which communities began to question the systems designed to provide security and safety, (Paley, 1991).

Whilst it may have been that the authority of such institutions was largely undermined by the effects of the plague, it would also be these tools of governance and judiciary that would be vital to halting the spread of the virus amongst the population. Dickinson (1994) shows that to reduce the transmission of the Black Death, fines were introduced for people caught dumping waste in the streets to tackle bad smells or miasma. A bureaucratic solution was created to halt the spread and improve the management of urban spaces with systems of governance utilised to maintain order, (Schama, 2001). Gaskill (1996) shows that as with Edward III, the rapid social dislocation created by the Black Death, saw the mass movement of people along with increased levels of violence and disorder. Rather than taking oppressive actions, enforcement of this period adopted a continued embryonic model of development, relying upon public consent to maintain order rather than utilising overwhelming force. Thus, the complex relationship between being governed and those governing is built upon the need to be transparent, accountable, and reflective of the social environment in which it operates. Herlihy Gaskill (1996) shows that it has been hard to estimate how many people died during the 1348-49 outbreak, with figures showing potentially a third and half of the population were killed. The population of England at the time is estimated to have been around 6 million, placing the figure at approximately two to three million people dead. Despite the scale of the fatalities, there remained an organised response from the local governance. Mass graves of victims have been found from the Middle Ages, with the bodies carefully laid side by side, evidence of respectful and dignified treatment.

The Iles that emerged from the nightmare of the black death, would begin to challenge the pre-plague social hierarchies, unprepared to accept the serfdom of the previous centuries of feudal rule. The loss resulted in a shortage of skilled and non-skilled workers within the agricultural economy (Paley,1989), creating an economic crisis which resulted in the changing labour and commercial market, demonstrating rapid social dislocation and the consequences of a workforce empowered to take increased ownership of their labour. In 1349, the leading nobles responded to this rise in public dissatisfaction by introducing the Ordinance of Labourers, to force wages to return to the levels they had been at before the Black Death (McLynn 1989). Additionally, the ordinance imposed price controls on goods, placed restrictions on public movement and stated that any person under the age of sixty had to work. Emsley (1991) shows that the ordinance was largely ineffective in halting the economic turbulence generated by the plague and had to be reinforced by further legislation known as the Statute of Labourers of 1351. The legislation once again provided increased powers for justices of the peace and constables to implement these control measures and punish those who didn't. This reaffirms the continuation of the impact that social dislocation has on 'policing', as the judicial systems were used by the nobility to increase suppression and levels of social control.

Organised challenges to pay demands were violently expressed in 1381, with the Peasants Revolt. Dyer (2009) shows that the revolt has become an example of serfdom challenging the ageing and declining feudal system, but this was not the case. Jordan (1997) suggests that the leadership as well as rank and file of the revolt came from the 'middling sort', who were well-educated, socially mobile and had the most to lose from the introduction of a poll tax in 1377. The Statute of Labourers which had intended to control movement and reaffirm the power of landowners, had been met with hostility from the localities. Crouch (2005) shows that the empowerment of many and a growing belief in the sanctity of labour was reinforced by radical preachers like John Ball, who was himself a long-time critic of the feudal system and a believer in the equality of all

under God. The instability of central leadership became a key cause of the revolution, with many seeing the death of Edward III in 1377 and the ascension of his infant son Richard II, as an opportunity to influence state governance (Cowie, 2007).

The spark that would eventually light the fire for the revolt came in May 1381, when a tax collector came to the village of Fobbing in Essex, demanding payment for the poll. Villagers refused to pay, and this resistance quickly spread to other villages, who now felt emboldened to rise and march on London (Taylor, 1998). Whether it be tax collecting constables of the fourteenth century or officers operating in the twenty-first, finding a balance between meeting the actions required by central government and the responses offered to these by the communities, creates a problematic position and places increased challenge to the relationship between the public and the police. However, the belief that this period was one of centralised and oppressive systems of rule would be inaccurate. If the acceptance of the notion of a continuing theme that community enterprise has been central to the establishment of British policing methodology, guardians of governance will always find themselves in a complex and uncertain position, recognising a constant challenge to their legitimacy amongst some. The peasants revolt largely failed to achieve the improvements that it had been raised for, with Richard II choosing to arrest and execute many of the founding members of the resistance. However, as with twenty-first-century strikes, it did provide a clear warning that populations could organise themselves and pose a threat to established power structures when they identify as being unsupported. The Poll tax would not be introduced again till the 1990s, in which it received yet further levels of public hostility and protest.

THE EVOLUTION OF MEDIEVAL PRACTICE

Law enforcement structures continued to focus throughout the later Medieval period on managing the relationships between landowners and their tenants, in an attempt the protect the last vestiges of a declining feudal structure (Taylor, 1998). From 1361, increasing numbers of landowning gentry were appointed to the role of Justice of the Peace rather than relying upon traditional and often distant court barons. The increasing focus on the need for governance to be local and increasingly component was a result of the increases in population and a developing commercial market. King (2004) shows that matters of administration were managed by the manorial court which was itself overseen by the hundred court, which administered law and order. At times, manor courts were given the judicial powers of the hundred by the crown and if so, adopted the title of 'courts leet'. The selection and appointment of the constables was a power granted to manorial courts or court leets, ensuring that the role of the Justice of the Peace remained more influential than the parish constables (Dodsworth, 2008). The core governance structure would remain largely intact till the beginning of the nineteenth century and would often run in parallel with the 'new' policing methods developed in subsequent centuries. Morgan, (2001:299) suggests that local parishes developed to become the 'basic unit of secular administration', rooting the policing function firmly within the established community enterprise model. For such a model to be successful, it would have required such a pre-existing culture, a model managed and led by those within a geographical area. Hay & Snyder (1989) suggest that the views, attitudes, and opinions of citizens were intrinsically woven into the fabric of public attitudes towards what the focus of policing within England should be (Emsley,1991).

Contrary to the belief that control of populations throughout the medieval period was through force entirely may seem fanciful and dismissive of the often-ruthless tactics employed to repress the many collective challenges to power throughout this period. However, the delicate balance, which was evident throughout, and the steady decline of the feudal model created the workings of a state that much more closely collaborated with its citizens rather than the use of overwhelming levels of force, (Bettie, 2001).

Then as with today, commerce became dependent on skilled and professional labour to increase efficiency and raise output. For such a model to work, the legitimacy and confidence of those being policed, was vital in sustaining improved levels of productivity. Repressive solutions with centralised governance structures would not have achieved the reforms needed to meet the ever-changing demands, ensuring that public participation and enterprise remained central to the 'old' policing model in England. The reforms of Sir Robert Peel were thus far from ground-breaking but built upon a long history of policing through public consent.

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Can two wrongs make a right: what are the ethics of tackling Organised Crime Businesses (OCBs)?

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ABSTRACT

Traditional law enforcement has been limited in its efforts to counter serious organised crime because it has focused upon targeting the nominal and co-offender rather than the criminal market itself. This trajectory has been influenced by the singular preoccupation with pursuing criminal investigations for court processes. Such a focus has missed opportunities to disrupt organised crime businesses, resulting in crime growing even though nominals are prosecuted.

To enhance policing beyond reactive prosecution approaches more proactive, disruptive approaches are recommended but such a change requires revisiting ethical concepts around what limitations define legitimate actions for an agency working on behalf of the State. For policing to act as saboteur, in order to protect a harm occurring to an innocent victim, what ethical parameters exist? Is it legitimate for policing to disrupt organised crime businesses when unintended consequences may occur, even though the motive is to protect the innocent?

This article starts a conversation about to what extent policing could become more proactively creative about disrupting and preventing serious organised crime from profiteering, specifically concerning the viability of an ethical framework for operational decision makers. The cultures of criminal and police professional are different, taking alternative approaches towards risk, rules and decision making. This article asks is policing following too may self-imposed rules whilst its counterpart disregards them via its criminal enterprise? If policing were to become more proactively creative, exhibiting more lateral thinking around disrupting crime, is there an ethical line that should not be crossed, and can, indeed, two wrongs ever make a right?

INTRODUCTION

What decisions law enforcement makes, how it makes them, and how they are perceived, can all affect public trust and confidence (Dempsey, et al 2023). The UK policing model is built around the National Decision-Making Model (NDM), a loose linear structure to inform professional judgment rationale (Woods, et al 2024).

In turn, the NDM itself revolves around the ethical policing principles, which are essentially courage, respect and empathy and public service (College of Policing, 2024). Policing, as a form of law enforcement, for many years has tended to be influenced by right realist thinking and tended to focus upon the pursuit of offenders to take them before courts (Albrecht, 2018). Although prevention and disruption tactics have been promoted, they remain underused (for example consider the 4 Ps (HMICFRS, 2023) and how levels of effort into disruption and pursuit are imbalanced (Vestby, 2024).

We use the term OCBs (Organised Crime Businesses) (Allen, Coxhead, Smith & Harrison, 2025) purposefully to distinguish from any limited focus on the 'gang' or criminal nominal. Such a focus is limited as offenders come and go, yet crime itself persists because the criminal market, and its business processes, thrive, hence the need to 'think OCB, not OCG'. This article builds its theoretical underpinnings upon the notion (and importance) of the criminal market as a dominant factor. It is important to emphasise how this outlook changes the traditional policing paradigm of catch and convict to a more creative and proactive agency, and explicitly explain why we use this term.

Although frameworks concerning the ethics of disruption, rather than just enforcement, have been mooted (Tilley, 2016) there remains a gap in how police professionals, and partners, might navigate legal and ethical parameters in seeking to disrupt organised crime business systems. A starting point might be that interfering with a course of action that would otherwise result in negative consequences is a form of public service. Such interventions might indeed need to be courageous, but there might also be a need to consider implications and consequences, as simply presuming the end justifies the means may not meet any reasonable ethical test criteria (Hutton, 2017).

This article seeks to initiate a new 'moral maze' conversation about the need to be both courageous in being more proactive and upstream, whilst being able to explicitly point to value principles that those undertaking operational decisions can rely upon as a critical friend to inform the ethics of disruption. The new conversation we invite should be democratic and transparent, involving lawyers as well as law enforcement professionals, but also wider civic society, including the insights of philosophers and political scientists, and indeed anyone who might consider the right to be protected from becoming a victim as equally valid and desirable as the right to justice post-event.

There are more questions than answers in this submission, but purposefully so, at this stage, as we see the importance of making more explicit the functional parameters beyond law enforcement into community safety and prevention discussion circles. Given there are frustrations over the time justice takes to deliver (Hasan, et al, 2024), which arguably influences trust and confidence, finding complementary ways – not to shortcut – but to bolster human rights of protection from harm is a relevant topic for our times. It is, at the very least, something we should talk about.

WHAT IS DISRUPTION?

By disrupt we conceive of the notion in this article of intervening in the passage of a bad act that is likely to cause harm, in order to inhibit or incapacitate the act before the damage is done. Even so, we appreciate it's not as clear cut as that, hence the need to initiate an ethical and moral debate about what the principles or rules might need to be clarified, particularly if such intervention acts are made by law enforcement agencies in the name of the State.

Firstly, therefore, it is important to clarify what we mean by disruption in more detail. Disruption is not necessarily the same thing as prevention, although the terms straddle (Clough, 2020). Disruption might also straddle deter, but equally it straddles sabotage, counterintelligence, disinformation and subterfuge. Subterfuge is a form of calculated deceit; hence we should question its legality and ethics (Sadat, et al 2010) as a public service. In pursuing a workable balance, motives are important (representing our values) and if we argue in our context that the primary motive for subterfuge is the prevention of harm, and that the action is proportionate then we may have a case.

The ethical dilemma concerning subterfuge (in other words, lying) has been explored before many times, for example in investigative journalism (Bisilki, 2011) and in policing its use would be considered unworthy for a public prosecution test. The reason for that would be that acceptable evidence is not just about its content but how it was obtained (fairly). Yet, if policing subterfuge was not in pursuance of a criminal prosecution (with all its ethical and legal considerations) and was simply to 'throw a spanner in the works' the standards of evidence required at criminal court would not be relevant. The notion of how evidence has been obtained affects its usability within the legal prosecution framework, but in simply stopping a bad thing happening, the court is never involved.

Measuring or quantifying disruption is complex because the impact that organised crime has is not binary, and while there are some metrics available, a majority of a group's criminal activities might be often hidden. Due to their concealed nature, an operation to disrupt them may improve society overall yet does not have an impact on local crime figures, as prevention itself is not an accepted performance metric (Brand and Price, 2000). Due to this phenomenon, measuring organised crime, and by extension measuring the success of any techniques that aim to reduce this impact, is a challenge law enforcement has been facing since the inception of organised crime itself overall, it remains the case that organised crime is growing and flourishing in the modern world. In that sense we insist on the merits of exploring the potential role disruption may play in reducing harm; whilst accepting the future conversation must mature to pinpoint ethical parameters to eventually answer if two wrongs can ever make a right?

THE THREAT IS REAL

Organised Crime is major problem, regionally, nationally, and globally (Sinn and Iden, 2022). It involves a diverse range of actors and activities driven by sophisticated groups, causing a high (negative) impact on both communities and the economy. The continued operation of offenders while imprisoned (through bribery and modern technology), combined with the impact of the vacuum effect of a strategy targeting individuals, means that law enforcement often struggles to feel like they're winning.

When one offender is taken out of the equation, another simply takes their place; this means that to increase effectiveness, law enforcement focus must be moved towards criminal entities as a whole. The current approach and guidance for officers is focused on the offender rather than the market (Chang, et al, 2005). Presently there are no tools specifically designed to tackle the influence of an illegal entity (Allen, 2023).

The scope and variance of organised criminality across the UK, and indeed the world is vast with the pernicious tentacles spreading across every conceivable industry resulting in a huge section of criminality falling under this banner (NCA, 2023). The NCA Strategic Threat Assessment (2023) notes that Serious and Organised Crime (SOC) affects more UK citizens, more often than any other national security threat. Drug use, seizures and offences alone are estimated at £21 billion annually, with fraud assessed at £2.46 billion,

and another ten billion believed to come from money mules laundering illicit funds.

The NCA (2024) claim that the dominant motivation for those involved remains financial gain, and that poly criminality remains a key feature of the SOC landscape. Despite geopolitical instability organised crime is highly entrepreneurial so uses any form of instability or vulnerability as an opportunity to exploit. The fluidity of any social instability offers an ideal recruitment and market placement for criminal enterprise and the places with the least money (in terms of social capital) are ironically some of the places where organised crime makes most of its profit.

The dynamic enterprise of the organised crime business market is cunning in its exploitation of emergent vulnerabilities in society, so might be regarded as somewhat opportunist yet that label alone would underestimate industrial level adaptability, such as its adaptations during Brexit and the COVID-19 pandemic (David & Dumitrascu, 2021). The fluidity of the business model means it seamlessly morphs from global to local, cutting across any sort of border (physical or digital) as if non-existent (ironically a skill law enforcement has struggled with for decades) (Sadoff, 2017).

The law enforcement model of policing what you can see in front of you here falls short on what is actually happening within serious organised crime, as many criminal enterprises only offer (at first glance) a tip of an iceberg of their ecosystem. Policing would need to become far more curious and intrusive in what is happening behind the scenes of the crime stage in order to be able to disrupt its functioning. This represents both a cultural and ethical need for change in that, culturally, policing would need to become more proactive than its current reactive traditions prefer, and, ethically, policing would need to become more intrusive. That intrusiveness would in turn need to be more lateral than linear, more inductive than deductive and more creative than compliant.

ETHICS AND RISK

Taking a creatively intrusive approach, rather than a linear investigation route (accountable to the court process) represents new territory for policing, as it subordinates enforcement to disruption and prevention (rather than the traditional pecking order which has been quite the opposite). Such a change represents a form of risk, conceptually, in itself (as an amendment to policing operating models) but we should remember that given the exponential rise of organised crime profits there is a clear need to try new ways rather than just do more of the same by using traditional enforcement and prosecution alone.

The conversation around the ethics of such a shift of direction for policing we aim to broker in this article needs to acknowledge that the act of inaction is itself a choice, and there is an ethical question of not changing, in order to prevent harm. Further, although in many ways policing can be viewed as the 'risk business', its attitude towards the concept of risk can be averse, seeing risk as a threat (rather than OCBs who regard it as an opportunity) Heaton (2011). Such predispositions reflect an attitude towards change and certainty, which in a VUCA world (Minciu, 2020) of constant fluctuations, means that decision making has to embrace ambiguity rather than try to avoid it. The cultural pursuance of absolute certainty is something of a fallacy and the police's pursuance of it is in relative sharp contrast to criminal enterprise, which tends to be more creative and opportunity seeking (Hammond, 1996).

Considering how we may approach the risk of uncertainty is something of a psychological query concerning how we manage the dynamics of change and the spectrum of risk vs opportunity (Hengen and Alpers, 2021).

Policing is in many ways far more formally and transparently accountable for the decisions it takes than those operating within criminal enterprise. Organised crime businesses are more focused on the end outcome (profit) by whichever means, whilst policing is in many ways more focused on how it does things rather than its outcomes, being very linear process driven. Hence Allen, et al (2025) has commented that this social psychological disposition dichotomy represents a form of (policing) chess game vs a (criminal) poker game. In short, policing hates to gamble, criminal enterprise thrives on it.

As John Shedd (1928) commented, "A ship in harbour is safe, but that is not what ships are built for", and as such this epitomises the notion of risk and its importance in terms of the process of progress. In the context of the conversation, we wish to broker concerning the ethics of disruption, whilst risks must of course be assessed and actions taken to minimise them, risk is an inherent asset if labelled as opportunity. The management of risk (their 'odds') to acceptable levels and the proportionate balancing of against benefits forms part of the ethical matrix which we argue is in need of more explicit attention within policing.

Camus (1942) argued that decision making from a position of explicit integrity satisfies ethical considerations; in other words, if providing that you do what you believe is right, there is an inbuilt ethical defence. The predisposition towards risk as a way of experimenting and learning as a form of persistence means as (Hartford, 2024) puts it "accepting trial and error means accepting error" meaning the National Decision Making can be used in different ways. The NDM can be used not only as a confirmative efficacy tool but also as a Bayesian compass to drive iterative and dynamic inference testing (Stubbs & Friston, 2024).

Hence the debate around the ethics of disruption is a test of our boldness, acting in the best interest of protecting others from harm, by gambling on lateral creativeness as an alternative to linear process. Whilst law enforcement is subject to legal accountability, criminals, by definition, disregard such 'rules', meaning in innovation terms, OCBs are much quicker to adapt using guile than policing has an appetite for (Harding, 2013). Such an imbalance, we argue, needs to change if policing is to become more proactive and upstream to seize the initiative away from the pervasive power of criminal markets. A question going forward for policing is, so long as its creative disruptive actions are not illegal, could it do more?

WHO ARE THE ENEMY?

Since the year 2000, the United Nations Convention against Transnational Organized Crime has provided an internationally shared definition of an organised criminal group as *'a group of three or more persons existing over a period of time acting in concert with the aim of committing crimes for financial or material benefit'.* The National Crime Agency (OCGM, 2018) defines an OCG as *'Individuals, normally working with others, with the intent and capability to commit serious crime on a continuing basis, which includes elements of planning, control, coordination, structure and group decision-making'*; it also adds a caveat that this definition does not require the OCG to have committed serious crime only the intent to do so.

However, Europol (SOCTA, 2017) say this definition does not adequately describe the nature of modern organised crime networks; *'OCGs operate in a criminal economy dictated by the laws of supply and demand and are favoured by social tolerance for certain types of crimes'*. Whilst, according to Interpol (2018), definitions of what constitutes organised crime vary widely from country to country although organised networks are typically involved in many different types of criminal activity spanning several countries. Such activities may include trafficking in humans, illicit goods, weapons and drugs, armed robbery, counterfeiting and money laundering, orchestrated via loose, federated networks that shift according to any opportunities of profitability.

Despite policing's imperfect attempts to define and label the dynamic nature of criminal enterprise, all of the variant definitions have some common themes about them, such as the dynamic nature of transnational activity that does not respect borders. The transnational nature of organised crime means that differing legal, and moral, standards can apply across a franchise network. This partly explains why transnational operations are desirable as policing is hamstrung by boundaries inhibiting its information, intelligence sharing systems and investigative jurisdiction (Allen and Lock 2024). Again, the pattern is that OCBs thrive in what policing might regard as 'chaos' whilst policing would prefer to work within the linear order of a defined process.

Policing has a mindset, which can be seen clearer if juxtaposed against that of criminal enterprise. For example, investigation doctrine manuals tend to outline the map of investigative tactics, but they tend to be tailored more towards an individual rather than a criminal entity (Allen 2023). The methodologies, modus operandi, and business models vary significantly, and criminal enterprise does not restrict itself to single crime types. This is why trying to document some form of universal rubric of investigation (of SOC) is so challenging. Similarly, the 'order' of policing structures, which the police are used to, may not be in their favour when working against a fluid borderless criminal enterprise swiftly shifting across local, regional, national and international zones, and often simultaneously in all.

It is easier to map out defined linear processes than encapsulate the divergent and dynamic, akin to the precise orchestral score of a symphony compared to the unpredictable nature of jazz improvisation (Kao, 1996). Operating within a rules-based process maybe represents working within an ethical disposition, but our thinking might be open to debate here as the tendency towards rigidity maybe represents order, but it may not always be 'right'. Speer (1997) describes the encyclopaedic rules used by the military in the logistical use of gas chambers in concentration camps in WW2; an extreme but nevertheless clear example of how rules do not always represent ethics (as we might now judge them). Any carte blanche conflating 'rules' as somehow being morally superior to the 'chaos' of creativity would be erroneous as an ethical stance: there is no supporting evidence that taking a prescribed, linear (and rigid) approach is any in any way more ethical than operating in a fluid state. Hence ethics should be regarded more as a set of value principles rather than a set of doctrine rules, so courage, respect, empathy and public service (College of Policing, 2024) may be a suitable scaffold to build with.

The enemy in terms of organised criminal enterprise is out there as a physical entity, but an internal cultural enemy is the existing rigid mindset of policing, for which an explicit foray into the possibilities of creativity might bring benefits. Although there have been inconclusive attempts to define what criminal enterprise is (from the lens of law enforcement) we can say for certain that what criminal enterprise is not: it is not rigid nor rules based. Thinking about how we think about policing and the possibilities of become more creative is not in itself unethical and may reap rewards in explicitly clarifying policing values (around protection rather than prosecution) and opening new ways of disrupting criminal markets.

WHAT ARE THE PARAMETERS OF AN ETHICAL APPROACH?

As if tackling an enemy with superior resources, much simpler change mechanisms and a high level of ingenuity, opportunism and innovation, wasn't difficult enough, law enforcement also has to deal with the specific situational ethics of disrupting organised criminal businesses. Adhering to the law is, of course, non-negotiable when tackling these groups, ensuring that we only do what is legal is one of the tenets of a democratic society, but how do we decide what is right, particularly across different global States?

So how might we field-test, in a neighbourhood or community setting, the existing principles or values in the updated Code of Ethics (College of Policing 2024)? Courage is about making, communicating and being accountable for decisions, and standing against anything that could bring our profession into disrepute. Respect and empathy concerns encouraging, listening to and understanding the views of others, and seeking to recognise and respond to the physical, mental and emotional challenges that we and other people may face. Public service means working in the public interest, fostering public trust and confidence, and taking pride in providing an excellent service to the public.

The ethical parameters may not be so much in helping a shop owner who has been burgled or intervening with a group of youths graffitiing a local park but when you start to deal with smart and dangerous criminals intent on causing harm to the public on a local, national and international level, when you maybe can't even see them even though victim may feel their harm. Through such murkiness trying to pinpoint parameters is tricky, but the line has perhaps already been scouted and crossed with the use of undercover officers, such as the activities of the Metropolitan Police Special Demonstration Squad came to light (Evans and Lewis, 2013). These officers used the identities of dead children and created false family lives during their operational remit at the time, which has been subsequently challenged in undercover policing inquiries (see UCPI, 2024, for example).

Whilst local policing and undercover policing are at the extremes of the scale somewhere in the middle there are daily decisions (and opportunities) for policing to explore about SOC. It is within this operating theatre that we wish to provoke the conversation about the ethics of disruption by asking do the principle of the 2024 framework (College of Policing) translate into lateral disruption or refer more to straightforward policing encounters?Should we explore the creation of a specific ethics framework, not publicly released for obvious reasons, for SOC disruption? The concept has been used before, although in wartime, for example (published by the USA's Central Intelligence Agency) the Strategic Services Field Manual on Sabotage (1944) attempts exactly that.

Is the answer to articulate some sort of acceptable collateral damage scale, perhaps loosely based on the NHS QALYs system (Scottish Medical Consortium, 1998) to weigh the costs and benefits of intervention when deciding whether to administer medicine to a patient? Would such a tool help decision makers in ethical disruption navigate how to balance likely harm to a victim of SOC against other forms of resultant harm arising from policing interventions or disinformation (amongst the criminal underworld) in the pursuance of preventing the greater harm?

Ideally ethical frameworks should be transparent and visible for public trust and confidence yet setting out the parameters would have the disadvantage of displaying the rules for criminal eyes. Once the parameters were known, criminal enterprise could once again bypass and undermine the presumptions, or even intensify their own tactics. Any subterfuge is best played with surprise, but is that an ethical option for policing? If not, why not? If so, how might that work and where its limits lie?

CONCLUSION

Technically this is more to conclude the question, as our intention is to provoke a meaningful debate about what ethical disruption (subterfuge, sabotage and disinformation) might look like as a legitimate law enforcement tool. SOC is a global activity and policing, from local to global, is behind that curve and needs to think about how to accelerate its influence and impact on stopping harm from crime. Policing resources are

tight, and in some cases, budgets are shrinking, yet against the backdrop of continued criminal profit growth new ways need to be explored as we know that existing tactics (on their own) are not working.

The intended, and unintended, possible consequences of weaponising OCB disruption needs to be weighed against the benefits in shielding victims from harm. If a disruption tactic did indeed prevent a primary harm (to an envisaged innocent party) but then triggered an unforeseen secondary harm (such as arising from a fall out amongst thieves) would that make the disruptor culpable? Is policing, like medicine, ethically, to observe 'firstly, do no harm', or can in any context the disruptive act (that prevents a criminal enterprise) be ethically justified.

Our argument is yes it can because even in the medical analogy of amputating a gangrened leg, in order to save a life, is both the lesser evil and consequently medically ethical, hence disrupting an organised business system to prevent exploitation and criminal harm to innocent parties is the right (public service) thing to do. We would argue, conversely, that not being courageous to so do would itself be unethical.

The real question is in the fast-paced world of operations, where decisions do not fit neatly into academic categories, how do we ensure that rational, logical and ethical discussions are made about the ethics of tackling OCBs where success to date has been limited because one side doesn't have to play by the rules?

Let the conversation begin.

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Is the current policing response to Raptor persecution in England and Wales effective?

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ABSTRACT

In the foreword of the Royal Society for the Protection of Birds (RSPB) book 'British Birds of Prey' Roy Dennis, MBE, founder of the 'Roy Dennis Highland Foundation for Wildlife', stated that Red Kites and white-tailed Eagles were on the path to recovery due to reintroduction. However, the harsh reality is that many raptors are still being persecuted, a fact that should deeply concern us all.

Due to the increase in land being used for sporting purposes and game bird hunting, such as Grouse and pheasant shooting, Raptors have found themselves at odds with the landowners. Some Raptors hunt game birds to survive, whereas landowners need the gamebirds for business and profit. This has led to Raptors being persecuted by way of shooting them, putting them in traps, and poisoning them, even those that pose no threat, such as Red Kites. (Taylor, M. 2010) All of these actions are offences against the Wildlife and Countryside Act 1981. Despite this clear legislation, prosecutions are minimal, and sentences handed out by courts are insufficient and ineffective in providing a deterrent.

Although the policing of wildlife crime is better than ever, prevention and detection of offences could be enhanced by CPS representatives at court being given specialist training in these offences and judges being given sentencing guidelines. Furthermore, changes should be made within the Home Office to make wildlife crime a recordable offence so that an accurate picture of the level of criminality is established, therefore ensuring it is dealt with effectively and robustly so that the UK can finally have a system that is fit for purpose and sees an end to raptor persecution.

INTRODUCTION

All UK birds of Prey are classified under various levels on a list previously known as the Red List for Birds 2021. Now known as Birds of Conservation Concern 5 (BOCC5), they are classified as either Red, amber, or green status and are Protected in the UK under the Wildlife and Countryside Act of 1981. (The Wildlife Trusts)

Some birds are also listed as a Schedule 1 bird species (S1B), which means they are afforded special protection during the breeding season. A special licence is then required to approach an active nest. The British Trust for Ornithology (BTO) can issue a licence, but only for purposes of ringing birds and making a record of nests, but this is for official purposes only.

Despite the relentless persecution that birds of prey have suffered over the years, there has been an effort to reintroduce certain species by utilising breeds from other countries, such as the White-Tailed Eagle, which has been reintroduced from Norway, and the Red kite from Spain (Devine J, 2024).

However, with certain birds, like golden Eagles, it is not quite so easy to reintroduce pairs into the UK, they are monogamous, mate for life, and have low brood numbers, generally only two chicks that will hatch several days or weeks apart. The first to hatch is likely to be the stronger one, which will, unfortunately, kill its younger sibling. It is unknown why this is; it isn't believed to have anything to do with the amount of food being brought to the nest, but it is considered as a survival of the fittest or 'Cainism' (Taylor M, 2010, p24).

Whereas species such as the Hen Harrier, can have large broods and can be polygamous, in that one male may mate with several females in the same season, albeit this means he has to hunt more to feed his offspring; it gives him a better chance of success (Taylor M, 2010. P76).

Peregrin Falcons are now classified as Green on the BOCC5 list and can be seen regularly in the UK. (The Wildlife Trusts, 2024) However, as noted later, they are at risk of being stolen due to their value as being one of the fastest birds on the planet, reaching speeds of up to 200 miles per hour. Therefore, they are very popular in countries such as the Middle East, who enjoy racing them, amongst other things. The number of permits to export apparently 'indoor reared falcons' has increased exponentially in the last 15 years. Exports have risen from 73 to almost 3500. DNA testing is now in use, which will hopefully prevent further offences, as was the case with a father and son based in Berwickshire who tried to claim birds they wanted to export were bred in captivity. Tests later proved that the chicks were from wild nests, despite the length it took for the investigation, neither suspect went to prison; instead, both received sentences of unpaid work (BBC News Scotland 2024).

CURRENT LAWS AND ENFORCEMENT LANDSCAPE

Several areas of legislation currently exist that should serve as a deterrent to committing wildlife crimes. Some have been in existence for a considerable amount of time and subsequently updated. The Wildlife and Countryside Act 1981 was introduced following the 1979 EU Birds Directive. The Birds Directive ensured all European Union (EU) member countries had sufficient laws to protect wild birds, including their nests and eggs, anywhere. (Europa. EU 2024).

The 1981 Act places raptor persecution as one of 7 priorities and specifically mentions the following birds, Golden Eagle, White-Tailed Eagle, Goshawk, Hen Harrier, Peregrine Falcon, and Red kites. It is illegal to injure, poison, trap, shoot, disturb or destroy a nest, steal, or collect eggs or chicks of any wild birds.Also considered a priority are any issues that are of focus to the 'Convention on International Trade in Endangered Species' (CITES), which considers the Illegal trade of Raptors as a priority.

The legislation also makes it an offence to be in possession of living or dead eggs of any wild bird and Crown Prosecution Service (CPS) guidance includes examples of previous cases where prosecutions have taken place even though eggs haven't been found, making it an offence even if you cannot prove possession at the time of

arrest (CPS,2023). Furthermore, it is an offence to be in possession of a live or dead wild bird and to sell or advertise one. This list is not exhaustive but gives an indication of the clarity of protection wild birds and in particular, raptors should have. Offences under this act are summary offences, which ordinarily cannot be attempted, however, there is an exception with the 1981 Act, in that it has been worded so that an offence is committed if a person does attempt but fails to carry out an act. It even includes the offence of 'Causing or permitting offences', which could apply in some cases to landowners/employers. The majority of offences under the 1981 act are summary only offences, which means they are tried/heard in a magistrate's court attracting maximum sentences of 6 months in prison and or a maximum of a £5000 fine.

Parts of the 1954 Protection of Birds Act are still in force today despite the 1981 Wildlife and Countryside Act. This legislation offers the same protection concerning the killing, injuring, or taking of wild birds or damage to their nests. (UK Parliament 2024). Section 7 Wildlife and Countryside Act, which made it mandatory to register wild birds kept in captivity, was relaxed in 2008 causing a major loophole that RSPB are trying to reverse. (RSPB 2023).

The National Wildlife Crime Unit, (NWCU) is a small team of officers and staff who support the UK police forces with advice and guidance to prevent and detect criminality. One of their priority crime areas is Raptor persecution and they work closely with other agencies, such as the National Police Chiefs Council (NPCC) Natural England, the Department of Farming and Agriculture (DEFRA) and the Crown Prosecution Service (CPS), (NWCU 2024) The NWCU recently launched a Hen Harrier Taskforce, in conjunction with 7 police forces, DEFRA, the Royal Society for the protection of birds (RSPB), Natural England and others (MSN.Com 2024).

Natural England is the advisory body sponsored by DEFRA, they are also involved in the Hen Harrier Tracking Scheme (Gov.UK 2024). On behalf of the Wildlife Incident Investigation Scheme (WIIS), they conduct inquiries into animal poisoning deaths. However, should the deliberate use of poison/illegal chemicals be suspected, the inquiry will be referred over to the Police, who will subsequently forward the matter to the Crown Prosecution Service (www.natural-england.gov.uk).

According to the NPCC Wildlife Crime Strategy, 578 officers in the UK have been specially trained as Wildlife Crime Officers (WCO) (NPCC 2021). The NPCC produce a Wildlife Crime Strategy every few years; the most recent one, entitled 'Rural and Wildlife Crime Strategy, was published in 2022 to cover until 2025. As with the earlier strategies, Bird of prey crime was created as a Wildlife Crime priority. With each priority, there is a chair who is the head of the Priority delivery group (PDG). The PDG's aims concerning Bird of prey crime, are to increase awareness of the persecution and to improve investigations, and the recording of crimes and incidents amongst other things.

Founded in 1889, the Royal Society for the Protection of Birds (RSPB) is a recognised charity. Originally established to stop bird feathers from being used in the fashion industry, it has grown and now campaigns parliament to strengthen laws and regulations protecting wild birds in the United Kingdom (RSPB 2024). Every year, the Raptor Study Groups (RSG), the National Wildlife Crime Unit, police forces, and other organisations provide information to the RSPB for its annual 'Birdcrime' report.

There are numerous charities and organisations dedicated to eradicating wildlife crime, the following list is to name a few to give a scale of the amount of effort that is going on across the UK. The Wildlife Trusts, Countryside Alliance, Partnership for Action Against Wildlife Crime (PAW) Brood Management partnership, Committee against Birds Slaughter (CAB's) Wild Justice, United for Wildlife, Raptor Study Group (RSG) Game and Wildlife Crime Conservation Trust, Roy Dennis Wildlife Foundation, Protect the Wild and Campaign for

responsible rodenticide UK (CRRU) & Raptor Persecution UK (RPUK).

Yet, despite all these agencies, charities, and community organisations' involvement and dedication, offences against raptors continue to occur, and not only that but when prosecuted, sentences handed out are insufficient to act as a deterrent.

METHODS: QUANTITATIVE/QUALITATIVE INVESTIGATION

It is not easy to understand the full scale of the issue, due to various reasons. One of which is the lack of official recorded data due to offences not being recordable offences, as can be seen in the example given concerning incidents of Bat incident figures, (WCL 2022). Further, even those who have been able to use qualitative data have been met with reluctance, such as "if it flies it dies" (Burnside et al)   Therefore, most of the research has been using mixed methods, utilising the University of West London Library resources, as well as using Google Scholar to identify peer-reviewed journals and books written by retired wildlife crime investigators who are passionate about raising awareness have also assisted in understanding the history and causes of this subject.Official reports have been reviewed, including those from government and non-government agencies

RESULTS

In the 2022 Wildlife Crime Report by the Wildlife and Countryside Link (WCL), there were approximately 4457 incidents of wildlife crime. The figures they obtain are from charities and other organisations. The scale of the problem with this is evidenced when you view the number of offences that were reported to WCL by the Bat Conservation Trust (BCT).They notified WCL that there had been just 84 incidents in 2022 which was a lot lower than in previous years, this prompted WCL to contact police forces across the UK which revealed a further 80 offences making a total of 164 cases.

However, out of those 164, only 3 resulted in prosecutions and subsequent convictions. What is also concerning about this figure is that although all 43 police forces were contacted requesting their figures, only 19 forces responded to the request, therefore the total could well be higher.

The WCL report mentions that Raptor persecution is one of the UK Government's wildlife priorities, but despite this, there were 54 confirmed cases of persecution in 2022.This information had been supplied by the RSPB. 70% of these cases were linked to Gamebird shooting estates. 26 birds were found to have been shot, 10 had been trapped and 8 were poisoned. The birds involved were 3 different types of Owls: Sparrowhawks, Hen Harriers, Goshawks, Peregrine Falcons, Red Kites, and Common Buzzards.

However, some Hen harriers who had satellite tags on and unexpectedly disappeared have not been contained in the data, only confirmed cases have been reported, therefore these figures, are again, not considered completely accurate and the number could be far higher. Another area of concern is the outbreak of Highly Pathogenic Avian Influenza (HPAI); due to this highly infectious disease, there are restrictions on the movement of birds that are tested for it. Once a bird is suspected of being infected, it cannot then be moved to another laboratory for further testing, therefore again this affects the true figure of cases known (RSPB Birdcrime 2022).

There were only 2 convictions for proven persecution cases in 2022. Both offenders were employed as gamekeepers for land used for gamebird shooting. Historically this appears to be the case too. Of the offences

against raptors committed between 1990-2022 61% of the 116 offenders prosecuted were gamekeepers.The WCL report noted that no one has ever received a custodial sentence for raptor persecution.

Again, they call for better reporting of offences, improved licensing for Grouse moor legislation, similar to Scotland's Muirburn Bill, which will result in sanctions such as licence withdrawal following proven offences, and also, appropriate sentences that reflect the severity of the crime which should act as a deterrent. The report discusses cases that are included in the RSPB Bird Crime report with concerning comments stating that the "future survival of Hen Harriers in England and Wales is at risk if their relentless persecution continues" (WCL 2022).

They were slightly more critical of Sussex Police's response to the death of a White Tailed Eagle, commenting that it was the first confirmed case of persecution since its re-introduction following its extinction, and despite a wealth of evidence, the police response was disappointing, resulting in the case being closed without prosecution. Another case of note was the prosecution of a gamekeeper who was found with illegally possessed toxins, plus a poisoned Red Kite, poisoned bait and a shot Buzzard. This resulted in the offending Gamekeeper receiving a paltry fine of £219.

The report is concluded with disappointing statistics that show that convictions for wildlife crimes are down by 42% between 2021-2022. Despite the concerns that wildlife crime is linked with other offences, significantly a survey carried out by Nottingham Trent University noted that 50% of WCOs who responded said that wildlife crime offenders they had dealt with were linked to other serious crime offences.

Furthermore, there is the concern that a person who uses violence towards wildlife has the capacity to use violence towards people. This is without even mentioning the other offences of using a shotgun illegally or having banned toxins.

The report closes with a plea to political parties to put Wildlife Crime on their agenda, to make them a notifiable crime so reliable statistics can be obtained which will assist in the prosecution of offences, as well as finding patterns in behaviour and monitoring repeat offenders. As well as further resources for wildlife crime teams, they also recommend updating legislation and ensuring the Sentencing Council offers guidelines for judges to assist in increasing the level of sentences being handed out in court (WCL 2022).

The 2022 RSPB Bird Crime report details the following cases and investigations that have occurred. The figures differ from that of the WCL report in that 61 cases of raptor persecution were recorded. 27 were incidents of shooting or attempted shooting, 12 poisoning cases, 12 trapping incidents and 12 other confirmed cases, in which 5 Hen Harriers were targeted.

This data was up to date as of October 2023. Hence, this may be why there is a difference between their figures and the WCL report. 75% of these cases occurred in England, and according to figures, North Yorkshire has had the highest number of persecution offences in the last 10 years and in 2022 had twelve confirmed incidents, followed by Norfolk, which had six and Suffolk, where there were 5. (RSPB 2022) 64% of the offences occurred in areas managed for gamebird shooting.

As previously mentioned, there were only 2 convictions in 2022 for Bird of Prey crimes, although there were 15 wild bird prosecutions. These resulted in overall guilty outcomes for 38 offences, total fines awarded came to £5,217. One offender was given a prison sentence of 16 weeks in custody by South Tyneside Magistrates for killing two Herring Gulls.

Another offender was given a four-month suspended sentence for keeping Goldfinches; he also breached an earlier disqualification from keeping birds, which was handed out to him in 2018, banning him from keeping birds for life. This ban was reinforced by Birmingham Magistrates Court. Furthermore, he is unable to appeal against this for 10 years. He was also given a £470 fine (RSPB 2022).

This case is similar to a more recent one from 2024 which again resulted in a repeat offender receiving a questionable sentence. The latter case in Norfolk involved a male by the name of Daniel Lingham, who stole 3000 wild bird eggs from nests. He has been prosecuted twice before, and despite being imprisoned in 2018 for four and a half months, this time, he was given a suspended sentence and ordered to pay fines amounting to £482, £183 of which was awarded to the British Trust for Ornithology (BTO) as compensation (Sky News 2024) Of the 3000 eggs, some 546 were from birds that are on the 'Birds of conservation Concern 5' red list (BOCC5), meaning that their numbers are considered endangered and to be at threat of extinction.

BOCC5 work alongside the International Union for Conservation of Nature (IUCN) to identify threatened species globally and work together to take targeted conservation action.It is unclear as to why Daniel Lingham was given such a minor punishment for his crimes, but the investigating officer, PC Shelley commented that "Egg collecting should be a hobby that is confined to the history books having been made illegal in 1954" (Sky News 2024) Only time will tell if this third conviction will act as a deterrent for Lingham.

Operation Tantallon was the investigation conducted by NWCU and other agencies into the theft and laundering of Wild Peregrine Falcons. Details of which are contained within the National Crime Agency's, UK Financial Intelligence Unit, SARS in Action magazine.It is estimated that the trade is worth £21million. The article claims that offenders can get something in the range of £7000 per chick, albeit a bird in Dubai was found to have been sold for £320,000. Since offenders, as noted earlier in relation to the prosecution of the father and son involved in the theft of 22 wild eggs and chicks, managed to avoid getting long prison sentences for this sort of crime, it is considered a high-reward low-risk crime (SARS in Action 25).

It is currently legal to export Falcons that have been bred in captivity but not those that are wild.However, this case demonstrates the length of time, necessary forensic examination, and multi-agency collaboration required to prove the offender's guilt, ultimately resulting in a minimal sentence (News.stv.tv 2024).

A similar case and result can also be seen in the case of Christopher Wheeldon (CW) from Derbyshire, who was filmed abseiling down a cliff and stealing the eggs from a Peregrine Falcon nest. The distraught mother was seen to flee in distress. CW pleaded guilty to the offences, presumably due to the overwhelming evidence against him and was sentenced to 18 weeks in prison, albeit 10 of these were for previous shoplifting offences; therefore, only 8 were for the theft of the eggs, which were unfortunately never recovered.

The NWCU's mission is to raise awareness of this relatively new area of criminality and the complex area of identification of offences concerning suspicious activity reports (SARS) in offenders' finances. Albeit, in Dave Dick's book on Wildlife Crime, entitled 'The Making of an Investigations Officer', he noted that as far back as the 1980's organised crime groups were hunting and selling purebred, wild Falcons to the Gulf States and other European countries such as Germany and Austria, for several thousand pounds, even though, those bred in captivity via artificial insemination would be available for a few hundred pounds, they weren't considered as valuable as the wild ones from Scotland (Dick D, 2012, p83).

Furthermore, according to Sellar (2014, P72), whilst discussing the issue with organised crime groups and the huge profits they obtain through the illegal trade of wildlife, he recalls working for CITES in the early 2000s

and tells the story of being informed by a contact in the Middle East that a wealthy male had purchased an illegal Falcon for $200,000.

The two convictions in 2022 concerned offences by Gamekeepers. The first being in June 2022 at Swindon Magistrates Court. The offender had five dead Common Buzzards, three Red Kites, and a dead Herring Gull. He was also charged with three firearms offences. However, he was only ordered to comply with a community order and 180 hours of unpaid work, plus a fine of £393 towards costs and £95 towards the victim.

The next conviction, following a trial at Norwich Magistrates court, was in October 2022; the defendant pleaded guilty to killing a Goshawk and six Common Buzzards, three charges of using poisoned bait, a charge under the more serious offence mentioned earlier, under section 9 of the 1981 act, meaning it is an either way offence, whereby he released birds into or near to land subject of a special protection order. He was also charged with an offence involving an item capable of being used in an offence, namely a shotgun. Four other offences were discontinued, but for the six offences he was guilty of, he received a 12-month community order where he must complete 200 hours of unpaid work and a £692 fine, costs were £145, victim surcharge was £95 and compensation £288.72.

The RSPB report provides details of some truly shocking cases of brutality against birds of prey. One of the investigations involved the death of four Hen Harrier Chicks in June 2022. The mother of the chicks was a satellite-tagged Hen Harrier called Susie. Susie's nest was on a driven grouse moor in the Yorkshire Dales near the Whernside Estate. This was her second brood, and it was monitored by close-circuit television cameras (CCTV).

Susie had been seen tending to the chicks, who were between eight and twelve days old when suddenly, she appeared to have moved away from the nest by some thirty-plus kilometres, which was considered unusual behaviour. Due to these concerns, members of Natural England attended the nest site on the 21st of June, 2022. They made a shocking discovery: three of the chicks were dead; a later post-mortem examination revealed that they had been stamped to death.On reviewing the CCTV footage, they could see that it had been interfered with by having a light shone into it to obscure vision, assuming that this was when the nest was attacked.

Susie returned to the nest and continued to try to feed her dead chicks. Footmarks and quadbike tracks were noted as being visible at the site.Although North Yorkshire Police considered this to be a planned and intentional killing, no one has ever been arrested. (RSPB 2022) The case of Susie's chicks formed part of a special investigation podcast by the Guardian reporter Phoebe Weston called 'Killing the sky-dancers' In this podcast, she interviews members of Natural England and attempts to find the nest used by Susie.

Despite walking for hours, she was unable to locate it, concluding that whoever had killed the chicks must have known exactly where they were located. However, the landowner was fully aware and supportive of the nest and had agreed to allow the use of the CCTV on their land. (Guardian Podcast, 2024) In 2018 though, a gamekeeper from the Whernside Estate was witnessed by RSPB staff killing two owls. Thankfully, Susie has returned since and has had another brood of six chicks which have already left the nest, two of which have been tagged and named 'Hope and Hazel' by the landowner (Guardian Podcast, 2024).

According to Natural England, Hen Harrier breeding has increased; however, statistically, they only live for approximately 4 months once they fledge the nest. In 2023, there were 54 nests and 141 chicks fledged, 17

of these were tagged as part of the Hen Harrier Tracking program (HHTP), but after 150 days, only 6 were still transmitting signals, which accounts for 35% of those tagged, considered to still be alive (Natural England 2024).

The RSPB suspects that 39 Satellite Tagged Hen Harriers are either suspect or have been proven to have been illegally killed in the UK between January 2022 and October 2023, albeit this number may have risen due to data being withheld due to ongoing investigations (RSPB 2022).

In April 2022, reports of another satellite-tagged Hen Harrier death were investigated; no one has been apprehended, despite a joint investigation by the NWCU and North Yorkshire Police. The Hen Harrier, in this case, was called 'Free'. He was last sited at a driven grouse moor in the Yorkshire Dales National Park. Natural England found Free's body in moorland near the Yorkshire-Cumbria border. They found him with horrific injuries, having had one of his legs and his head pulled from his body. According to the post-mortem, this was done by a person when he was alive, ruling out the possibility of predation.

 According to Murgatroyd et al. (2019), there is compelling evidence that Hen Harriers with satellite tags are regularly harassed on British Grouse Moors. They tagged sixty Hen Harriers during their study, but only fifty-eight of them could be followed since two of the tags didn't work. The survey was conducted from 2007 to 2017. Of the birds tagged, 72% either vanished entirely or had evidence of their unlawful killing. They were near the grouse moors during the last week of their lives.

Additionally, Ewing et al. stated in a study for Biological Conservation (283–2023) that up to 75% of Hen Harrier deaths in a given year were due to conflicts with gamebird management. Information was gathered from the satellite tags attached to Hen Harriers that perished near Grouse Moors. This study unequivocally concurs with the conclusions of Murgatroyd et al (2019).

The team, which included representatives from the RSPB and Veterinary Services, equipped 148 hen harriers with satellite tags. They were checked every day, and if a tag seemed to indicate that a Harrier hadn't flown in a while, one of the members would be dispatched to retrieve the bird or find the tag. This would be sent for a post-mortem if the bird was discovered deceased. Sadly, Hen Harriers were not located in 43 cases where their satellite tags had stopped working.

The investigation concluded that the only plausible explanations for such a large number of missing birds were their capture, unlawful slaughter, and subsequent removal of the tag. Their most recent transmissions had come from areas near Grouse Moors. Moreover, the corpses of multiple Harriers who had been shot, poisoned, and trapped had been found. The analysis implies that the illegal shooting of Hen Harriers in Britain is the reason for their lack of survival, even though the Protection of Birds Act 1954 established explicit legislation in this regard.

Shooting is not the only method used to kill birds of prey. One such method is the use of highly toxic insecticides such as Bendiocarb.According to the WIIS, Bendiocarb is to blame for the majority of poison cases. One such case involved the death of the recently reintroduced White-Tailed Eagle as well as a family pet, a Labrador retriever by the name of Duke. Duke had been with his owner at land involved in game shooting in West Sussex. Duke had unbeknown to him or his owner, picked up a poisoned pheasant carcass, presumably used as bait.Close by was also a dead Red kite. Sadly, within a very short period, Duke died.

The next day, he was buried, however, further tests on his bedding were sent off for testing; this revealed that it was likely Duke had been poisoned. When Duke's owner reported this to the hunt manager he was paid compensation of several thousand pounds. However, he also reported this to the police and the RSPB.

Coincidentally, a few days later, RSPB and Sussex Police were notified that a 'Roy Dennis Wildlife Foundation and Forestry England reintroduction project', satellite tagged White-Tailed Eagle, had stopped transmitting data. It had disappeared in an area believed to be on the same shooting estate where Duke had died.Searches on the estate revealed the bird's deceased body in a tree close to where Duke had picked up the poisoned pheasant.

The Eagle was not sent to a laboratory for testing for 2 months. However, this revealed that it had been poisoned by Bendiocarb, presumably when it had picked up the bait and taken it into the tree to eat it but then quickly died. The policing response was considered to be "tediously slow", and the body of Duke was exhumed and sent for testing months later after the NWCU involved themselves in the investigation.

The tests on Duke revealed he had died with the presence of Bendiocarb in his body. No charges have ever been laid concerning this case, which, according to the RSPB, is "a bitterly disappointing outcome all round" (RSPB 2023).

In 1986 The Moorland Association (MA) was created to assist in repairing the lost heathland. Due to their work and Grouse moor owners, they have managed to regenerate over 200,000 acres of Heathland, which has resulted in the UK being home to 75% of Europe's upland Heather.

Aside from the increase in Heather, it has also helped to bring back some of the rarest of ground breeding birds, not only the Hen Harrier and the Red Grouse but also black grouse, curlew, and plenty of adders, lizards, voles and slow worms. The cost of the upkeep of the moorland is an annual £52million. Over 60% of the land is used for grouse shooting. Without the continued commitment from MA and the careful management by gamekeepers, the land would likely revert to the wasteland, much like it was when the MA was created (The Moorland Association 2024).

In the Financial Times article, "The Grouse, the Gamekeepers and the Ethics of the Shoot", £2 billion is generated from the grouse shooting, with some estates allowing 10 guns on a driven shoot, earning sums in the region of £100,00 a day (Dodds 2023).

According to the Moorland Association, grouse moor management in England is responsible for some 1500 full-time jobs and £ 15 million is generated by the industry in the north of England alone and is of real benefit for remote areas, raising funds for transport, hospitality as well as equipment (Guardian Podcast 2023).

According to an interview conducted by Ellie Burnside, who wrote the article "If it Flies, it Dies," gamekeepers are under enormous pressure to ensure the grouse are not predated by any animals. Gamekeepers earn an estimated £21,000 a year, they work long hours and have little time off, and if they lose their jobs, this will mean they lose their homes too, so finding other work will be extremely difficult. (Burnside et al)According to the National Geographic article, a study conducted in the 1990s linked increasing numbers of Hen Harriers with a reduction in the number of Grouse, impacting the land's ability to have commercial shooting. Hen Harriers will feed on young grouse.Unlike other game birds, grouses are not raised in artificial surroundings; they must breed in natural conditions surrounded by heather and insects.

Hen Harriers also nest nearby and benefit from the environment where other natural predators, such as foxes, are strongly controlled. The main area of concern for the Hen Harriers is in the land where there are driven grouse moors. These are the hunting grounds where large numbers of shot-hunted Grouse will be expected, as opposed to walking moors where expectations for hunters are lower.For comparison purposes, on a walked moor, the shooter is likely to kill 10 Grouse, whereas a driven moor, it is likely to be in the hundreds (Taylor M, 2010).

SUMMARY AND CONCLUDING REMARKS

In a recent report for the International Journal of Police Science & Management, entitled 'This is not a drill,' a scoping study was conducted to ascertain if UK police and partners were prepared for the consequences of the climate crises. The result of which suggested that they were not. Many recommendations were made, one of which for future thinking concerning having a dedicated climate crises coordination committee to focus on the science to see what the risks are. During the qualitative data that was reviewed, it became clear that the Police service was attempting to police using a 200-year-old model but that they were also going to be the ones dealing with environmental issues if the public was not happy. Therefore, should there be a loss of biodiversity due to the continued persecution of birds of prey, then it is the Police that is going to have to try and resolve any civil unrest that comes out of this. (Lydon D, et all 2024).

In an article entitled 'Winged Wonders: How birds shape the biodiversity of UK woodlands, ' 9trees, a group of volunteers dedicated to reducing climate change, discusses the challenges facing our open spaces, and woodlands in particular, those caused by climate change. They discuss the needs of the many different wild birds and their impact on regulating species, such as small pests like voles and shrews and the need for predatory birds of prey to control them. The loss of any species can have an impact on the balance of ecology, but retaining the biodiversity of the avian variety is essential. They also note that birds are so sensitive to their environment that their behaviour change can and should act as a sign that something is not quite right (9trees 2023).

The 2024 report by Rewilding Britain, regarding the benefits of rewilding, suggests it helps not only the prevention of further loss but can restore and increase what has already been lost. Furthermore, places like the Isle of Mull have seen an increase in tourism, which has amounted to full-time employment for 160 people and a boost in the economy of up to £ 8 million per year. This is due to the number of visitors attracted to the area wanting to see the White-Tailed Eagles (Rewilding Britain 2024).

So rather than using the grouse moor economy as a reason to kill off our precious raptors, landowners could be working with organisations like Rewilding Britain to see other benefits of having some of our rare birds in abundance on their estates.

Diversionary feeding methods, such as gamekeepers feeding nesting Hen Harriers with domestic chicks or other small mammals, is a potential solution if expanded across all grouse-driven moors. The Uplands Stakeholder Forum, a subgroup of the Hen Harrier Action Group, is already involved in trialling an action plan which involves diversionary feeding (Hen-Harrier subgroup 2016).

Another option is brood management; however, the RSPB (RSPB 2023) and Mark Avery from Wild Justice oppose it (RSPB 2023). He suggests that utilising this option plays into the hands of criminals when the priority is to deal with those who are breaking the law and killing the birds. Brood management entails the removal of

of chicks and eggs from Hen Harrier nests in certain circumstances.

These are then raised in captivity and later released back into the wild. (National Geographic 2021) Natural England is already working in partnership with GWCT and MA to establish if and when this would be a viable option. However, they need to understand what success looks like first, regarding Hen Harrier numbers and to what extent that impacts Grouse before they can make progress. If it were to go ahead, it is likely to cost around £875k over the 5-year trial that will be required (Hen-Harrier subgroup 2016).

Dr Ruth Tingay, from Wild Justice and author of 'The intensification of the grouse moor management in Scotland' believes grouse shooting should be banned completely. This is because there is already sufficient legislation that should act as a deterrent, but it simply isn't working. (Committees. parliament. UK 2016) Whereas the RSPB would prefer a licence program similar to the one in Scotland, whereby the licence is revoked if there are cases of raptors being shot (National Geographic 2021).

The United Nations Office on Drugs and Crime produced a report in August 2021 entitled 'Wildlife and Forest Crime Analytical Toolkit Report', which makes nine specific recommendations to address the issues of raptor persecution properly, the report also notes many barriers to prosecution due to the many different and sometimes confusing legislation.

It recommends that sentences should be re-assessed with some increasing, giving the ability to look at other investigative measures, such as those that come under the regulation of the Investigatory Powers Act (RIPA); this would entail more resources being available, such as surveillance cameras, intrusive and covert methods which are not currently available since most offences under 1981 are summary only. They also recommend that authorities be given greater power to revoke licences, such as in the case of Scotland when conditions are breached.

Another recommendation is to assist law enforcement by taking a joined-up approach to recording data related to offences. Without this, it is difficult to understand how many offences and prosecutions have occurred. Furthermore, they suggest that it is not sufficient to just note the number of crimes, locations, etc; this data must be processed efficiently to identify patterns of behaviour and reasons why the offences are occurring. This is intending to understand the problems and causes so that they can be explained and prevented. They suggest that further academic research methods are utilised to get the best evidence and understand the true scale of the problem. They recommend that the crown prosecution service take the lead in ensuring that sentencing guidelines are available across the country.

Although the report commends the NWCU work and that of the dedicated officers and staff who investigate wildlife crime, they do raise concerns about the level of training and lack of trained detectives involved in the investigations.They noted that the Metropolitan Police (MPS) has a dedicated Wildlife Crime unit which has several Detectives, but most rural crime teams are made up of uniformed officers. Nature Watch launched a petition in July 2024 after the MPS announced its decision to axe the unit (Naturewatch.org).

One of the more general recommendations that were made, which should cover all Wildlife crimes, is for more offences to be identified to be triable either way. However, they also note the cost that is caused when taking a case to court and the need for expert witnesses, and that often the cost of the prosecution is sometimes not seen as in the public interest if looked at solely through the lens of what penalty is likely to be applied.

Furthermore, according to a report by Nottingham Trent University entitled 'Policing Wildlife: The Nature of Wildlife Crime in the UK and its Public Policy Response, they note that there were changes recommended by the Law Commission Review in 2015 that had also not been implemented at the time. They recommend a review of wildlife law as well as better statistical information by way of recording offences. The report discusses the changing of wildlife crimes to recordable/notifiable offences,' a survey was conducted by Nature Watch in 2005. Of the forces that responded, 87% agreed that serious wildlife crime offences should be made recordable.

There is no doubt from the information gathered in this report that the persecution of birds of prey continues in the UK despite many different laws to prevent it from happening. Some offences are truly horrific, displaying a level of brutality that is extremely concerning. The inconsistency of our systems is hindering those involved, the Police officers and staff, CPS lawyers, campaigners, charities etc but most importantly, the vulnerable animals we share our planet with.

Despite the recommendations made by the UNDOC and others, little appears to have changed. Mainly making wildlife crime a recordable offence so that the true scale of the problem can be identified and monitored. Ensure adequate sentencing guidelines are made available to all courts. Once the profile of this crime is raised, this will surely lead to further improvements, such as changing it to an either-way offence to attract better sentences and, therefore, act as a deterrent to prevent further offences.

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Organised Criminal Business: A Synopsis of organised crime and how it operates through an entrepreneurial lens

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ABSTRACT

The premise of this research is based on a growing school of thought, populated by scholars such as Wainwright (2016), Cockayne (2016) Arlaachi (1988) and Glenny (2008). This school of thought states that Organised Crime Groups (OCGs) operate similarly to, and learn from, legitimate business, with the main difference being that their commodity happens to be illegal. Wainwright (2016) argues that drug cartels have learnt "brand franchising from McDonalds, supply chain management from Walmart and diversification from Coca-Cola", and that when they start to think like big business the only way to understand them is economics."

It's not until we understand the prism through which organised crime operates that we can formulate an effective response to them. Wright (2006) argues that UK organised crime has evolved since the days of family orientated gangs such as the Krays' and the Richardsons' who were purely domestically focused and says that globalisation and the boom in the international drugs market that has taken place since the 1960s means the equivalent of those organisations in the present day, such as the notorious Adams crime family, run their operations like an international business, rather than domestic ones.

Given the illicit and therefore secretive nature of organised crime, it is tempting to channel the spirit of Winston Churchill (Churchill Society 2021), who when asked to predict the actions of the Russians during WW2 described them as "a riddle, wrapped inside a mystery inside an enigma". One of the main research challenges in this area is that, partly due to the secretive nature of criminality, despite the large numbers of researchers, several key aspects of how organised crime work are not known.

The motivation for this research is simple, to improve policing, specifically this research was conducted as part of wider project to enhance the development of investigative strategies that are devised to counteract how Organised Crime Groups (OCGs) operate, utilising business analysis techniques and their application on intelligence data. In their current itineration such strategies are informal an the complexities of modern organised criminality and how closely aligned it is to legitimate business.

The starting point for this project was to demonstrate the strength and dexterity of the thread that runs from organised crime to legitimate business. Essentially it is considered the major emerging concept in both areas, though police officers, given that they see things from an enforcement perspective, are less likely to define it as such at first. It is anticipated that using the premise of business analysis and applying it to criminal rather than legitimate enterprises and then utilising the results from an investigative standpoint

will provide a strong contribution to the research sphere.

THE LITERATURE: ORGANISED CRIME AS A BUSINESS

Hobbs (1998:415) in his widely cited Going Down the Glocal article argues that contemporary serious crime is typified by their flexible nature and increasingly unpredictable temperament.

> They are operating within multiple, interwoven networks of legitimate and illegitimate opportunity constituting both personal criminal networks and specific activity networks. Within the drug market in particular, trade is carried out between networks of these small flexible firms, for disorganised crime mirrors disorganised capitalism.

One case study he uses involves two criminals named Bill and Ben, who act in a way that typifies a freelancer or consultant in the legitimate world (1998:413). There are no key players in this network, no ring leaders, bosses or godfathers. It is a co-operative, a series of temporary social arrangements that enables a constantly changing group of actors to make money from predominantly criminal opportunities.

Johnson (2013:147) also highlights how 'the cartel', the name he uses for the UK's largest and most successful drug trafficking organisation, runs its multi-million-pound enterprise in a similar manner to a legitimate business.

> Scores of cartel managers and hundreds of employees were identified meshed together in an extremely complex network of revenue flows and capital assets. Economists would describe the cartel as having matured into something akin to a 'global matrix structure' a shape that made it possible to optimise the strength of participating units, distributing the pressure of business more evenly, avoiding duplications.

This summary of the mechanics of OCG operation at the highest level is particularly insightful given its source (interviews with both high-level criminals and police officers) this first-hand evidence gives veracity to the central plank of this article. Catino (2019:261) looks at specific type of organised crime (mafias) examining how they are structured in an organisational context and how they tackle some of the challenges that occur traditional legitimate enterprises, such as recruitment, trust and expansion, which he describes as 'Mafia organisational dilemmas' this assessment, which draws huge parallels between criminal and business operation, enhances the main thrust of this thesis.

> To understand the logic of organisational action it is necessary to understand the calculations carry out to identify which choices to pursue and which to avoid. An increase in size favours centralised decision making and makes democracy difficult.

> More power equals more leverage, larger organisations have more career opportunities which aids retention, large scale companies can engage in large scale projects, you don't see many mom-and-pop international drug trafficking rings. Small operations more flexible and dynamic, less bureaucracy, quicker decision making, higher levels of personal investment.

Drawing on research by Bouchcard and Morselli (2014) Catino notes that while large international organisations exist, small is more common. This links in with RAND (1989) and Desroches (2007)

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assessment of high-level drug traffickers, which argue that the area is populated with groups who deal which certain trusted individuals, rather than the cartels and mafias of Hollywood. Catino argues eloquently that there are several key differences between how mafias and business operate, firstly (264) that organised crime operates 'operate without and against the state' which necessitates a certain caution and that as a result, unlike legitimate business, communication is a risk- Operation Venetic (2020) is a perfect example of this, where law enforcement hacked into devices that criminals thought were impenetrable.

He also notes (2019:287) that violence, and the threat of it, is used as a key tool to balance power between rival gangs and to counteract the lack of trust that exists between criminal factions- something that is not available to legitimate businesses. Furthermore, he concludes (2019:289) that "The reduction of violence is an excellent strategy for doing business", this makes logical sense as violence attracts the attention of law enforcement which has the potential to reduce profitability.

In addition, Catino (2019:308) suggests mafias go through similar quandary's when expanding as legitimate family run businesses, highlighting (2019:294) the kinship vs skills and trust vs expansion dilemma. In the former case this means to you entrust an important task to a family member or an outsider with an enhanced skillset, while in the latter case, should you expand your business which would mean dealing with people outside a trusted circle, or pass up on opportunities to ensure your business remains free from outside input.

He is saying that in the case of mafias, they are held together by more than profit and that if greed prevails, they become like any other gang. It would be fascinating to see the results if this research was reproduced outside the mafia context and focussed on other traditional OCGs.

Quoting the organised crime task force report which first outlined the existence of the Mafia in the US, Smith (1970:122) notes "the core of organised crime in the US consists of 24 groups operating as criminal cartels across the nation. Their membership is exclusively men of Italian descent, they are frequently in contact with each other and their smooth functioning is insured by a national body of overseers". This system of communication and cooperation and the use of the business term cartel, indicates the organisational similarities between enterprises on both sides of the law.

Smith (1970:334) also succinctly summarises illicit enterprise as "the extension of legitimate market activities into areas normally proscribed... for the pursuit of profit and in response to latent illicit demand" As organised crime groups are often found to interact also in legal markets, it is useful to look at organised crime through the lenses of organisational studies with reference to legal markets.

In organised crime/mafia settings both criminal skills and social interactions play a huge role in the success of criminal activities; criminal skills and social interactions frame organised crime groups as dynamic. There is a lot to be learned from studies on organisational ecology, which sees organisations as evolving dynamic units in an evolving and dynamic environment.

Smith (1980:382) following on from his earlier work, also created a spectrum-based theory of entrepreneurship where he defines 3 types of businessmen, paragon, pirate and pariah.The first two need little explanation; they mark the saintly and sinful poles of the spectrum [ie the legitimate business es and the criminals] The pariah firm is a more complex matter, reflecting in the American experience those

enterprises whose products or processes cannot pass ordinary tests of standing and reputation but for which demand is such that they cannot be rejected or dismissed.

> They [Pariahs] tend to cluster at the margin of legitimacy, some recognizably illegal and trying to evade regulations and others trying hard to maintain a newly won or problematic measure of legality. In most business respects, they resemble other small entrepreneurial establishments; the most obvious difference has to do with the product or service."

An example of pariahs in the modern-day would-be cigarette smuggling, while the product itself is legal to purchase- at a certain age- buying packets from another country purchased off the street to avoid paying tax. Smith's classification of enterprise is important as it highlights a common running between licit, semi licit and illicit business that is important.

Writing in 2001, in a research report commissioned by the Home Office, Hobbs and Pearson conducted an intricate analysis of the central echelons of the drug trade, a key point of which, ironically, determined that no one knows or has defined the precise location and geographical extent to which 'middle markets' extent. Hobbs has stated on numerous occasions that he doesn't believe organised crime exists as a specific phenomenon. Hobbs's statement is something which this author, and law enforcement, would profoundly disagree with, however regardless of this, Hobbs and Pearson are highly respected. While they acknowledge a lack of definition of their subject they do then go on to attempt to create one, arguing that a "middle market multi-commodity drug broker is identified as occupying a strategic position that links upper (importation and wholesale) and lower (retail) levels of the market"- here.

They essentially found that while you could go from street to multi kilo level in a small number of transactions, the middle of the market is wider, where some criminals are dealing with any illicit substance, while others are only supplying specific chemicals. Furthermore, they assess that the criminal networks (note the lack of use of the phrase OCG) involved in middle market drug distribution are typically small, with a correspondingly small number of suppliers and customers:

One, possibly two people, who control finances and have established contacts, with a small team of runners working to them who collect and deliver quantities of drugs. Some runners are employed on a weekly wage basis; others are paid per transaction, while others are effectively junior partners in the enterprise (2001: VII).

In support of the core premise of this research, Hobbs and Pearson determined that: "Business principles are predominant in the drugs market" (2001: IX), which means that 'violence-avoidance' is the more general rule. Violence attracts attention and is 'bad for business'". Interestingly, they also conclude that the notion of organised crime groups as tightly organised, complex and hierarchical entities whose tentacles reach around the globe [i.e. the mafia and other drug cartels] is not supported by the evidence in this particular study, what is telling that they make no comment on the role, prevalence or existence of these entities overall.

The middle-market is fragmented, fluid and constantly mutating. Roles are exchanged, and people come and go. Within the enacted realities of the middle-market, hierarchical structures are a fiction. it is none the less marked by a horizontal complexity that envelopes a substantial cluster of financial relationships and transactions. We see any number of actors and networks, linking together different levels in the

market, sometimes neatly, sometimes messily. Both Paul and Polly operated in a commercial zone between retail and wholesale, with an aversion to undue risk and a general lack of ambition acting as a constraint upon expansion. A distinct strength of these middle-market operations that they can utilise a range of operatives, from orthodox employees to independent traders. Such adaptability enables the middle-market not only to adapt to fluctuations, but also to restrict individuals to discrete segments of the network's operations.

This research provides intricate analysis of a previously unexplored sector of the drug market in the UK, it also, by virtue of its detailing of how the drug market operates on a basis that mimics legitimate enterprises (i.e. the mish-mash of structures, operators and entities, entry routes and opportunities for profit expansion) supports the key hypothesis of this article.

A Europol Italian Organised Crime Threat Assessment (2013:3) demonstrates the extent to which the mafia(s) have excelled in this area. Noting that extremely skilled Cosa Nostra money launderers manage legitimate business structures and have infiltrated the economy of countries, including South Africa, Canada, USA, Venezuela and Spain.

The 'Ndrangheta has repeatedly proven its skill in infiltrating political and economic environments. Through the shrewd use of its immense liquidity in legitimate business structures it has been able to achieve a position of quasi-monopoly in sectors, such as construction, real estate, and transport.

Indeed, as Riccardi and Berlusconi (2016:9) note, "Organised crime infiltration in companies is a complex phenomenon, and its study is still pioneering". However, because they have experienced it for much longer periods, Italian scholars are much further along the road to understanding than other nations. They have identified (Riccardi and Berlusconi 2016 Chapter 2) two main scenarios: either the legitimate enterprise is directly controlled by the criminals, or there is a (voluntary or forced) partnership where legal and illegal funds merge. They argue that to understand the issue fully you must mix both hard (official statistics) and soft "narrative" approach examining criminal actors and context to gain a fuller understanding of the motivations.

While understanding the extent a target OCG has infiltrated into the economy can be an important part of an investigation, it is but one in a myriad of factors at play when determining the best way to investigate a group. However, their point about hard and soft research is undoubtedly valid and can be extrapolated to my research area as a whole. Operational intricacies of a group must be considered alongside more traditional factors, and the application of legitimate business analysis techniques can aid this.

Research by Rand, for the US Government and conducted by Reuter and Hagga despite it being published 30 years ago, still offers a highly relevant account of high-level drug trafficking. While the methods will have changed over the intervening period, the concepts of the market and how it operates would appear to have remained constant- though because little recent research on this scale has been conducted- this assessment is based largely on anecdotal conversations with law enforcement officers responsible for high level drug trafficking. The methodology for this research was based on a series of interviews with convicted cocaine and cannabis traffickers in low security federal prisons in the US incredibly they found around 40 % of interviewees were willing to provide highly detailed accounts of their careers and criminal associations, as well as market conditions, profitability and violence, the converse of this methodology is a reliance on the veracity of criminal accounts which, by their very nature, can be unreliable, biased, and

vulnerable to exaggeration and omission of certain events.

One of the key findings was that unlike in legitimate business where it is traditional to gain experience at a lower level and then gradually work your way into a position of seniority, in drug trafficking circles, barriers to entry into higher levels are minimal. When asked about this, interviewees cited (1989: XII) that "Energy discretion and luck were often all that was required".

This ability to obtain seniority without either the financial resources or length of service outlines the enhanced flexibility of opportunity that the illicit economy offers compares to the licit. They also found that (1989: XII)., contrary to the widely held belief that 'mafia type organisations' control the drug trade at the higher levels, "Successful operation does not require a large operation, such operations do exist, but you can operate successfully independently. High level dealing can simply be brokerage, some relationships can last a long time but are not usually exclusive. "Trading relationships more like networks than hierarchical informants" This fits in with the general trend highlighted by the UN TOCTA (UNODC 2010) and Subsequent Europol reports (2011,2013,2017,2019) as well as work by Gottschalk (2009,2010) on illicit entrepreneurs.

Desroches (2007), presents probably the most thorough examination of the upper-level drug market since the aforementioned RAND study, he argues that, just as legitimate enterprises must prepare risk management strategies for likely eventualities, Illicit enterprises are required to engage in risk management strategies in order to protect their assets from seizure and their personnel from arrest and conviction. While the informal nature of the business means that, unlike Corporations, these strategies are not required to be formalised into written policies.

Nevertheless, Desroches has categorised some of the mechanisms illicit enterprises use to protect themselves. These include the following:

> Working within a small network of trusted associates; relying on kinship, friendship, and ethnic bonds; maintaining secrecy and operating on a need-to-know basis; delegating or contracting high risk activities to lower level operatives; maintaining information networks to stay abreast of what is happening in the drug scene; operating with multiple couriers, transportation routes, safe houses, etc. so that drug seizures and arrests of underlings will not result in unsustainable losses; using credit carefully and paying one's debts; paying associates and employees well; and treating people with respect.

He argues that "These strategies help dealers to develop loyalty, maintain a low profile, avoid conflicts, insulate themselves from danger, minimize business losses and disruptions, and avoid arrest and conviction".

Interestingly while the methods used by legal corporations do not translate across to those operating in the black economy, if you turn that concept on its head, simple business logic dictates conversely the methods Desroches identifies that are commonly used by OCGs could also be applicable in a legitimate context. This paradigm of legitimacy where the ability for similarities of risk management strategies to be transposed from the illegitimate to the legitimate but not vice versa, is the antithesis of this thesis' core concept: that OCGs act like legitimate business so therefore we can use techniques designed for use exclusively on the latter to assess the vulnerabilities of the former. However, the fact that there are key

He goes on to touch on the risk and reward concept, which both legitimate and illegitimate enterprises use (whether consciously or unconsciously) on a daily basis. The best example of this, from an OCG perspective, was at a conference I attended in April 2019 (ICTOCT 2019 np) where the former Bureau of Alcohol Tobacco and Firearms agent, Rich Mariano, spoke about a trend of OCGs. This trend showed that interstate cocaine traffickers were moving into cigarette smuggling because the profits were the same for both commodities, but the penalties were so much worse for drugs compared to cigarettes (20 years compared to less than five). In tandem with Mariano, Desroches (2007:830) describes upper-level dealers as "rational actors who enter the drug business consciously and deliberately after considering risks versus potential rewards." Adding that (2007:839) "Most view the risk of capture as relatively low in part because this is a consensual activity and they see themselves as competent and cautious", this assessment in itself supports my conclusions surrounding the similarities between legitimate and illegitimate enterprises as it highlights how, despite trading in an illegal commodity, high level drug dealers perceive themselves as being involved in legitimate businesses and therefore attempt to act as such.

Desroches concludes most research indicates that higher level drug traffickers operate as independent entrepreneurs and that illicit drug markets are competitive and attract a variety of participants with varying resources, skills, and contacts. This conclusion is necessarily influenced by the available evidence, meaning that we can only draw firm conclusions from what we know. For example, there is a distinct lack of knowledge around the extent of the operations of the larger drug cartels, perhaps because they are more difficult to penetrate and tend to talk less to researchers due to the higher likelihood of reprisals. However, independent traffickers don't have those constraints and therefore, when incarcerated, are more likely to engage with researchers. This consequently makes any research more likely to include independent traffickers and less likely to include members from the big drug trafficking cartels or mafia style organisations. –although there is some research available on Mexican cartels, for example Langton (2012), Grillo (2013) and Hernandez (2014).

ORGANISED CRIME ENTREPRENEURSHIP: DIFFERENT AREAS SIMILAR TO DIFFERENT TYPES OF LEGITIMATE BUSINESS

In another section, Desroches summarises other research which itself summarises the state of drug markets in the UK, US and the Netherlands, describing higher level drug trafficking in Britain as a competitive market inhabited (2007:834) "by a range of small, flexible organizations the structure of which varies and reflects their diverse origins and local or regional circumstances". The scholarly accounts of US and Dutch drug trafficking (2007:834) similarly note the "entrepreneurial and competitive aspects of the trade and describe an open market and informal relationships between suppliers and clients which are sometimes long-term but rarely exclusive". Desroches (2007:834) ascertains that higher level drug traffickers closely resemble independent business persons in a wholesale distribution system who work for their own enrichment and not that of the organization and that "Most have no sense of membership in a large organization nor do they work under the direction or authority of others above them in the distribution chain."

This in itself tallies in well with research by Lusthaus and a number of other scholars, but with the caveat identified earlier about lack of access and knowledge of the more powerful organisations. However, when you assess some of the law enforcement evidence, such as the Europol Italian Organised Crime Threat assessment (2013), which notes that the 'Ndrangheta is heavily involved in International drug trafficking at a high level are the Cosa Nostra and Camorra, we also know through numerous books on the subject that

the Columbian and Mexican groups play a significant role internationally (Atwood 2017, Escobar 2009, Grillo 2013, Langton 2012) it is clear that the research supports the argument that both independent traffickers and larger OCGs mimic legitimate businesses.

With an area of study such as identifying the shape size and structure of international drug trafficking organisations, and by extent the core concept of this research, we must acknowledge that much of the knowledge and evidence base lies away from academia, with first-hand accounts from journalists and official law enforcement reports providing huge amounts of first hand detail universities ethical regulations would not permit. Desroches makes a point I that have echoed myself during presentations, prior to coming across this research: that drugs are commodities bought and sold in an illicit market. He furthers this initial analysis with a succinct summary arguing: "upper-level traffickers act as wholesalers and entrepreneurs who provide a product to clients/dealers below them in the drug distribution chain. Like businesspersons engaged in licit markets, dealers are rational actors who focus on profit, seek out economic opportunities, take into consideration the competition, are careful with their money, and attempt to minimize risk".

This assessment, that these illegal groups act as businesses, is further supported by research by (Adler, 1985; Adler & Adler, 1992; Desroches, 2005; Hafley &Tewksbury, 1995; Reuter & Hagga, 1989; Zaitch, 2002). Such research evidences the fact that high level traffickers use the language of business, that dealers view themselves as entrepreneurs, and that being a good 'businessman' is the ultimate compliment in the drug trade. This is supported by accounts from international cannabis smuggler Howard Marks (Marks 1996), Shaun Atwood's meticulous research into the Cali cartels operations following the death of Pablo Escobar (Atwood 2017), and Roberto Escobar's book on the rise of the Medellin cartel (Escobar 2009).

WIDER EXAMPLES OF ENTREPRENEURIALISM

The County Lines phenomenon, where gangs based in major cities are expanding their business into small coastal or market town via the railway network and then using numerous methods of violence and exploitation to force their way into the local market (NCA 2018), is one of the most compelling arguments for organised crime operating as a business. However, these 'businesses' are without the moral or legal constraints of a traditional legitimate enterprise. A recent NCA update (2017:3) noted "County lines groups have a proven ability to adapt their operating methods and practices, including changing their use of phones, transport, accommodation or vulnerable people". They concluded that this is to evade law enforcement intervention as well as strengthen their criminal enterprise. Six force areas have also seen county lines groups conducting franchise style operations, renting county lines and customer contacts to other criminal groups. In some cases, the line owners also facilitate the supply of drugs to these groups.There is also some reporting of lines being up for sale or sold.

The franchising of organised crime is not new, the Zetas in Mexico (Narconomics 2016) and the Black Disciples in Chicago (Freaknomics 2005) are two of the most well-known examples and outline perfectly how widely organised crime is adapting measures used more commonly in legitimate businesses. Furthermore, a report, From Postcodes to Profit, commissioned by Waltham Borough Council (2019:25) identified one particular gang, the Mali boys, who were operating at a sophisticated level. "It's almost like a franchise, where the Mali Boys have got a very effective pyramid structure, business plan, but instead of burgers and woolly jumpers its Class A drugs and cannabis". This statement further strengthens the

'business hypothesis' as it demonstrates that OCGs at both a 'street' and international level are utilising legitimate business systems." The question of if, and to what extent, OCGs involved in cybercrime, also follow the trend of traditional OCGs in mimicking the operation of legitimate business has not yet been fully explored, though a recent report from the National Cyber Security Centre (an arm of GCHQ) did note that the structure of cyber OCGs is unique with each individual having a specific and valuable skillset.

Galeotti, an experienced Russian organised crime scholar, provides some insight into both how organised crime take concepts from legitimate business and also how the two systems cooperate. In his book Vory (2018) he talks of a 1979 (p96) meeting between businessmen and criminal syndicates, allegedly attended by the KGB as an observer, as well as a meeting in 1991 of around 30 Vory (essentially heads of crime factions) from different groups to carve up the underworld as the state fell (p107). He also notes (p115) they exhibit the more common criminal practice of operating behind charities, sports clubs holding companies and private security firms, to extort money. Another report, by Europol (2019) argues that sophisticated cyber OCGs have the technical capability to write and disseminate malware 'in-house' as part of their own business model'. However, for smaller groups or individuals, these services can be provided on a freelance basis, known as the crime as service business model. Certainly, more research needs to be done prior to coming to an informed conclusion.

A Europol document published in 2011 (Europol 2011), identifies weaknesses and strengths in organised crime investigation across the EU. The fact that it its basic premise remains accurate more than a decade later is testament to the scope of the challenge law enforcement face against organised crime. Essentially it argues that law enforcement must modernise their skillset to keep up with the increasing digitisation of society and therefore organised criminality; it also argues that a step change in structure and priorities is needed to ensure this happens. Ultimately whichever form it takes, organised crime by its nature will always be profit driven and so seek to mimic or borrow structures and ideas from those on the 'white' side of the economy.

Gottschalk (2010) identifies Eduardo Contini as chief executive of the Camorra Mafia, the choice of language around the phrase chief executive is interesting, as Europol (2013) says Camorra is horizontal in structure, and therefore lacking a head of organisation in the traditional sense. There are several explanations for this, firstly, it could be a careless phrase and, well aware of camorra structure he didn't mean Chief Executive in the hierarchical sense, or secondly, he was unaware of the Europol research surrounding this, or thirdly, he has access to data that disproves Europol's aspersions, unfortunately without speaking to him first-hand it may be impossible to know. He also surmises that all criminal enterprises exist in relatively hostile environments primarily as a function of their illegality, as a result of this hostility, organisations often retain as simple chain of command based on mutual understandings and relatively discrete and concise set of operating procedures. This is a more logical conclusion as generally the more complex the structure the more room there is for division and dissent as well as law enforcement exploitation. In a separate (2010:295) journal article Gottschalk makes the point that legitimate enterprises do not hold the monopoly on innovation and that "Many illegal enterprises seem to innovate and learn quickly over time", this view is supported by Chief Constable Peter Goodman National Policing Lead for cybercrime, who in an interview with Policing Journal Police Professional (2016) spoke about how cybercriminals were able to innovate at a much greater pace than law enforcement. The fluid and unrestricted nature of organised crime is at complete contrast with the regimented and bureaucratic set up that exists within law enforcement as a result the former is much better equipped to deal with the fast paced technical and societal changes than the latter.

'Windle (2013) a scholar specialising in illicit markets, uses research from several autobiographies of key figures involved in organised crime in Essex in the 1990s to determine the mechanics of their operation. As he addresses in the article there are several weaknesses in this methodology, not least that an autobiography is usually written to portray the author in a positive light and therefore often omits key details, also details are often altered to protect the identities of the authors and those present at the time. "The Firm was not a homogenous organisation with a central bureaucracy, leadership, and budget. Rather it was a loose network of individuals, working around a more stable core (Kenney 2007) connected by their relationship with Tony Tucker". This draws parallels with a large legitimate business where it is a common approach to have a core of staff, supplemented by specialists. Windle (2013:386) makes a further key point that the activities of Tuckers Firm spanned the "spectrum of legitimacy". He evidences use of illegitimate means to further profits of legitimate businesses, whilst also making profit from purely illegal activity unconnected to legitimate business. This merging of the economies of the white and black markets, of profits from one element being used to further another, again strengthens the central plank of this research, a line often employed by the author in presentations, that organised crime operates like a business the difference is the commodity is cocaine rather than coffee. Further to this, it stands to reason that if, as has been consistently outlined, OCGs are operating like business then business analysis is an appropriate, and fruitful, method of assessing how they operate.

CYBER ENTREPRENEUR TYPOLOGIES

Lusthaus (2019), a professor of sociology and director of the human cybercrime research project at Nuffield College, Oxford University, has written a highly detailed and well researched book on profit driven cybercrime, where he succinctly summarises a key trope of this research that organised crime acts like a business, and that this concept also applies to cybercrime. Lusthaus (2019:3) argues that cybercrime has evolved from more altruistic origins where the motivation was the technical challenge, to the current state of play where cybercrime, "just like other elements of transnational organised crime," now operates like a business, its goods and services may be illicit, but it is highly organised, complex driven by profit and globally interconnected." He argues that applying the term industry to cybercrime is an accurate reflection of how it functions, given the parameters he sets out below, the evidence suggests he is correct and furthermore these criteria can be just as accurately applied to the more 'traditional' elements of transnational organised crime. He defines an industry as a set of businesses all operating in similar ways. He also argues (2019:66) that, regardless of the illicit nature of goods and services provided, "the cybercrime industry operates according to the same principles of industrial organisation".

"First, there is a clear division of labour by which different activities are handled by different specialists. Second, specialisation has brought professionalization – professional criminals seeking maximum financial. Third, [points] one and two mirrored by growth of virtual markets" (2019:67).

This is clear evidence of the structural and definition similarities that have been previously outlined in this thesis, furthermore, he notes (2019:91), again similarly to findings on 'traditional' transnational OCGs previously outlined that "cybercriminals increasingly organising themselves into groups which resemble legitimate businesses and that "Some of these illicit teams have reached a point of sophistication that makes them almost indistinguishable from legitimate businesses complete with physical office space and formal organisational hierarchy". The enhanced level of sophistication to which Lusthaus refers is bolstered by an article published by himself in Global Crime journal in 2012, which he refers to in his book, where he notes "Today's cybercriminal industry exhibits significant levels of structure and governance

'alongside more small-time collaboration".

Essentially, he is saying there are cyber OCGs, depending on their role, that mimic both small and larger enterprises. There is evidence through cases studies included in this research, namely Sparrowhawk, Neem, Vanbrugh and the Scottish drugs cases, that this adaptability both translates to non-cyber OCGs and OCGs involved in varying criminal activities, which supports the overarching general principle of this research that organised crime as a whole operates on a similar level to legitimate enterprises.

Sergi and Lavorgna (2016:182) offer an opposing view, arguing that cybercrime isn't necessarily organised and that assuming so risks weakening an already broad definition.

> In this new binary relationship cyber/organised, the threshold to consider something as "organised crime" is lowered, if possible, even more than it was for other serious and organised criminal activities in the country. Without denying the possibility of organised crime groups increasingly operating online and of the creation of new organised crime groups in cyberspace, limited reliable data available do not allow to draw an exact comparison between the existing offline criminological categorisations and the new online phenomena.

Furthermore, they note (2016:183) that this conflation could have serious consequences in terms of identifying the modus operandi of both crime types. Something that, given academic and law enforcement understanding of organised crime is not what you could call complete, it is important to clarify.

COUNTY LINES AS A FORM OF ENTREPRENEURSHIP

Spicer (2017), a researcher from the University of Western England, spoke to numerous detectives involved in the investigation of the County Lines drug dealing methodology where OCGs and gangs involved in the sale of crack cocaine and heroin expand from their territories in urban cities to smaller inland and coastal towns though a mixture of exploitation force and marketing tactics (NCA 2020). He determined, similarly to the conclusions of Wainwright (2016 et al), the vast majority of my respondents in both my survey and interviews and my experiences trialling the U BATTLE toolkit on both live and historical cases, that the dominant narrative expressed by was that County Lines groups operated very similarly to a legitimate business. (2018:877) The dominant, if not sole, motivator…was the desire to generate profit". He argues that the decision for the groups selling drugs in smaller rural, market, or coastal towns was viewed as "being the result of a considered choice by these groups of where they believed they would have the best chance of being able to infiltrate and take over local drug markets, with least resistance from established local dealers.

Spicer (2018:876) adds, "Despite other smaller cities likely having a larger potential customer base, participants suggested that County Lines groups judged drug markets in smaller towns to be easier to take over and therefore riper for profit. Thus, in a manner similar to the conventional business practice of hostile takeovers." The specific details regarding how the group came to make that decision and the extent to which, if at all, they used any business analysis techniques to evidence their assessment to present it to their superiors, is by the very nature of these groups unclear. However, the rationale of their decision and the similarity to methods employed by legitimate businesses as explained by Spicer, certainly support the core hypothesis of this research that legitimate business analysis techniques can be used against OCGs. He makes a relevant, if oft repeated, point (2018:883) regarding the issues surrounding basing the

'development of knowledge around a particular area of organised crime purely on engagement with law enforcement, as because-by definition of their role- law enforcement are only operating with a limited picture of a OCGs activities this is "unlikely to provide a wholly accurate picture of a drug market". However, given the traditional lack of engagement from criminals operating in this area with academia (for rather obvious reasons) and the solution, which as Spicer states would be gaining suitable access to these groups to shed light on whether their decision making and general conduct is quite as business orientated as has been suggested is, for a multitude of legal, moral, and ethical reasons unlikely at best. However, if it could be done, the benefits in terms of relating the information back to the development of police strategies could be significant.

Since its emergence into the public sphere in 2017 (National Crime Agency), despite the wide range of drugs readily available on the UK market, the dealers working within the County Lines model have tended to stick to the distribution of crack cocaine and heroin. Again, drawing on law enforcement expertise Spicer (2018) argues that the County Lines dealers had made an informed judgement to deal in these drugs as they had a more complicit and dependable clientele, allowing for a more robust and efficient business model. This, again, is information that can be fed back into law enforcement strategies, though with the caveat of perhaps examining further the source of the interviewed officers viewed. Finally, he draws parallels with the branding of the phone lines the County Lines groups use and how similarly to a legitimate enterprise they closely guard the use of features that can easily identify them such as a specific logo or name, as just as in the legitimate sense it generates familiarity and trust and therefore enhances sales.

THE KINGPIN STRATEGY

The Kingpin strategy, devised by the US Drug Enforcement Administration (1992), has been the central plank of US law enforcement actions for the last 25 years. According to DEA official documents, the strategy focuses investigative and enforcement efforts on the largest drug trafficking organizations and aims to disable them by attacking their most vulnerable areas, for example the chemicals needed to process the drugs, their finances, communications, transportation, and leadership structure. This strategy focused enforcement efforts and resources against the highest-level traffickers and their organizations and provided a systematic way of attacking the various vulnerabilities of the organizations. By systematically attacking each of these vulnerabilities, the strategy aimed to destroy the entire organization, and with it, the organization's capacity to finance, produce, and distribute massive amounts of illegal drugs. Each blow weakened the organization and improved the prospects for arresting and prosecuting the leaders and managers of the organizations.

A French newspaper article (Le Monde 2015), quotes a speech made by Former DEA Head Robert Bonner at a DEA meeting in 2012, celebrating the 20th anniversary of the Kingpin Strategy, which was implemented during his tenure. He said, by any measure major drug trafficking outfits are large organizations.

> They operate by definition transnationally. They are vertically integrated in terms of production and distribution. They usually have, by the way, fairly smart albeit quite ruthless people at the top and they have a command-and-control structure. And they also have people with expertise that run certain essential functions of the organization such as logistics, sales and distribution, finances, and enforcement.

'He went on to state that it followed that the removal of those smart people at the top, not to mention the experts in logistics, would render the cartel ineffective and so cut off the flow of narcotics to the United States. The theory behind Kingpin is similar to that which underpins this research. The fact that the US came up with an approach based on a similar concept of attacking vulnerabilities in an OCGs business operations 25 years ago and are still continuing with that strategy, gives veracity to the research approach. However, if you take the fact that despite some high-profile successes, organised crime has continued to flourish the overall success of the Kingpin strategy is in one way self-evident, because of the continued operation on a global scale despite the specific targeting employed.

Though in all honesty, this is also a slightly harsh conclusion as in reality none but the most optimistic of law enforcement officials believed that the Kingpin strategy would eradicate organised crime all told, or even that it was theoretically possible to do so.

However, it has undoubtedly had some successes during its history, including the targeting and arrest of the 4 leaders of the Cali Cartel in the mid-1990s (Atwood 2017). The cartel rose from the ashes of Pablo Escobar's Medellin cartel which crumbled following the death of Escobar in 1993. Unlike the Medellin which was a loose structure of associations controlled by Escobar (Atwood 2017) the Cali cartel was run by an executive board of four men each of whom had an equal share in making decisions (Atwood 2017), as well as the more recent arrest and subsequent indictment [via several well documented escapes] of Sinaloa cartel boss Joaquin El Chapo Guzman. Le Monde (2015) states the strategy, it appeared, had been an unqualified success. "When Pablo Escobar was on the run, for all practical purposes, his organization started going down... ultimately it was destroyed. And that's the strategy we have called the kingpin strategy," crowed Lee Brown, Bill Clinton's "drug czar," in 1994. What the Le Monde article fails to acknowledge is the significant part the money and intelligence from the Cali cartel played in Escobar's death and their reasons for doing so (Atwood 2017). Ultimately, the Kingpin strategy cannot be said to have succeeded, but at the same time should not be judged to harshly, as in reality the problem it was created to solve is the modern equivalent of the Gordian Knot and no one from any law enforcement or political background has come close to developing a solution. While there are no illusions that this research will act as a silver bullet in this arena, it is hoped the tool can play a small part in reducing the impact of these organisations.

In the book Busted, which details a police operation to bring down an OCG involved in LSD, Pritchard (Pritchard and Laxton 2018;87) described the structure of the group and the extent they operate in a similar way to those on the right side of the law. "The top men, Todd and Cutherbertson had to approve everything. just like a legitimate business they kept control and make sure the people at the end of the network grew slowly and carefully". This concept is furthered by Graham Johnson in his book The Cartel (2012:99), which offers insight into the operations and structure of what is billed as the UK's biggest drugs cartel. Johnson is a journalist and author who has significant experience in both speaking to police officers and criminals, quotes a police source known as the analyst who identifies the extent of the structural similarities between sophisticated OCGs and big organisations such as the police.

> It's [the cartel] like the police which has its own hierarchy, you could break it down into an organisational chart that shows you've got your CEOs at the top, you've got your MDs, who meet with similar MDs from supplier crime groups and talk about the wider implications of drug importation – how do we get the commodities across. So, you need managers below the MDs to organise these options, so below the managers you need the professionals and tradesmen

'to do these jobs and below them the runners and fixers who keep it all ticking over. It's incredibly long-term planning, they realised that with greater planning and sophistication comes larger quantities which in turn meant you were in a better position to negotiate with the Columbians [main source country for cocaine]

One case Johnson reports is a perfect example of risk and reward, a common strategy to aid decision-making in business. The cartel decided to invest in a large container ship which would dock in Liverpool from Venezuela every 2 months, the cartel employed specialist marine engineers and underwater welders to cut secret compartments in a ship's hull so they could bring in a 1000kg every two months rather than 200kg every week. This reduced the risk of being caught by making less journeys and increased the reward by enhancing the capacity of the ship to carry cocaine thus raising profitability, the risk associated with being caught on that single journey did not increase as the penalty for smuggling 200kg of drugs is the same as smuggling 1000kg. It is the similarity within these business processes that allow legitimate business analysis techniques to be adapted and used on organised criminality. This is one of numerous examples of OCGs following risk and reward strategies and serves to illustrate this thesis' core research concept. Additionally, Johnson's later work Young Blood, referenced in the introduction also highlights the intense structural similarities that exist between legitimate and illegitimate enterprises.

Insight Crime (2020), a research institute that combines journalistic investigation with analytical insight, introduces the concept of visible and invisible drug traffickers arguing that a combination of both legitimate business instinct and high-profile violent acts are needed.

> Behind every famous drug trafficker, there have been many "invisibles." Rather than dressing in alligator boots, sporting gold chains, and gold-plated pistols, these drug traffickers have shunned ostentation and the limelight. They act like legitimate businessmen because the drug trade needs protectors. With high profits and untrustworthy participants, every invisible needs a "visible" to ensure that agreements are respected and that debts are paid.

They note that Pablo Escobar was the "ultimate visible trafficker", becoming a member of Colombia's congress, opening his estate to the public and populating it with exotic wildlife. They also chronicle that after his fall those who were less visible were unaffected and able to continue the business. Yet when Escobar fell, dozens of invisibles remained Escobar's successor, Diego Murillo, alias "Don Berna," learned from Escobar's mistakes, living in the shadows in Medellin, his alias known to all, but his face and real name known to few. Still, he too stepped into the limelight in 2003 when he entered the paramilitary peace process with the government and sought, unsuccessfully, to evade imprisonment and extradition. But hidden behind him and his criminal structure, the Oficina de Envigado, were dozens more invisibles, doing business and making money under his protection.

This mix of individuals in criminal organisations exhibiting legitimate and illegitimate traits at the highest levels of organised crime, goes some length to illustrate the validity of this research, this hybridity of operation is also seen in the street gangs of Rio De Janeiro, as Kemp (2007) discusses. At the top is the owner, a kingpin who controls drug trafficking in a whole favela, below him may be one or more general managers, depending on how large and well organised the shanty town is, there is often a product manager who oversees quality control, then there are the soldados who do the fighting, the muling and the street dealing and finally the lookouts who are often children.

Research by Naratarjaan (2015) makes a series of highly relevant points regarding the study of criminal enterprises, they argue that aside from historical accounts of 'premier league' OCGs - such as the Mexican and Colombian cartels, the Italian Mafias, and several international drug smuggling rings - little has been written about "kinds of enterprises involved, the tasks undertaken, or the ways that.[groups are] organized below that top tier of criminality" It is paramount that any operational product than evolves from this research must, to ensure optimum usability by law enforcement,also be suitable to assess groups that operate at national and regional levels dealing in single kilograms or other commodities, rather than just those with immense power and liquidity.

RESEARCH CHALLENGES

Before concluding it is worth discussing some challenges Participants in these enterprises have constantly to guard against discovery by the authorities as well as predation by rival criminals, and they are, therefore, suspicious of anyone showing an interest in their activities, including researchers. This greatly limits the scope for the ethnography of active organizations, Researchers encounter further difficulties due to the international scope of drug trafficking and sometimes due to the language difficulties. Consequently, they are mostly limited to studying organizations that have attracted the attention of law enforcement agencies. Another issue in terms of access is that as access tends to be facilitated to law enforcement cases following completion and often once considerable period of time has elapsed. Meaning that the information then available to researchers for analysis is often out of date, sometimes by a number of years, and the pace of evolution in criminality (Police Professional 2016) means this lack of timeliness will severely limit the learning that can be gained from this analysis. One way this can be addressed is through greater trust and cooperation between law enforcement and academia, more researchers being vetted to access police cases, and opportunities for short secondments available in both directions, rather than the current situation where an officer only tends to engage with academia when they are close to retirement and looking for another career.

Harvey and Hornsby (2016), both scholars at Northumbria University, conducted an in-depth study of the criminal operations of the Baxter family. The research was conducted via interviews with associates of the Baxter's and law enforcement officials; they attempted to speak to members of the extended criminal family firm, but they refused, thus proving the earlier point regarding the issues of studying organised crime groups relying only on a law enforcement perspective. They found that this family and its individual members elected to utilise a skill set that is also associated with successful legitimate businesses. The authors concluded that, if the socio-economic environment in this Northern town had offered wider legitimate career choices, Baxter could have been a very successful businessman rather than a pillar of the criminal enterprise.

This entrepreneurial guile was employed to build a criminal enterprise that merges illegal with legal activity and that is characterised, as discussed in the next section, as being: profit driven; able to anticipate change and move into different lines of business; and one that actively manages 'business' risk. (2016:3)

The authors also made the point that in some industries the boundaries between the legal and illegal enterprises can be indistinct; in particular those markets where there is a substantial legal element alongside a continuous presence of an illicit sector. An example of this is the cigarette market where the legal element- the selling of cigarettes to retailers- can be carried out alongside the illegal act of selling cigarettes on the black market to avoid the substantial tax mark-up. Earlier research (Hornsby and Hobbs,

2007; as well as L'Hoiry, 2013 and Wiltshire et al., 2001) has demonstrated that in terms of in securing market position and enhancing profit margins there are few moral distinctions between those illicit operators and big 'legitimate' tobacco firms.

Hobbs (2003) makes a highly interesting point regarding the interplay between factors traditionally considered as legitimate and legitimate in a criminal entrepreneur style business such as Baxter's. Baxter's business began on a totally illegal footing and in its expansion has moved into legitimate sectors using a combination of quasi legal and downright illegal methods. He argues that "[No] matter how sophisticated and market orientated organized crime becomes, and no matter to what cause its profits contribute, the cultural inheritance of traditional visceral practices remains central to the establishment, marketing, regulation, and culture of illegal markets" (Hobbs et al, 2003: 681). Essentially, he notes that if a group starts off with violence as their raison d'etre then it will remain the key method of enforcing discipline and generating expansion, regardless of the addition of the number of 'legitimate' areas of business. It is these crossovers between legitimate and illegitimate enterprises, which form the basis of the premise of this article.

CONCLUSION

Because of the strategic way these OCGs are acting, in replicating legitimate enterprises, the commodity itself is less important because the motivation remains the same (profit). Secondly the literature is in agreement with the fact that business analysis techniques are effective in assessing the strengths and weaknesses of businesses. It therefore follows that if organised crime acts a like a business, the similarities of which have been proven throughout this thesis, then business analysis, which has been proved to be effective in the business arena, can also be utilised against organised crime groups.

Expert books by journalists, such as Thompson (2008), Johnson (2012), and Grillo (2013) add much needed first-hand experience and can provide detail that simply wouldn't be possible to access, with the ethical restrictions of academia. Law enforcement, such as Europol (2013, 2015,2018, 2019), the National Crime Agency (2016,2017,2018,2019), the UNODC, and perhaps most importantly the DEA Kingpin strategy (1992), have provided a detailed assessment of criminal trends, changes in modus operandi and methodology in a clear and crisp manner and have played a part in aligning my hypothesis with the available intelligence.

Furthermore, pioneering research from expert scholars from all corners of the world, including Ricaardi and Berlusconi (2016), Gurciullo (2014), Gottschalk (2009,2010), Desroches (2007), and Lusthaus (2018), as well as Sergi (2016A,2016B and 2020) Catino (2019) and of course Smith (1970,1975, 1980) has provided both insight and knowledge to this area. Statistically, these are experts from all walks of policing, academia and other associated disciplines. The vast majority of them have made claims and theorised based on either first-hand and second-hand experiences. As such, in their likenesses, they cannot be wrong.

Now the veracity of this area of research has been cemented, the question of how to tackle these organised criminal businesses (OCBs) should be upmost in our minds, it makes logical sense that we should use this phrase, proposed by Coxhead et al (2024), as we go forward.

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Lockdown restriction and intimate partner violence in the era of COVID-19 in Karu Metropolis of Nasarawa State, Nigeria

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ABSTRACT

The rate of intimate partner violence has been alarming and it was compounded by Covid-19 pandemic. The study explored the Covid-19 lockdown restriction and intimate partner violence in Karu Local Government Area of Nasarawa State, Nigeria. The predictor's variables were stay at home, frustration increasing demands for household goods and attention. A total of 397 respondents were selected from intimate partners in Karu via fish bowl and purposive sampling methods. Data was collected by well-structured questionnaires and in-depth interviews. Quantitative data was analyzed using Statistical Package for Social Science where frequencies and percentage were employed. The chi-square and Ordinal Logistic was employed to test hypotheses. Findings revealed that there exists significant interaction between lockdown restriction and physical, economic psychological and sexual violence among intimate partners in the study location. It was recommended that partners should be tolerant of each other in the midst of crisis and that partners who always violate the rights of others should desist.

INTRODUCTION

The phenomenon of intimate partner violence is a human right and public health issue of global concern, with serious socio-economic consequences on victims and the larger society. Intimate partner violence connote behaviours that are capable of causing psychological, economic, physical and sexual pains to those who are involved in intimate relationships (Smith, 2014, Krug, Dahilbery, Mercy, Zwi & Lozano, 2002). It entails violent behaviours orchestrated by partners aimed at harming self-esteem. For couples, intimate partner violence comprises behaviours usually expressed physically, psychologically socially, and economically against a partner, with the aim of humiliating and damaging their self-esteem (Bhona, Gebara, Noto Vieira & Lourenco, 2019). The violence is carried out by and against individuals in close affinity. Observations suggest that the violence could involve married couples and individuals intending to marry, whereby the interaction between them could usher in violence targeted at hurting the other partner physically, emotionally, financially and otherwise (Martins, 2014; Smith, 2014; Okoye, 2018).

There have been different conventions highlighting the imperative for human right protection and demonstrating that all humans have the right to be protected against the various forms of violence (Centre for Disease Control and Prevention, 2014). For instance, the Convention on the Elimination of Violence Against Women (CEDAW), United Nations Declaration on the Elimination of Violence against Women

(UNDEV), Violence Against Persons Prohibition Act (VAPP) (2015) among others were designed at global, continental and national levels to prevent and respond to violence against people (Udoyen, Akpabio & Ifeanacho, 2017). It is however worrisome that nations that hitherto accepted to ensure adequate legislation and provide protection to all humans by agreeing to institute legal actions and other measures to provide effective protection of humans against violence have done so with little sincerity of purpose (Udoyen et al, 2017; Onyemelukwe, 2016).

Intimate partner violence (IPV) is not a new social construct. It has existed across societies, but the Covid-19 pandemic with the introduction of various preventive measures escalated the problem. The end of years 2019 ushered in the dreaded disease Corona virus (Covid-19) pandemic that left serious implication on health and socio-economic development of the globe (Michael&Ishor, 2022). The entire world was alarmed by the extent of the devastation arising from Covid-19 pandemic. By 2020, the statistic of infection, death and other complications from Covid-19 was alarming. The infectious disease Covid-19pandemic was described as the worst global public health challenge in the 21st Century with detrimental consequence on mortality rates and global economy (Ishor & Iorammee, 2020, World Health Organization).commenting on the extent of devastation, the European Centre for Disease Prevention and Control (ECDC, 2020), pointed out that as at June 9th2020, 7.201,136 cases of Covid-19 were confirmed, with 408,782 morality and 3, 538,086 recoveries. The statistics continued to increase with more devastation. Statistically speaking the developed countries of United State of America, Brazil, Russia Spain, United Kingdom, India Italy Peru Germany, Iran Turkey, France, Chile Mexico Pakistan and Saudi Arabia were some countries with above 100,000 confirmed case of Covid-19 (ECDC, 2020; Ishor & Ioramee, 2020).

In resource limited countries of Africa, the zeal to contend with the dreaded Covid-19 was due to limited health practitioners, health facilities and corruption at all levels of our institutions. The lack of preparedness did not stopCovid-19 from ravaging Nigeria societies. As at February 27th 2020, Nigeria had 12,801 confirmed cases of Covid-19 pandemic and 4,040 recoveries. The statistics of confirmed cases increased to 33,156 from which 13, 671 were discharged from isolation centres and 744 death were recorded as at 13th June, 2021 (Ishor & Ioramee, 2021). Irrespective of the clime where Covid-19 raged, the consequence on health and global economy was severe.

Due to the pandemic nature and the havoc done by Covid-19, the World Health Organization (WHO) came up with measures to curb the raid spread of the virus. Beyond the use of face mask, regular washing of hands, restraining the freedom of movement and enforcing compulsory stay at home were some of the measures adapted to stem tide of Coronavirus (WHO, 2020). In Nigeria, the lockdown restriction or compulsory stay at home was one of the measures adopted by various levels of government. Nwokoye (2020) pointed out that the lockdown mandated many to stay at home. As a way of demonstrating the seriousness of government, certain categories of employees were to stay home, and others were to work from their homes. The situation also resulted in the outright termination of the employment of some workers pending the reduction in the scourge of Covid-19 pandemic (Nwokoye, 2020).

The Covid-19 lockdown and compulsory stay at home create a platform for couples who may have been apart due to socio-economic engagements to stay together. During this period, couples had longer and intimate interaction. Smith (2020) opined that lockdown innately mandated couples (mainly those dating) to spend some time and interact in an intimate manner. The intimacy arising from the interaction was beneficial as sexual pleasure more pregnancies socialization, behaviour modification were witnessed. Couples had better understanding of their partners and shared memorable moments. The intimacy and interaction during this period also uncovered some unpleasant behaviour among couples (Michael, & Ishor 2020). The stay at

home and interactions among couples helped to unearth some unpleasant behaviour that had serious implication on couple's relationship.

Considerable studies (Bhona et al, 2019, Masood, 2022) have been conducted on intimate partner violence. Bhoma et al (2019) had focused on the socio-economic factors promoting intimate partner violence, interrogating the level of education, income, and occupation as it affects physical, psychological and sexual violence. Ahmed (2018) had conducted a study among the Eggon people of Nasarawa State. The study interrogated socio-cultural factor and violence against women. The author uncovered that education, male child preference has strong correlation with violence against women. The position of Olimba and Adeyinka (2017) on intimate partner violence was quite revealing. The study sought to uncover the variables promoting violence against women in Ihiala, Anambra State. The study pointed out that socio-economic, and socio-cultural variables inherent in the study location were key in determining the varieties of violence orchestrated by men against women. In gauging the association between socio-economic variables and violence, Akoji (2018) cautioned that it appears to be a complex interaction, but socio-economic variables like age, income, and education correlates intimate partner violence. The above studies gave maximum attention to socio-economic and socio-cultural variables and intimate partners violence. This study is a deviation from the above studies as the focus is to delineate the Covid-19 lockdown restriction and intimate partner violence. The aim is to interrogate the nexus between the lockdown and intimate partner violence in Karu Local Government Area, Nasarawa State.

THEORETICAL ADEQUACY: FRUSTRATION-AGGRESSION THEORY

Frustration aggression theory was propounded by Dollard and his associates, Doob, Miller, Mowerer, Sears (1939), and it has been expanded and modified by scholars like Yates (1960) and Berkwonitz (1962) respectively. Frustration aggression theory stands on the premise that frustration causes aggression. The theory suggests that frustration creates a readiness and an urge to aggress and it implies that the act of aggression is always preceded by frustration. Following frustrating situation, individuals will respond with aggressive behaviours as a form of retaliation against such circumstance that warrants frustrating reaction (Dollard, Miller, Doob, Mowrer & Sears, 1939).

Intimate partner violence has been suggested as one of such aggressive reaction. For instance, in a situation where a partner attempts to achieve certain goals yet such desire to attain the goals fail or are obstructed, frustration may set in. Such a condition can lead to aggression within the relationship and transferred by the frustrated partner to an innocent one. Dollard (1939) argues that an individual tends to be become frustrated and aggressive when such individual fails to achieve desired goals. The desired goals may be food, shelter, education, resources, good health among others. However, issues such as poverty, unemployment, income, level of education, single parenting, and divorce could result to violence with a strong reason of frustration. For example, where a partner becomes so frustrated that he or she could not get the needed income to carter for basic needs they may retaliate against the source of frustration and also displace their aggression on the innocent partners (Sharline & Susan, 2016). By implication, being exposed to violence at home and in the community is strongly correlated to aggressive behaviour.

According to Van-Hasselt and Hersen (2000) aggression satisfies an innate desire to harm others when one feels bad or frustrated. People prefer to attack the basis of their misfortune onto someone else by engaging in aggressive and violent behaviour to reduce their anxiety and depression. Sharline and Susan (2016) noted that disadvantaged situations like poverty, unemployment, disabilities, family structure may lead to discrimination, stigma and injustice. These lead to violence among parents and also causing violence to the

children. An individual socio-economic condition such as level of education, occupation, economic status, marital status, drug addiction, alcohol use among others influences an individual's state of mind which could result to aggressive behaviour.

The conditions faced by low income earners and unemployed partners may produce sadness, depression, anxiety, withdrawal, hostility, anger, create negative or unfriendly thoughts and verbal aggression. Therefore, in the present study, the framework of frustration aggression theory is utilized as a lens through which the socio-economic conditions influencing intimate partner violence in the era of Covid-19 pandemic in Karu local government area of Nasarawa State is understood.

METHODOLOGY

The study was conducted in Karu Local Government Area of Nasarawa State, Nigeria. The survey research design was employed and with major focus on the quantitative component. Surveys afforded the researchers the opportunity to select a reasonable sample from the population for study with the aim of generalizing the finding. Participants for the study were couples (married or dating) who were living together in Karu Local Government Area. The sample size was determined using Goddon Bill (2004) statistical method for infinite population. Overall, 397 respondents were selected via a combination of fish bowl and purposive sampling methods. Data collection was done using the questionnaire instrument after which pre-coded questionnaires were properly arranged and fed into the Statistical Package for Social Science (SPSS). Analysis was done, frequencies, percentages and a run of ordinal logistic regression.

RESULTS

Table 1: Distribution of Respondents by Socio-demographic Characteristic:

Characteristics	N=397	% = 100
Sex:		
Male	171	43.1
Female	226	56.9
Age:		
18-27	68	17.1
28-37	168	42.3
38-47	109	27.5
48-57	41	10.3
Z -57	11	2.8
Marital Status:		
Married	241	60.7
Dating	156	39.3
Education		
Complete Primary School	61	15.4
Complete Secondary School	148	37.3
Complete Tertiary School	176	44.3
No Formal Education	12	3.0
Occupation:		
Farmer	31	7.8
Trading	118	29.7
Civil Servant	101	25.4
Artisan	40	10.1
Student	39	9.8
Unemployed	51	12.8
Others	17	4.3
Monthly Income:		
₦ 10,000	37	9.3
₦11,000-₦30,000	96	24.2
₦31,000-₦40,000	60	15.1

₦41,000-₦50,000	89	22.4
₦51,000-₦60,000	77	19.4
≥₦60,000	38	9.6
Religion:		
Christianity	263	66.2
Islam	116	29.2
African Tradition Religion	11	2.8
Others	07	1.8
Couples Residence during Covid-19 Lockdown:		
Stay in Same Compound	61	15.4
Stay in same apartment	286	71.5
Stay in Same Neighbourhood	52	13.1

Source: Field survey, 2024.

Table 1 above shows the socio-demographic characteristics of respondents. The results showed that females (56.9%) had a better participation in the study than males (43.1%). This is obvious reflection of the increasing victimization of females through various forms of violence orchestrated by males. However, this is not negating the fact that males have also been victims of violence by females. The age of the respondents revealed less than 60% of the participants in the study were still within their youthful age bracket of 18-37 years, only negligible 2.8% were above 57 year. On the marital status of those who are victims or have witnessed violence dating the lockdown, most respondents were married (60.7%) while those who were dating constituted 39.3%. As for the education of respondents, only 3.0% of them had no formal education. The rest had various levels of education. For instance, 44.3% of the respondents completed tertiary school, 37.3% completed secondary school while 15.4% completed primary school. The implication to the study is that the participants in the study are well informed to understand violence and contributory factors.

Results on the occupational background of respondents revealed that majority (29.7%) are traders while civil servants accounted for (25.4%) of the respondents. Other respondents indicated that they were into farming, artisanship, as well as students. The data suggest that majority have source of livelihood as they are engaged in diverse socio-economic activities. Although many of the respondents are engaged in various socio-economic activities, their income levels differ. Less than 81.1% of the respondents earn monthly income betweenN10, 000- N60,000. The implication is that with the economic crisis, the monthly income of most of the respondents is negligible and capable promoting violence among intimate partners. Moreso, results indicated that majority (66.2%) of the participants in the study were Christians while those affiliated to Islam accounted for 29.2% of respondents who participated in the study. Finally, on where the couples stayed daring Covid-19 lockdown, majority (71.5%) stayed in one apartment, 15.4% stayed in same compound and 13.1% stayed in the same neighbourhood. Living in the same apartment with an intimate partner could have a way of influencing violence of diverse forms.

HO1: Lockdown restriction is not significantly related to physical violence among intimate partners in the era of Covid-19.

Table 2: Parameter Estimates of Ordinal Logic Regression of effect of selected variables on the physical violence in Karu Local Governent Area, Nasarawa State, Nigeria

Parameter Estimates		Estimate	Std. Error	Wald	df	Sig.	Expb	95% Confidence Interval	
								Lower Bound	Upper Bound
Threshold	[Physical violence = 1]	2.638	.336	67.439	1	.000	17.25	2.168	3.528
	[Physical violence = 2]	4.829	.342	179.171	1	.000	375.78	5.061	6.797
Location	Stay at home	5.631	.335	5.047	1	.000	0.48	3.368	3.093
	Unhealthy conversation	4.238	.568	40.308	1	.000	69.27	2.930	5.547
	Increase in consumption of goods	4.891	.687	43.738	1	.000	0.02	5.045	-2.738
	Frustration	3.048	.425	22.160	1	.000	7.76	1.196	2.903
	Increased demands from partner	3.225	.561	15.735	1	.000	0.11	3.322	-1.125
	Unwillingness to support at home	2.670	.426	25.768	1	.000	14.44	1.639	3.700

Link function: Logit.

Source: Field survey, 2024

The result in table 4.2 shows that all the predictor variables are seen to statistically exert impact on physical violence among intimate partners in Karu Local Government Area. The estimates with positive coefficients indicates variables that contribute positively to physical violence statistically, the odds of becoming victims or witnessing physical violence moving from can't say to No are 4.8 higher for persons where constantly at home during the lockdown than those who did not stayed at home during the lockdown era, when all other variable are held constantly. For a unit increase in staying at home, we expect a 5.631 increase in the log odds of the witnessing physical violence, given that all of the variables in the model are held constant.

Intimate partners engaged in unhealthy conversation are easily victims of physical violence than those engage in healthy conversation, exp (4.338) = 64.24. Given the result, the odds of witnessing or becoming victim of physical violence by those who engaged in unhealthy conversation are 64.28 times higher than those who engaged in healthy conversation, given that all of the other variables are held constant.

Intimate partners whose consumption of goods increased during the lockdown are more prone to physical violence. Indicating that there are exp (4.891) = 0.04 times likely to be victims or witness physical violence than those without increased consumption of household goods. Similarly, the frustration arising from the lockdown restriction in the Covid-19 era was a significant positive variable that triggered physical violence among intimate partners. The odd of affirmation was exp(3.048)=7.65 times greater for those who believed frustration can promote violence than those who did not believe that increasing demands for non-tangible things was a significant factor that promoted physical violence. A small increase in the demand for intangible things from partners raises the odds of physical violence by 2.1%. The odds ratio for unwilling to support at home, indicating that when all other variables in the model are constant, the level at which partners will not be willing to help at home is 13.2 times more likely to promote physical violence. A careful perusal of the significant score column, revealed that all the predictor variable were significant. On the basis of this, the null hypothesis is rejected and we then conclude that lockdown restriction is significantly related to physical violence among intimate partners.

HO2: Lockdown restriction is not significantly related to psychological violence among intimate partners.

Table 4.3: Parameter Estimates of Ordinal Logic Regression of effect of selected variables on the psychological violence in Karu Local Governent Area, Nasarawa State, Nigeria

		Estimate	Std. Error	Wald	df	Sig.	Expb	95% Confidence Interval	
								Lower Bound	Upper Bound
Threshold	[Psychological violence = 1]	3.439	.436	57.438	1	.000	18.24	3.168	4.527
	[Psychological violence = 2]	4.729	.352	169.171	1	.000	365.78	6.061	7.797
Location	Stay at home	6.432	.435	6.047	1	.000	5.48	3.367	4.093
	Unhealthy conversation	5.328	.578	44.308	1	.000	59.27	2.831	5.343
	Increase in consumption of goods	3.291	.487	53.738	1	.000	33.02	5.045	3.738
	Frustration	2.042	.325	32.160	1	.000	7.76	1.196	2.703
	Increased demands from partner	2.324	.461	17.734	1	.000	0.11	4.324	4.125
	Unwillingness to support at home	2.150	.526	35.762	1	.000	16.43	1.639	4.600

Link function: Logit.

Source: Field survey, 2024

The hypothesis seeks to ascertain the relationship between lockdown and psychologically violence in Covid-19 era. The result in Table 3 revealed that almost all the predictor variables seem to have significant effect on psychological violence among intimate partners in the study location. Although estimates may contribute positively or negatively, the table shows that all the estimates contributed positively to psychological violence. Evidently, the odds of becoming a victim of psychological violence was 5.48 times higher than partners were physically present than when not, during the Covid-19 era when all other variables are held constant. A significant increase in physical presence has a slide increase of 6.432in psychological violence. Provided all other variables are held constant in the model. Imitate partner violence could also be triggered by unhealthy conversation in the era of Covid-19 lockdown. Partners who engaged in unhealthy conversation are 59.27 times likely witnessed psychological violence than those who do not, provided all variables are held constants. Increasing demand for household goods could contribute positively to psychological violence among intimate partners. Statistically speaking, partners with increasing demands of household goods are exp (3.291) = 33.02 times likely to witness psychological violence than those without increasing demands for household goods. More so, the odds of becoming victims of psychological violence was exp (2.042)= 7.74 bigger for those who considered frustration as the bedrock of psychological violence than those who agitated the view, given that all other variables were held constant.

All categories of partners need attention. Thus, intimate partners with increasing demand for attention during the lockdown are prone to psychological violence. This indicated that they are exp (2.150)=16.43 times likely to be victims of violence than those partners without demand for attention from partners. The significant score column has demonstrated that all the predictors variables were significant (p< 0.05). On this basis, the null hypothesis is rejected and we conclude that lockdown restriction in the era of covid-19 is significantly related to psychological violence among intimate partners.

HO3: Lockdown restriction in the covid-19 era is not significant related to economic violence among intimate partners.

Table 4: x2 test of the relationship between covid-19 lockdown and economic violence among intimate partner.

Lockdown in covid-19 era	economic violence					
	Common	Not common	Total	x^2	df	P-value
1. Stay at home						
No	30 (68.2)	14 (31.8)	44(100%)	27.45	2	0.000
Don't know	57 (74.0)	20(25.9)	77(100%)			
Yes	217 (78.9)	58(21.1)	275(100%)			
Total	304(76.8)	92(23.2)	396(100%)			
2. Increase in consumption						
No	40(67.8)	19(32.2)	59(100%)	28.34	2	0.002
Don t know	67(73.6)	24(26.4)	91(100%)			
Yes	197(80.1)	49(19.9)	246(100%)			
Total	304(76.8)	92(23.2)	396(100%)			
3. Frustration at home						
No	43(72.9)	16(27.1)	59(100%)	21.12	2	0.000
Don't know	42(75.0)	14(25.0)	56(100%)			
Yes	219(77.9)	62(22.1)	281(100%)			
Total	304(76.8)	92(23.2)	396(100%)			
4. Increasing demand						
No	42(67.8)	20(32.3)	62(100%)	19.21	2	0.002
Don't know	21(44.7)	26(55.3)	47(100%)			
Yes	241(84.0)	46(16.0)	287(100%)			
Total	304(76.8)	92(23.2)	396(100%)			
5. Negative conversation						
No	43(78.2)	12(21.8)	55(100%)	17.15	2	0.000
Don't know	72 (63.2)	42(36.8)	114(100%)			
Yes	189 (83.3)	38 (16.7)	227(100%)			
Total	304(76.8%)	92(23.0)	396(100%)			

Source: Field survey, 2024

The prevalence of intimate partner violence especially economic violence is not unconnected with the lockdown restriction during the covid-19 era. Respondents who were victims or witnessed the situation expressed different views. It was established that staying at home for several hours and days was a variable factor that promoted economic violence among intimate partners (P<0.05). Similarly, the persistent increase in consumption of household goods were considered as important factor that promoted economic violence among the partners orchestrated by either of the partners F <0.05. The Covid-19 era with all its restrictions, on movement created so much frustration on intimate partners. The frustration triggered economic violence among partners, the result was statistically significant. Unhealthy conversations were also factors that trigger economic violence among infinite partner at P< 0.05. The score column revealed that all the variables were significant. That is the independent variables were related to the dependent variables. On the basis of this, the null hypothesis was rejected. Thus, it is concluded that Covid-19 lockdown is related to economic violence in the study location.

HO4: Lockdown restriction in the covid-19 era is not significant related to sexual coercion among intimate partners.

Table 5: x2 test of the relationship between Lockdown restriction and sexual coercion

Lockdown	Common	Not common	Total	X²	df	P-value
Sexual coercion						
1. Stay at home						
No	44(62.9%)	26(37.1%)	70(100%)	17.21	2	0.000
Don't know	64 (73.6%)	23(26.4%)	87(100%)			
Yes	196 (82.0%)	43(18.0%)	239(100%)			
Total	304(76.8%)	92(23.2%)	396(100%)			
2. Increase sexual demands						
No	64(47.1%)	36(52.9%)	68(100%)	20.43	2	0.002
Don t know	34(64.2%)	19(35.8%)	53(100%)			
Yes	154(81.9%)	34(18.9%)	188(100%)			
Total	304(76.8%)	92(23.2%)	396(100%)			
3. Exposed to sex materials						
No	21(46.7%)	24(53.3%)	45(100%)	16.87	2	0.063
Don't know	41(64.1%)	22(35.9%)	64(100%)			
Yes	242(84.3%)	45(15.8%)	287(100%)			
Total	304(76.8%)	92(23.2%)	396(100%)			
4. Indecent dressing						
No	54(71.1%)	22(28.9%)	76(100%)	16.31	2	0.306
Don't know	33(70.2%)	14(29.8%)	47(100%)			
Yes	217(79.5%)	56(20.5%)	273(100%)			
Total	304(76.8%)	92(23.2%)	396(100%)			
5. Substance use						
No	45(78.9%)	12(21.1%)	57(100%)	27.41	2	0.001
Don't know	72(62.1%)	44(37.9%)	116(100%)			
Yes	187(83.9%)	36(16.1%)	223(100%)			
Total	304(76.8%)	92(23.2%)	396(100%)			

Source: Field survey, 2024.

Chi-square was employed in order to test this hypothesis, and the result as presented in Table 5 established that sexual coercion was common among intimate partners during the Covid-19lockdown era. The prolonged stay at home introduced by Government triggered sexual coercion. This is because above eight percent of the respondents believed that the stay at home promoted sexual coercion among intimate partners. The result was significant at $p<0.05$. During the lockdown restriction, there was increased sexual demand from partners. This sexual demand was capable of promoting sexual coercion as $p< 0.05$. Moreover, the use of substance and their abuse as reported by the respondents, could encourage sexual coercion. Respondents who considered that substances could be abused also believed that it can lead the partners to sexual coercion. The result is statistically significant as $p< 0.005$). However, exposure to sex materials and indecent dressing by partners during the lockdown were not considered as factors that promote sexual coercion among intimate partners. The result was not significant as $p<0.05$. Statistically speaking, since the p-value, column shows that more of the predictor variables were significant at $p< 0.05$ we therefore reject the null hypothesis and conclude that lockdown restriction is significantly related to sexual coercion among intimate partners in the Covid-19era.

DISCUSSIONS

Intimate Partners Violence (IPV) has become common. The lockdown in the era of Covid-19 inevitably promoted violence in different dimensions. The prevalence of violence perpetrated by intimate partners was compounded by the Covid-19 lockdown. The study established that the stay at home measure contributed to physical violence among intimate partners. This finding aligned with the observation of United Nation Women (2020) that emerging evidence revealed that since the outbreak of Covid-19 pandemic, physical violence against women of diverse race has increased especially in countries where the stay at home measure was put in place to curb the spread of the disease.

During this era, confined living conditions bred frustration which inevitably promotes physical violence. The finding further underscored the revelation by Leslie and Wilson (2020) that during Covid-19, there was increase in physical violence as exemplified by sharp increase in domestic violence calls by homes that previously had no history of physical violence.This finding does not in any way negate the previous revelation of center for Global Development (2020) that battering, hutting and other physical violence among partners was witnessed more during the lockdown Fraser (2020) maintained that intimate partner violence increased during crisis such as Covid-19 which promoted mobility restrictions as victims were confined at home with perpetrators of violence.

The prolonged stay at home has a way of hiking the demand of consumptions of tangible and intangible materials even in the midst diminished access to services, insufficient income, and financials losses. The frustration arising from the above has the capability of promoting violence among intimate partners (Shariffi, Larki & Roudsar, 2020). This was further buttressed by the revelation from Campbell (2020) that physical violence increased during the lockdown, even when some of the cases of physical violence among intimate partners were hidden due to fear of disclosure. The display of frustrations from the lockdown was the increasing involvement of intimate partners in violence Shariffi, Larki and Roudsar (2020) maintained that the stay at home triggered frustration which has a close affiliation with physical violence among intimate partners. The cumulative effect of the stay at home and other indices of the Covid-19 lockdown is the prevalence of physical violence on intimate partners.

The upsurge in psychological violence among intimate partners was not unconnected with the Covid-19 lockdown restriction. The study established that the mandatory stay at home was instrumental to the upsurge in psychological and emotional violence at home. This finding corroborates the argument of Sharrifi et al (2020) that there have been clear reports of increases in psychological violence during the Covid-19 lockdown. This is because during this era, intimate partners were obligated to stay at home. This finding does not contradict the postulation of Sri, Gnanapragasam and Das (2021) that since the outbreak of Covid-19 pandemic, intimate partner violence including emotional abuse has inevitably intensified. The study unraveled that the lockdown provided avenues for unhealthy conversation, increasing demand for tangible and intangible materials and attention from partners. The lockdown which was characterized by loss of jobs and financial difficulties gave rise to frustration in all ramifications. The corresponding effect of this was the resort to emotional or psychological violence among partners. This finding affirmed the earliest position of Udoyen et al (2017) that economic crisis are often associated with upsurge in violence among intimate partners. On such occasions, partners inflict emotional torment on others, but women are the easy and typical victims. There is no doubt that the lockdown with its social and economic costs produce emotional consequence on partners (Sri et al, 2020).

Sexual violence among intimate partners was also witnessed during the lockdown. The lockdown resulted in the compulsory stay at home, bred negative conversations and excessive sex demands from partners. This finding is in line with previous studies conducted by Sri, et al. (2020), Ford (2020) as well as Shariffi, Larki and Roudsari (2020). According to the studies, the Covid-19 pandemic and the need for spouses to stay at home for several days, weeks and months did not only worsen traditional and ideological differences and triggered unresolved issues, promoting sensitivity to weaknesses in spousal relationships, but promoted sexual violence. Moreover, the inordinate sexual demand from partner could be resisted by the others. The quest to satisfy the sexual urge by partners triggered sexual harassment and violation of sexual rights of their partners during the era of Covid-19 lockdown.

While the demand for sexual gratification was common during the lockdown, such desire and demand was triggered by drug or other substance abuse. Fegert, Vitiello, Plener and Clemens (2019) pointed out that the prevalence of corona, led to the misconception by many substances used to reduce anxiety created by Covid-19. This led to an increase in domestic violence especially physical and sexual abuse. The sexual pressure placed on partners in the lockdown period was compounded by the use of diverse substance such as alcohol and drugs. Even, when the other partner was not ready for sexual interaction, the influence of the substance consumed by the other partners could result in sexual coercion.

Furthermore, the prevalence of economic violence during Covid-19especially as it affects intimate partners was acknowledged by participants in the study. The stay at home and increasing demand for economic goods was reported to be common in the lockdown era. This finding was in conformity with the view of Fawole (2008) that during crisis, a partner is capable of maintaining control of family finances deciding without regard to the other partners how resources are spent or saved thereby reducing the other partner to meet their personal need is common. The excessive demands in the midst of financial difficulties resulted in withholding of funds needed for basic necessities like food, clothing and other needs (Prince Edward Island Women Abuse Protocol, 2001). The lockdown restriction in the Covid-19 has close affiliation with economic violence witnessed by intimate partners. The finding of the study does not negate Fawole (2000) and Shariffi Larki and Roudsari (2020) who in separate studies submitted that there was a clear manifestation of economic violence in many homes as intimate partners were denied food and other basic needs by partners in privileged position. Some partners were victimized by having limited access to cash, credit facilities and o**ther economic advantages. Evidently, Women were economically dependent in the lockdown era and the situation posed serious implication on their overall wellbeing.**

CONCLUSION AND RECOMMENDATION

The emergence and spread of Covid-19 triggered many social problems. The stay at home and other associated component of the lockdown escalated the problem of intimate partner violence. Intimate partners were perpetrators and victims of physical, economic, psychological and sexual violence which has serious implication on their romantic and social relationships. The study recommended that partners should be tolerant of each other in the midst of crisis and that partners who are always violating the right of others should desist from the act.

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From Airports to Motor Parks: NDLEA's 2014 War Against Drug Trafficking in Enugu

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ABSTRACT

The use of illicit drugs in Nigeria has risen to an alarming rate that the government has declared it a national emergency, hence, the promulgation of the National Drug Law Enforcement Agency (1989) to contend this menace. This study explored the activities of the National Drug Law Enforcement Agency and its mandate of controlling the trafficking and the consumption of illicit drugs in Nigeria in 2014 with particular focus on Enugu State. The data for this research was sourced mainly through secondary sources like books, articles and the internet. The method of data analysis used in the study is qualitative/descriptive method. The study concludes that National Drug Law Enforcement Agency (NDLEA) as a body has been unable to fulfill its core mandate of curtailing the trafficking and consumption of illicit drugs in Nigeria as a result of myriad of problems confronting the Agency even till present. The paper recommends that the NDLEA should embark on massive recruitment of at least ten thousand (10,000) personnel, to augment the current staff strength and NDLEA should increase their surveillance at our international airports especially Akanu Ibiam International Airport (AIIA), Enugu and other Airports using sophisticated equipment that can detect drugs in passengers or luggage no matter the level of concealment. The Enugu state Command of NDLEA should also establish mini offices in the motor parks and other public places that have become the main transaction areas for these hard drugs in other to enable it win the all-important war against drug trafficking.

INTRODUCTION

The National Drug Law Enforcement Agency (NDLEA) is a federal agency in Nigeria imbued with the responsibility of eliminating the processing, growing, manufacturing, selling, exporting and trafficking of hard and illicit drugs. The agency was established by Decree No 48 of 1989. In the discharge of this core responsibility of the agency, it has been able to arrest, impound and destroy large quantities of the substances and also prosecute drug traffickers in Nigeria.

Due to the fact that the rate of drug menace continued to increase in profile, Decree No 48 of 1989, now an Act of Parliament cap No 30 Laws of the Federation of Nigeria 2004, established a new body independent of other existing law enforcement agencies in the country called the National Drug Law Enforcement Agency (NDLEA).

The agency over the years has prided itself as having met and surpassed its mandate in the fight against drug trafficking, citing cases of confiscation, destruction, prosecution and imprisonment of drug peddlers throughout the country.

The trade of illegal drugs is popularly known as drug trafficking. It is simply defined as the trading or merchandizing of illicit drugs (which are different from licit drugs). It is the buying and selling of illegal drugs either within the country or outside the country. It is one of the largest global businesses according to the UN World Drug Report, 2007 at about $322 billion. The UN World Drug Report, 2007 notes that the high value of drugs is understandable because unlike in human trafficking, diamonds or firearms trade and drugs are consumed daily and there is always the need for continuous renewal. The UN World Drug Report, 2007 also observes that profits from illegal drugs accrue a wide range of actors from pauperized rural farmers to wealthy urban dealers, thereby, making further comment that the single most profitable sector of the drug market is the process of transporting the drugs internationally. (UN World Drug Report, 2007). In Nigeria, however, the problem of drugs began to assume very worrisome dimensions at the end of the Second World War in the mid 1940's according to the National Drug Law Enforcement Agency's report (2009). The report states that the return of some Nigerian soldiers from Burma, Indian and other middle East countries with some seeds of cannabis sativa (Indian hemp) which they cultivated and discovered that the illicit drug could do well in some parts of the country laid the foundation for the cultivation and use of drugs in Nigeria. Category 'A' drugs (heroin, cocaine, psychotropic substances) were used afterwards for experimentation by the drug barons. These circumstances led Nigeria to be a drug-trafficking transit point.

In order to hammer away this increasing quandary of illicit drugs, Nigeria has remained proactive in its counter-narcotics initiatives. Nigeria seems to flagged off its narcotic control effort in 1935 when the Dangerous Drug Ordinance was enacted to control drug trafficking or abuse and subsequent governments in Nigeria seems to have made concerted efforts to tackle the scourge of drug abuse, noting that in 1984, Nigeria recorded a landmark effort on the War Against Drugs (WAD) when the Federal Military Government promulgated the special tribunal miscellaneous offences Decree No 20 of 1984 to squarely confront drug trafficking within Nigeria borders. Section 3 (2) K of this decree provides that "any person who without lawful authority deals in, sells, smokes or sniffs the drug known as cocaine or other similar drugs shall be guilty under section 6 (3) K of the offence and is liable on conviction to suffer death sentence by firing squad". This law was strictly enforced during the then regime of General Mohammadu Buhari and caught up with three drug traffickers that were finally executed (Ibezim, 2010). Uzoho (1996) opined that because of the draconian nature of Decree No 20 of 1984, a new thinking later emerged regarding the way the twin scourges of drug abuse and trafficking could be controlled. To this end therefore, the succeeding government in 1989 bowed to both local and international outcry when it decided to amend the decree by expunging the death penalty clause, while substituting it with imprisonment terms ranging from two (2) years to life imprisonment.

LITERATURE REVIEW

The war against drug trafficking is an ecumenical phenomenon with historical dimension that dates back to some centuries ago. James Petras (2011) in his writing in the Global Research of 19th May, 2011 traced the fight against drug trafficking to what he called Opium wars in the 19th century. According to him the aim of the War was to open the isolationist Chinese economy to exploitation, global trade and partial colonial take over. This war he maintained was mainly fought over the trade of narcotic called Opium which the British used to extend their imperial influence and profits at the expense of the Chinese empire. This trade in Opium was only beneficial to the Chinese bourgeoisie and detrimental to the peasants. This bourgeoisie used this

drug wealth to build many businesses and it lead to the Emergency of many drug barons.

For the British government, its involvement covertly in the drug war was its own means of colonization in East-Asia as well as other countries in the region. This also shows the first example of how government complicity in the production, exchange and distribution of drug trade emerged from Victorian Britain and how it was used openly in an imperial way to subjugate and pacify the country for exploitation. Emile Dickson (2012), argues that the encroachment of Afghanistan (October 2001) unleashed a vast increase in the global production of Opium in the contemporary time. According to him, Opium production in Afghanistan before the encroachment was 79% of the World's total in 1999, after the encroachment it increased to 90% of the World's total production in the year 2000. Furthermore, the United Nations global drug index Report (2009) stated that the Opium market is over $65bn funds Global Terrorism and accounts for 15 million addicts, while over 100,000 people are killed every year on drug related crimes worldwide. The report further stated that the extent of the drug trade monetary terms amounts to between US$300 and $500 billion worldwide.

UNITED STATES OF AMERICA (USA) AS A MAJOR DRUG CULTIVATING AND TRAFFICKING COUNTRIES

The United States of America was the choice destination for drug cartels from South America, Asia and Africa. Much of these drugs especially cocaine is smuggled into the United States from Colombia and Mexico through Jamaica.

Due to the influence of these drugs on the US economy, several administrations in the US made combating drug trafficking a priority. The United Nations Office on Drug and Crime (2007), specifically noted that the Reagan Administration took tougher steps in an attempt to control drug trafficking and use in America, certifying countries according to their attempt in fighting drug war. This policy by Reagan, the Report notes, allowed the United States to intervene in activities related to drugs in several countries. The policy also made the United States to institute strict policy relating to drug transit through the sea. As a result thus, there was an influx in drug trafficking across the United States-Mexican border. The effect of these is that drug cartels activities increased tremendously in Mexico. Cahabat (2010) observed that the early in the 1990's as much as 50% of the cocaine available in the United States market originated from Mexico and by 2000 over 90% of the cocaine in United States was imported from Mexico.

In 2008, the United States government initiated another program known as the Merida Initiative to combat drug trafficking in Mexico. This program increased US security assistance to $1.4bn over several years which helped supply Mexican forces with "high end equipment from helicopters to surveillance technology". Despite this US assistance the Mexican drug gangs continued to outnumber and outgun the Mexican Army, allowing for continued activities of drug cartels across the US-Mexican border (FBI Drug Report, 1990). The implication of this is that drug became available in America cities. Although, narcotics are illegal in the United States, they have become integrated into the nation's culture and they are seen as recreational activity by sections of the population. Illicit drugs are considered to be a commodity with strong demand, as they are typically sold at high value.

HISTORY OF THE ESTABLISHMENT OF NDLEA

The government of Nigeria deeply concerned about the magnitude and the rising trend in the demand for and trafficking in narcotic drugs and other psychotropic substances which undermine the economy of the country and threaten the security and stability of the country, decided to set up an agency to arrest this ugly trend.

According to NDLEA Annual Report (2015), the first major body vested with the constitutional power to eliminate the growing, processing, manufacturing, selling, exporting and trafficking of hard drugs was National Drug Law Enforcement Agency (NDELA). This Agency was established under Decree No 48 of 1989, now an Act of parliament, CAP No 30 laws of the Federal Republic of Nigeria. The Report also stated that until the advent of NDLEA, the body of customs and exercise now Nigerian Custom Service and the Nigerian Police were the major drug interdiction organs of government, the Federal Welfare Department (FWD) was charged with counseling, treatment and rehabilitation of drug dependents persons. However, because of lack of training and lack of personnel with the requisite experience and manpower to battle the scourge of drug trafficking, the Nigerian Police and Custom Service recorded little success hence the need to establish an independent body that is charged with the responsibility of solely evolving an institutional framework for the suppression of the drug cankerworm. Ibezim (2010) observed that Nigeria's major effort or landmark attempt at fighting the drug war was in 1984 when the military government promulgated Decree No 20 of 1984 to frontally confront drug trafficking within the shores of Nigeria. Section (3) (2) (K) of the Decree according to him provided that any person who without lawful authority deals in, sell, sniffs or smoke the drug known as cocaine or other similar drugs shall be guilt under section 6 (3) (K) of an offence and liable on conviction to suffer death sentence by firing squad. He listed the three young men who were executed on charges of violation of sections of the Decree to include: Bartholomew Owoh (26), Benard Ogedemgbe (29) and Lawal Ojuolape (30)". The three men were executed on 10th April, 1985 at the Kirikiri Maximum Security Prison (KMSP) and were shot by six mask men at exactly 09:32am and were confirmed dead by the police doctors three minutes later. The last words of the youngest amongst those executed (Bartholomew Owoh) were "IF I KNEW THIS WOULD HAPPEN TO ME, I WOUNDN'T HAVE BEEN INVOLVED IN DRUGS". (News watch April 29, 1985). Lai (1995) listed the following persons as those who were equally arrested, tried and executed under the infamous Decree No 20 of 1984.

1. Sidikatu Tairu: She was arrested on 21st of August, 1984 at Murtala Muhammed International Airport Lagos, for concealing heroine in her private parts.
2. Miss Shola Ogutayo: She was arrested along side Sidikatu for the same offence.
3. Oladele Omosebi: He was charged for aiding the possession of heroine without lawful authority.
4. Gladys Caroline Iyama: She was a post graduate student of University of Bombar, India. A mother of a toddler and convicted for drug trafficking.
5. Lasun Karimi Tajudeen: Arrested at Murtala Muhammed International Airport Lagos, for possession of hard drugs
6. Jimi Adebayo: He was an accountant, found to be in possession of hard drugs en route Europe.
7.

In the international arena, the United Kingdom based International Harm Reduction Association (IHRA) one of the leading international non-governmental organization promoting policies and practices that reduce the harms from all psycho-active substances, in reactions to executions in Nigeria by the Buhari junta petitioned the government challenging the constitutionality of death penalty or any form of capital punishment as it runs contrary to the inalienable rights of citizens as contained in the Nigerian constitution. In reaction to this outcry, the Babangida Administration in 1985 abolished the death penalty for drug offences and instituted other forms of punishments for drug offences with the establishment of NDLEA under Decree No 48 of 1989.

MAJOR FUNCTIONS OF THE NDLEA

The Agency commenced operations in 1990, charged with the responsibility for enforcing the provisions of Decree 48 of 1989 (now CAP N30 LFN 2004) and coordinating all drug laws and policies which powers were

previously conferred on any other statutory body in the country including campaigns to check the abuse of narcotics and psychotropic substances as states in the NDLEA Annual Report (2015; Pg 13-15). Some of these functions are:-

1. The enforcement and the due administration of the provision of the NDLEA Act;
2. The coordination of all drug laws and enforcement conferred on any person or authority, including Ministers in the Government of the Federation, by any such laws.
3. Adoption of measures to identify, trace, freeze, confiscate or seize proceeds derived from drug related offences or property whose value corresponds to such proceeds.
4. Adoption of measures to eradicate illicit cultivation of narcotic plants and eliminate illicit demand for narcotic drugs and psychotropic substances with a view to reducing human suffering and eliminating financial incentives for illicit traffic in narcotic drugs and psychotropic substances.
5. Taking such measures which might require the taking of reasonable precautions to prevent the use of ordinary means of transport for illicit traffic in narcotic drugs including making special arrangements with transport owners.

DRUGS COMMONLY TRAFFICKED AND THEIR EFFECTS

The National Drug Law Enforcement Agency (NDLEA) Drug Abuse Awareness Guide (2015) listed the following as drugs that are commonly trafficked both within and outside Nigeria:

1.Narcotics: Narcotics are drugs which diminish the awareness of sensory impulses, especially pain, by the brain. This action makes for the relief of pain. It has the capacity to affect the nervous system, the functioning of the brain and physical ability of the user in adverse waysby causing physical and psychological dependence. Examples of this drug are heroin, opium, morphine and codeine. It is common on the streets of Nigeria where it is called smack, stuff or horse, gbana.

2.Stimulants: Stimulants are drugs that stimulate the central nervous system and alter the state of the user which causes him/her to act violently, restlessness, chronic cough, brain damage, heart attack, thought disorder and premature death. They are mostly used to increase energy and fighting spirit. Examples of drugs in this category are Cocaine, amphetamine, caffeine and nicotine etc. It is common in Nigeria streets where it is called coke, snow, rock, crack, blow, chunk, cocktail and speed.

3.The Depressants: Otherwise called sedative or hypnotics are drugs that have effects on the brain. These are drugs that reduce activities in the body. Some of them could be in form of sleeping drugs. This category includes the sleeping pills- Barbiturates, tranquilizers (valium, Librium) and alcohol (beer, whisky, etc). The barbiturates and mild tranquilizers are common. They are called sleeping or sleeping tablets. They are known as booze, ogogoro, holywater, etc on the streets. The use of Depressants/Sedatives over time leads to Memory impairment and distortion.

4. Cannabis: These are drugs that are obtained from Indian hemp plant called Cannabis Sativa. It affects the brain receptor when taken. As a result the user experiences impaired concentration, distorted perception, emotional trouble, lung disease, possible infertility. Nigeria is a major producer of hemp in the world. Examples are Marijuana, Hashish, Hashish oil, Tetra hydro, Cannabin. On Nigerian streets, Cannabis are called all sort of names ranging from Grass, wee – wee, kaya, stone, eegbo, ganja etc. The symptoms of its abuse are impaired concentration, emotional inhibition, distorted perception, panic attack. While it methods of use are Smoking and adding to food.

ACHIEVEMENTS OF NDLEA

The National Drug Law Enforcement Agency (NDLEA) has recorded huge successes since its establishment in 1990. A report by the United Nations Office on Drug and Crime (UNODC) presented in Addis Ababa in 2010 stated that between August 2010 and June 2011 156, 330kg of illicit drugs were seized. The illicit drugs were classified as follows:

Cocaine:	480.93kg
Cannabis Sativa:	155, 249.86kg
Psychotropic substances:	419kg

The report also stated that within same period about 744. 84 hectares of cannabis Sativa has continued to place significant challenge to Nigeria's drug control effort. It also started that the international airports remain the main center were frequent seizures are made in the country, especially, Lagos and Abuja international airports, while major cannabis seizures are carried out in the hinterland. The report also recalled that, Nigeria made its first discovery of a clandestine drug laboratory in June 2011, which has the capacity of producing between 120kg and 200kg of Amphetamine per day.

It stated that Nigeria has successfully prosecuted 992 drugs to offenders within the last one year. These persons were convicted for the offences and sentenced to various fail terms including two foreign nationals from Chain and Taiwan.

The Seizure Arrest Index (SAI) in 2016 by NDLEA.

Zone	Arrests	Seizures(kgs)	SAI
North West	2,205	75,051.03	34
South West	1,785	466,430.68	34
North Central	1,605	26,244.43	16
South South	1,380	321,893.41	233
South East	979	4,258.83	4
North East	824	9,746.17	12
Total	8,778	903,6246.17	103

Source: NDLEA Annual Report 2016.

PROBLEMS OF NDLEA

The National Drug Law Enforcement Agency (NDLEA) is bedeviled with myriad of problems that has hampered its efficiency and effectiveness in delivering on its mandate of reducing or eliminating drug trafficking in Nigeria. According to Ebun-Amu (2013) the NDLEA is as sick as patients on dialysis and the successive government must accept responsibility for this. He argued that past governments in Nigeria has stultified the Agency and the Agency is now a frail shadow of itself, thereby leading to the eroding of

professionalism among its career officers. He added that government set up Committees upon Committees to investigate and probe the allegations of corruption, and yet final Committee reports are not implemented. He cited as an example of the level of corruption among the NDLEA officials, the Obayan committee of 2006 which had found out that out of 143 convicts for that year, 96 were never brought to the prison, while another set of 207 drug convicts for the year 2005 were also not taken to prison, making a total of 197. He concluded that this was the height of corruption, as the Justice Obyan Report was swept under carpet.

OPERATIONS OF NDLEA IN ENUGU STATE

The Enugu State Command of NDLEA is located at old SDP party Secretariat, Vosan Drive, Independence layout, Enugu. With Mr.Ohanyere Anthony Nkemas the State Commander. The establishment of NDLEA Enugu Command is borne out of the fact that the Federal Government realizes that Enugu State just like other States in Nigeria have issues and cases of drug cultivation, consumption and trafficking. This is more so considering that Enugu State owns an international airport, Akanu Ibiam International Airport (AIIA) which is usually used as transit point by drug traffickers to other parts of the world.

Some of the achievements of the Enugu State Command of NDLEA as contained in their 2012 Bulletin, were the arrest of over 140 drug trafficking suspects, which comprises 120 males and 20 females in just a year. The command in this same period seized 866.567kgs of psychotropic substances suspected to be Cannabis (Indian hemp) and 33.3grams of substances suspected to be Cocaine (Ntu). According to Ohanyere A.N Enugu State Commander, the command in 2012 has prosecuted and convicted 26 persons with varying degrees of jail terms in addition to successful counseling of 60 drug addicts. The urban areas is not exempted from this illicit trade. Places like Gariki market in Enugu urban area, Afia-Nine and Council bus-stop in Obiagu, Ngene-evu in Coal Camp, Liberty bus-stop in Abakpa.

METHODOLOGY

This study is the disquisition into the activities of NDELA and its war against drug trafficking, the researcher used exploratory (gaining new insight on a social phenomenon) and descriptive research design (principally describe some phenomena in terms of its function, attributes, characteristics and frequencies in its current state). This research design is suitable because it provides an effective way of collecting data or information from a large number of sources and it makes research easier due to less stringent methodological restrictions.

AREA OF THE STUDY

The sphere of study is Enugu State, which is found in the south eastern part of Nigeria. According to the 2006 census, Enugu State is estimated to have 3.4 million people with 17 local government areas. Majority of the local governments in Enugu State are located in the urban area namely Enugu North, Enugu South and Enugu East. A great percentage of Enugu residents in the rural areas are predominantly subsistent farmers while many in the urban areas are civil servants, with a few as traders and artisans. Enugu State is endowed with arable land that is fertile for cultivation of many crops hence the cultivation of Cannabis (Indian hemp) in some communities in the State. The State equally has a high youth population with many unemployed hence the likelihood of indulging in drugs. Therefore, the existence of cultivation areas for Cannabis and a large population of unemployed youths make Enugu State an interesting area of focus for NDLEA.

METHODS OF DATA COLLECTION

This study adopts the qualitative method in generating data. Qualitative method of data collection refers to a method that is not quantitative or rendered in numerical form. This is also a non-statistical enquiry technique and process used to gather data about social phenomena. This means that qualitative researchers study things in their natural setting attempting to make sense of or to interpret phenomena as they appear to them. The use of this method for the study is essential because the study is exploratory and descriptive. Therefore the study relied on secondary sources of data. Hence the data for this study were collected from documentary sources which include NDLEA Annual Reports, NDLEA Bulletin, Seminar papers on drug abuse and trafficking, Newspapers Articles, and Textbooks relevant to the study. The study also collected data from internet as this cannot be neglected in this age of information and communication technology (ICT). The use of internet materials, official's documents and other secondary sources of data was complemented by the technique of non-participant observation by the researcher who followed with keen interest on issues of drug cultivation, consumption and trafficking especially among the local populace in Enugu State.

METHODS OF DATA ANALYSIS

Analysis of the data generated in this study was done using content analysis. This method enhances the interpretation of verbal visual data. It is directed towards building quantitative data from qualitative data. Therefore, the adoption of qualitative descriptive methods of data analysis is essential for our present study. This is because our study depended essential on qualitative method of data collection which borders largely on secondary sources of data which are mostly non-numerical and non quantitative.

RESULTS

From the study on Drug Trafficking in Enugu state and the war by National Drug Law Enforcement Agency. The following findings were made from the data gathered:

> On the research question," How effective has the NDLEA been in the fight against drug trafficking in Nigeria?" It was discovered that the NDLEA has been grossly under staffed as the number of personnel or officials of the Agency is not enough to make the Airports, Seaports and other transit points not to talk of securing the hinterland or various rural communities where drugs especially Cannabis (Igbo) are taken freely by the youths without fear of arrest. The data that one (1) drug Agent is to over 33, 993 Nigerians, using a population of 170 million buttresses this point. And the facts that there was just a marginal increase on the staff strength of the Agency from 2,597 in 2014 to 2,604 in 2015 underscores the view that the NDLEA does not have enough manpower to fight drug trafficking in Nigeria. Equally, it was discovered from the data that the NDLEA is not gender sensitive. This is because in both 2014 and 2015, the percentage of female staff of the Agency is about 19% compared to their male counterpart who is about 81%. This fact that there are few females in the Agency, accounts for the seemingly ineffective performance of the agency because women have been known to have performed excellently and better than most men in other paramilitary organizations and other Agencies where investigation and intelligence gathering is required like the EFCC, the DSS, NAFDAC, Immigration etc.

Furthermore, our findings on the effectiveness or order wise of the Agency shows that in the year under review 2014, more arrests were made in the Northern part of the country viz: Kastina[609], Kano[503],

Bauchi (471). The implications of this, is that the rate of drug cultivation, trafficking and consumption is high in the Northern part of the country.

This is because, it is a known fact that Cannabis is mainly cultivated in the North, and the rate of its consumption in that region is very high. This Cannabis known in that region as WEE-WEE has been used by most youths as stimulants in place of other legal substitute stimulants like alcohol which is banned in that region on religious bases. It was equally discovered from our findings that our case study Enugu State is ranked 25th in the number of arrests of drug traffickers nationwide with 171 persons in the year 2014. This is because Enugu State being an urban area and the capital of Eastern Nigeria with an International Airport (Akanu Ibiam International Airport) is a transit point for drug traffickers to other parts of the country or globe. It is equally a fact that cannabis (Igbo) is cultivated in some villages in Enugu State like Affa in Udi Local Government, Ama-Nkanu in Nkanu East local government, Oduma in Aninri local Government and Akam-Oye in Eziagu Local Government. It is from these hinterland that Large quantities of Igbo or Cannabis is supplied to Enugu urban where it is sold and consumed in large quantities and in full glare of people in places like Gariki motor Park, Council and Afia-nine bus stops in Obiagu, Emene Suburbs, Abakpa-Nike and Ngene-Evu in Coal Camp Enugu.

FINDINGS ON CORRUPTION IN NDLEA AS A FACTOR HINDERING THE WAR ON DRUGS

Findings on research question 2 sought to know if corrupt practices of NDLEA officials hinder the war on drug trafficking. Available data from our findings shows that NDLEA is one of the most corrupt Agencies of Government in Nigeria after the Nigeria Custom Service and Nigeria police. Every command of the Agency is riddled with one corruption or another. Even at the highest level of the Agency, the level of corruption is monumental. The petition of Barrister Paul Audu, Chief Superintendent of Narcotics and the Head of the Sokoto Command of the Agency against Alhaji Ahmadu Giade, former Chief Executive and Chairman of NDLEA to President Muhammadu Buhari, portrays this point. Mr Giade was accused of embezzlement, misappropriation of billions of naira belonging to the Agency. He was equally accused of compromising Nigeria National Security (NNS) and institutionalization of indiscipline in the Agency. If the head of the Agency is this corrupt as alleged by another top member of the Agency, one can only imagine what happens with the rank and file of the Agency. Officers and Men of NDLEA have been accused of giving a safe passage to drug traffickers in Nigeria Airports and other transit points. They have equally been accused of collecting millions in form of bribe from drug barons and setting them free. In fact, one of the allegations leveled against the immediate past NDLEA boss Alhaji Giade was that he fraternizes with drug barons and fraudulently returned properties that were confiscated by the Agency to the drug dealers in exchange for cash. It is a known fact from our data that officials of NDLEA have shielded drug convicts from serving terms in prison, as was shown by the Obayan Report of 2006.

More so, out data shows that tribalism nepotism is a serious factor militating against the success of the drug war in Nigeria. This tribalism is manifested in the appointment of heads of the NDLEA since its inception in 1990. Our data shows that out of the 9 persons that have headed the Agency since its inception, 7 have been from Northern region while just 2 are from the Southern region. Also, out of the 24years of existence, the North has occupied the headship for 21 years while the South has lead for just 3 years. Expert are of the view that most of the people that have been appointed to head this Agency have been "square pegs in round holes", as they do not have requisite knowledge and competence to run the Agency. The years that has been described as Golden Era for the Agency was the year 1998-2000 under the leadership of OgbonnayaOnovo and 1994-1998 under the leadership of Musa Bamaiyi.

THE EFFECTIVENESS OF THE DRUG REDUCTION STRATEGY OF NDLEA

Equally, our findings in the research question on the effectiveness of drug reduction strategy of NDLEA in Enugu State, we found that the give commands in Enugu (Udi, Awgu, Oji River, Enugu-Ezike and AkanuIbiam International Airport commands) have been battling to rid Enugu of all drugs because of the negative effects of its usage on the Citizenry. The Head of the Enugu State Command of the Agency, Mr. Anthony .N. Ohanyere has been leading this on slot against these drug traffickers and that accounted for the arrest of 140 suspect led drug traffickers in 2015 and the seizure of over 866.567kgs of substances suspected to be Indian hemp (Igbo) and 33.3grams of substance suspected to be Cocaine. In the same year, the command successfully prosecuted over 26 persons and have counseled more than 60 drug addicts during this period under review. The seizure of these aforementioned quantities of Cannabis in Enugu State is not surprising as many communities and many dubious farmers cultivates this hard drug and sell same to the retailers who are scattered in the urban and rural areas. A visit and careful investigation to the major motor parks like Gariki, Holy-ghost, New Market and Ninth-mile parks shows that a small cartel of young men hawks "the product" in a discreet way and using local slangs to ask for customers. Some of the local names these illicit drug hawkers call "the product" includes Oku, Smoke, Ikuku, Afifia, Nweke, Gbana, Ganja etc. The researcher observed that officers and men of NDLEA do not pay attention to these small retailers, rather their focus is always on eliminating the cultivation and the supply source. Also as part of its demand reduction strategy in Enugu State, the command have destroyed cultivation farms of Cannabis in many communities like Ama-nkwoUgbawka in Nkanu East Local Government, Okpa-nku in Aninri local government, AmaigboOzalla in Nkanu West Local Government, Akpakwume in Udi Local Government etc. The Agency equally mounts road blocks at major high ways express way to check the inflow of drugs from Delta and Anambra State, Nsukka-ObollaAfor express way to check the inflow of drugs from Benue and Kogi State, Enugu-Abakaliki expressway to check inflow of drugs from Ebonyi State, Enugu-Portharcourt express way to check drugs coming in from Abia and Imo State. Also the Agency as part of its drug reduction strategy in Enugu State, mounts a crack team investigators and officials with their sniffer Dogs at AkanuIbiam International Airport (AIIA) Enugu to check drug trafficking at the Airport.

DISCUSSION

The NDLEA is grossly understaffed and this has affected its ability to wage the war against drug trafficking effectively in all parts of the country. The major types of drug consumed mostly in Nigeria is Cannabis also known as Indian hemp (Igbo, Grass, Weed, Stone, Pot, Wee-Wee, Ganja). The consumption of Cannabis and other psychotropic substances is more in the Northern region than other parts of the country. Enugu State is ranked 12th in the Seizure-Arrests Index (SAI) table among the 36 States in Nigeria.

CONCLUSION

The NDLEA should embark on massive recruitment of at least ten thousand (10,000) personnel, to augment the current staff strength of 2,604. This has become imperative because the current ratio of one (1) drug agent to over thirty three thousand, nine hundred and ninety three (33,993); (1:33,993); is grossly inadequate and NDLEA should increase their surveillance at our international airports especially Akanu Ibiam International Airport (AIIA), Enugu and other Airports using sophisticated equipments that can detect drugs in passengers or luggage no matter the level of concealment. The Enugu state Command of NDLEA should also establish mini offices in the motor parks and other public places that have become the main transaction areas for these hard drugs. These mini offices will help in not just arresting and prosecuting but also in

 counseling drug addicts and carrying out drug awareness campaigns while The command should also intensify their collaboration with other Agencies like the Nigeria Custom Service (NCS), Nigeria Immigration Service (NIS), the Police, NAFDAC, Standard Organization of Nigeria (SON) etc.

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The extent to which law enforcement are currently using business analysis related methods to tackle organised criminal businesses (OCBs)

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ABSTRACT

The central consideration in this article that business analysis techniques (BA TIMES 2019) can be transposed from use in a legitimate business situation to a criminal investigative standpoint (Allen 2023) . Specifically, that in an investigative situation, business analysis techniques can enhance investigation and provide insight into strategy development against organised criminal businesses (OCBs).

The logical first step in this process is to consider the existing landscape, But first a brief definition and a summary of why business analysis is relevant from an organised crime perspective. The definition of business analysis techniques must be determined. In this case it is a catch-all term, including, but not limited to, strategic analysis, and change management techniques. PESTLE analysis (2015) describes business analysis as the discipline of recognizing business needs and findings solutions to various business problems, helping them to understand an organization's structure, policies, and operations. For the purposes of this article, It will be defined as any strategy/ tool, model or technique used by legitimate businesses to assess strengths, weaknesses, or any other characteristics.

Business analysis techniques have a multitude of applications, with each technique designed with a different task in mind, the 7Cs of consulting was designed by Mick Cope (ACM Digital Library 2024) to assist consultants in identifying strengths and weaknesses in how businesses operate to facilitate change, while McKinsey's 7S (McKinsey 2019) was designed to enhance an organisations strategic vision, determining which factors need to be present to help achieve organisational goals. Porter's 5 forces (Mindtools 2021) is another key tool identified and adapted during this research; it is used to understanding the competitiveness of a business environment and for identifying a strategy's potential profitability. This is particularly useful from an organised crime investigation standpoint as once you understand how competitive an OCGs core business is, for example its wholesale drug trafficking operation, you are then aware of its weaknesses and can begin to generate ideas on how to exploit this. The initial similarities in the applicability of techniques developed by Cope, McKinsey and Porter for legitimate businesses into an organised crime context formed the basis for further research in this area. As Issac Newton (1676) said "we stand on the shoulders of giants".

EXISTING ANALYTICAL TECHNIQUES: CRIME SCRIPT ANALYSIS

Crime script analysis (College of Policing 2019) is a highly useful type of analysis that breaks down information into logical steps in an organised sequence. It surmises that, when committing a crime, there are often four stages that the criminal will go through in order to carry out the offence:

- Preparation – the offender identifies the opportunity in which they can commit their crime;
- Pre-activity – the logistical or transactional precursors that may need to occur (e.g., reconnaissance at the location to be targeted);
- Activity – how they are actually going to commit the offence;
- Post-activity – the logistical or transactional steps required in order to leave the scene (e.g., having a getaway driver waiting, engine running).
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Script analysis is useful when data is limited as it helps provide a greater understanding of the problem and can help identify opportunities for preventing and detecting crimes.

CRIMINAL BUSINESS ANALYSIS

Another useful tool is Criminal Business Analysis (College of Policing 2018). This is a process that shows the various activities required to achieve a specific criminal aim. It then identifies the logical order of these activities and their interdependency. This interdependency element makes it ideal for investigating poly criminal OCBs. It follows a process similar to an analytic technique formerly defined as the 'criminal business profile' College of Policing 2024). This actually forms more of an intelligence product, where the specific aim is to determine how a criminal group or enterprise operates. If applied routinely and concurrently, both Crime Script Analysis and Criminal Business Analysis would allow a criminal group to be envisaged in a manner similar to a business, with the analyst determining how they source their commodity, how they process it, how they distribute it and how they disseminate the profits.

Other techniques covered on the College site (2018) include, key assumptions check, analysis of competing hypothesis, team a/team b structured debate, force field analysis, SWOT analysis, cone of plausibility, back-casting, structured brainstorming, and issue re-definition. The only technique with any more detail than it's simply its name is SWOT analysis, which outlines my previous point about a lack of law enforcement coverage in this area.

Tools do exist that are capable of conducting a broadly similar form of scrutiny such as market analysis (used to monitor activity, trends and understand the market) and subject analysis- used to build a subject profile- (College of Policing 2018). However, these tools are suitable for building a general picture, rather than a detailed assessment. There are many aspects of current approaches to organised crime which call on very sophisticated techniques, for example in terms of interception of communications and cyberspace monitoring (NCA ND). However, the reality (Allen 2023) is that attempts to piece together or even capture intelligence which would establish a suitable basis for undertaking analysis of OCG business capabilities are relatively underdeveloped.

A key point here is that while numerous organisations, such as the College of Policing (2013) United Nations Office on Drugs and Crime (2010) and the US Central Intelligence Agency (2009) have published documents outlining potential uses of some techniques in some criminal investigations, it has been established that, given, the now widely supported view that OCGs are mimicking legitimate business practices in their operation (Allen 2023, Allen, Coxhead, Harrison 2024), there has been no through examination of the extent of the applicability of those business analysis techniques on the criminal elements which are most similar in operation and structure to the legitimate enterprises that the techniques were originally developed for use on.

PROJECT JACKAL

Work by Murray (EMCDDA) 2016, provides a UK example of the extent of the issue centred on the monopolising of the tendering process for the patient travel service to hospitals in a certain area of the country. Murray, is a senior forensic accountant with Police Scotland and creator of Project Jackal the only current initiative that is also using the concept of organised crime mimicking legitimate business as its central plank and bringing that knowledge back into an operational context. Murray's work (2016, 2017, 2018), is essentially the creation of a theoretical framework to "address the impact of organised crime use of business structures", from this a practical tool for analysts has been developed and deployed in a number of real-life cases across Scotland. He argues (2016), that to explore accurately how OCGs operate as a business legality should be set aside, and it must be noted that, like legitimate business they have three main aims:

- How to be successful;
- How to be profitable;
- And how to survive.

Making profit is the OCG goal. However, there is no restriction on OCGs as to how they do this; there is no rule that says they must only use criminal means to achieve their economic objectives. The ways in which profit making by OCGs involves use of legitimate businesses is therefore a necessary part of the analysis in order to arrive at a full understanding of OCG distinctive capabilities.   Writing in the Journal of Financial Crime (2017) Murray makes a systematic assessment of the threat organised crime actually entails, outside of the NCA and Home Office reports that do just that on an annual basis. He argues that organised crime "constitutes a series of processes that enable enrichment from criminal activities. These processes exist, are populated by a series of legitimate and illegitimate enablers, and the ways in which the relevant interfaces interact between legitimate and illegitimate spheres offer points of vulnerability" This is a totally different standpoint than all other definitions of organised criminality and it benefits from Murray's expertise as a forensic accountant and his non-criminological approach.

Jackal was launched in June 2014 (Allen 2023), primarily as a means to encourage the capture of intelligence relating to OCG businesses and finances. A toolkit was designed based around simple questions designed to encourage relevant police personnel to develop an awareness of these factors and record the intelligence that improved awareness in intelligence logs. The impact on organised crime of improving understanding of business structures will hinge upon developing workable methods for using that intelligence in ways that tell valuable things about organised crime that can translate into tangible results in terms of convictions, disruptions, and asset recoveries.

The basis Jackal used for the transition from a raw collection of business oriented intelligence to an effective analysis of the strengths and weaknesses of an organised crime group or network is a matrix arrangement adapted from that developed by Ostervalder and Pigneur in their manual for generating business models (Murray 2016, 2017), 'Business Model Generation' . Such a model offers possibilities of developing a language that can be shared across the many platforms in terms of agencies, nationalities, and territories relevant to the realities of organised crime business. It can in short be applied to any situation, any collection of organised crime groups forming a network, any organised crime process that constitutes a profit stream.

Whatever the local differences or variations in custom and method such a model will be able to accommodate them in the field of organised crime, just as the original conception of the model by Ostervalder and Pigneur

was designed to accommodate any kind of legitimate business. The essence of what JACKAL does is to take on board all relevant sources of intelligence, and all relevant open-source information, and analyse it in such a way that we can determine the key distinctive capabilities that relate to the OCG. Then, on the basis of this understanding, we can identify vulnerabilities that can be exploited through the generating of law enforcement actions. The challenge is to translate a conceptual framework based on business strategy analysis to a practical programme capable of being absorbed into practical models of policing and deliver tangible results.

THE FIELD OTHER THAN JACKAL: THE CRIMINAL BUSINESS ANALYSIS MATRIX

The evidence (Allen 2023) indicates that there has been no attempt to divide these techniques into sub sections based on their applicability to a certain criminal element, nor has there been an attempt to create gains in the way investigative strategies are developed by using these techniques and applying them to intelligence data. A text by the International institute of Business Analysis, titled Guide to the Business Analysis Body of Knowledge (2006), indirectly, illustrates that only a portion of business analysis techniques are suitable for application to an OCG. This is because that, while there is a large body of evidence that notes the similarities between the operation of legitimate and illegitimate enterprise, by dint of the illicit nature of their products and the corresponding lack of regulation that accompanies this, OCGs need not concern themselves with some elements that legitimate enterprises have to contend with, such as Human Resources, legal or ethical constraints, invoicing and huge chunks of a the administration and bureaucracy that characterises a normal business.

The Crime Business Analysis Matrix (CBAM), is a highly useful tool already in the policing arena. Keane and Bell (2013) researchers from Queensland University of Technology have applied a CBAM to an Israeli OCG dealing in MDMA (the key chemical in Ecstasy, the US and European market for which has been historically monopolised by OCGs from this region). Given the significant geographical distance between Israel and Australia and the secretive reputation of Israeli law enforcement (New Statesman 2018) the reasoning why this particular country was chosen is unclear. However, the specific methodologies appear very relevant to the research concept. The CBAM assesses existing data on an OCG and splits it into 13 categories (entrepreneurial, business planning, crime money management, resources mobilisation, financial capital, operational logistics, human resources, decision making in uncertainty, business intelligence, legitimate business connections, crime business connections, local/ global market share and competitive advantage). They then produce brief summaries and rate each sector as high medium or low. Should you wish, the brief summaries could then be presented to the senior investigating officer along with additional investigative insights to be included in strategy and plan development.

The concept of CBAM appears very relevant, particularly the way it breaks down the requirements of organised criminality and allows their vulnerabilities and strengths to be easily mapped and so reverse engineered. However, it's use in a policing context can only be determined in a limited manner when discussed in an open academic forum. This is because to gain access to the data for academic purposes personal and other identifying information would have been sanitised which means that vital information that could form a part of an assessment of the OCGs business may well have been excluded, if, and when, this is done in a policing environment the results are likely to be even more beneficial than shown here as this sanitisation process would not be required. CBAM is very much an overview rather than a deep dive tool and could go deeper with access to intelligence data. However, this is a judgement on the data rather than the technique; realistically the technique of analysis can only be as good as the data it is analysed on.

Research by Mexican scholars Diaz De Leon and Ochoa (2014), published in the International Journal of Asian Social Science also uses the CBAM, this time in the case of the Knights Templar organisation based in the Mexican state of Michoacán. This research has one key advantage over the previously mentioned Australian led CBAM research in that because the data and academics are based in a close locality, the quality of the data is likely to be higher. However, conversely, given the reputation of Mexican OCGs for murdering those who began to show interest in their criminal enterprises (Grillo 2013), there is a case for the distance between the two countries acting as a positive factor. In addition, Sanderson et al (2014), Griffiths University in Queensland Australia, have also applied CBAM to the Montreal Chapter of the Hells Angels Motorcycle club. Given the incredibly niche nature of this research, and the lack of scholarly and policing research into the specificity of using legitimate business analysis techniques to enhance intelligence around OCGs, the fact that three teams of respected academics, all within a year of each other, have all used CBAM, speaks volumes for its applicability.

BRINGING STRANDS TOGETHER: AUTOMATION POTENTIAL AND, 'SOLVING ORGANISED CRIME'

Now we have assessed the field as it currently stands and the pitfalls and challenges that sit within it, it is time to look to the future. Artificial Intelligence has long been heralded as the future of policing (Hisham 2019) and given the innovative nature of the research, alongside the increasingly digital nature of crime (ONS 2020), it makes sense to briefly consider the core research concept address in this article, in this context.

A report by the think tank RUSI (2018:8) Machine Learning algorithms and police decision making, discovered a whole range of potential pitfalls that need to be addressed before AI can be fully introduced within policing, chiefly they outlined that because this area is in its infancy there is a lack of research examining how the use of an algorithm influences officers' decision-making in practice and a "limited evidence base on the extent to which they serve valid policing aims". Translated, this essentially means that 'we're not sure if it's actually useful yet': not exactly an enthralling conclusion. It also notes that a machine learning algorithm is not simply 'plug in and play', it requires close monitoring in order to avoid any unintentional bias. As yet, officers do not have the skillset to enable them to utilise this tool efficiently, given that the rolling out of tablets and smartphones for the frontline officers is a decision for individual chief constables this means there is a far from consistent picture nationally (Suffolk Police 2017). In terms of direct applicability to this research, the essential question is whether it is possible to teach a machine to conduct an analysis of a business like a human would. The short answer is not in the foreseeable future, and not without an exorbitant amount of resource and expense. As a comparison the team who taught a computer named AlphaGo to play the Korean board game GO to a standard high enough to beat one of the top players in the world, had a team of 20 and the financial clout of Google (Scientific American 2016).

Even if we assume that the creation is possible, given the complexities for maintaining the algorithm and the issues surrounding the legality of such a tool means the more sensible option is to train a network of individuals to carry out the analysis and build the operational knowledge. A conversation around the hypothetical possibility of using a machine learning algorithm to apply these techniques to intelligence data at a speed much greater than a human analyst, was positive but not wholly so.

Alexander Babuta, senior fellow of national security and resilience at security and defence think tank the Royal United Services Institute (RUSI), said: "the short answer would be yes. You can apply machine learning to anything as long as you have a statistical model". The additional question, one that he also poses in his report (RUSI 2018), is whether this would add any policing value.

At this early stage of using machine learning in policing, there are still huge questions surrounding reliability and while it may be possible to teach a machine to do a business analysis technique quicker than a human, questions around costs and accuracy may mean, in the short term at least this particular form of analysis is best left for the human brain. A significant amount of research would need to go into this area before a full decision could be made regarding the benefits of utilising machine learning algorithms on the theories outlined in this research.

In a report published in the CIA public library, Fei Yei (2015:6) adds to the debate on the use of artificial intelligence. Her thoughts on its use within her sphere of intelligence analysis within the intelligence community can also be applied to the policing intelligence analyst profession.

> If analysis of developments like missile tests or changes of military force dispositions were automated and quickly communicated with little human involvement delivery of intelligence reports on these developments could be completed and disseminated much more quickly as time on analysis, drafting, editing, and reviewing would be reduced. Why not let robots help in analysis and writing and free up human analysts to engage in the exhaustive research and creative efforts necessary to confront the dangers we face now and will face in the future?

This is a rather flawed and one-sided viewpoint as, while it clearly highlights the potential efficiency savings that can be brought about through this sort of analysis in the long term, particularly surrounding basic administrative tasks, it ignores the issues surrounding accuracy and maintenance of these algorithms, as well as the moral element of the equation.

There is also an issue with the phrasing "let robots help' which in itself is a bias statement as it without disappearing down a science fiction rabbit warren, it assumes the benignity of artificial intelligence, which as we have not created a fully automated equivalent of a human brain, is not a given, essentially if we create a 'brain' capable of making decisions that have an impact on people in the real world- i.e. whether or not to arrest or put surveillance on someone, then the question becomes how do we regulate those decisions.

CONCLUSION

Throughout this research, you can trace the genesis of an idea through in the breadcrumb style famed by Hansel and Gretel. In this particular instance, Narconomics (2016 and the Chartered Management Institute are the catalyst for this research. The former outlined the ways in which organised crime operates as a business, and the latter examines how businesses analyse their own and each other's strengths and weaknesses, following this work by Police Scotland and the UNODC in this area provided an important assessment surrounding the position of law enforcement in this emerging field of research.

Furthermore, the academic milieu, in particular Lusthaus, Bruce (2008), Borek (2019), Catino (2019), Gottschalk (2009,2010) and Sergi (2016A,2016B,2020) have played an important role through conducting research that slowly pieces together the worlds of business analysis, intelligence analysis and organised criminals as entrepreneurs. As well as academia and policing, work by journalists has also been integral to this research providing in depth picture of organised crime and how it operates in different parts of the world. In particular, work by Johnson (2012,2014), Grillo (2013) and Thompson (2007) all provided pieces of what went on to become an overarching concept. This, mixed with expertise gained from reading around business analysis and change management from authors such as Porter and McKinsey, as well as a knowledge of

organised crime operation and criminal investigation strategy taken from both professional experience and extensive research with current professionals active at an operational, tactical and strategic level, has enhanced knowledge and expertise substantially.

Specifically, the article highlights areas where current research has not yet explored, in particular that both law enforcement and academia stop short of exploring the concept of this thesis but do touch on related areas. Academia has concluded that there are multiple similarities between organised criminals and legitimate businesses, while policing has taken tentative steps to utilise these findings for operational advantage but used the area of business analysis to do so- which is the unique element here. All these factors, when taken together, provide the pieces of the puzzle that this article set out to solve. It is only when we now assembled all the pieces of how organised criminal businesses operate, that we can devise a framework to counteract them.

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