

## Summary

### **Organised crime in the Netherlands: offenders, interconnectedness and criminal investigation Report in the context of the fifth round of the Dutch Organised Crime Monitor**

#### **Purpose and design of this research**

##### **Purpose**

A sound basis for preventive and repressive policies regarding organised crime requires empirical insight into the nature of organised crime in the Netherlands. The Dutch Organised Crime Monitor provides that insight by making use of the knowledge gained during large-scale police investigations. These investigations often involve far-reaching investigation methods, such as telephone and Internet tapping, bugging, observation, undercover operations, house searches, seizures and the interrogation of suspects and witnesses. Since these tools can only be used by law enforcement, they provide unique and detailed knowledge of criminal groups and criminal activities. If this knowledge remains confined to individual investigations, broader efforts to combat organised crime cannot benefit from it. The purpose of the Dutch Organised Crime Monitor is to unlock this knowledge and make wider use of it for policy and practice (see also Minister of Security and Justice, 2013).

This report is the result of the most recent, fifth data sweep of the Monitor (previous reports: Kleemans et al., 1998, 2002; Van de Bunt and Kleemans, 2007; Kruisbergen et al., 2012). To enable us to explore specific themes in more depth, we have chosen to write three separate sub reports. The first sub report was published in October 2017 and focused on the judicial processes regarding organised crime cases, in particular the punishments requested and imposed (Van Wingerde and Van de Bunt, 2017). The second sub report was published in 2018 and related to the use of ICT (information and communication technology) by organised crime offenders (Kruisbergen et al., 2018). The third sub report focuses on the offenders themselves. It explores the following topics: the criminal careers of organised crime offenders, how the interconnectedness with their environment enables them to protect their criminal activities, and investigative action towards offenders. Organised crime can only have a harmful impact if offenders manage to defy law enforcement activities. This may take the form of offenders avoiding the attention of the criminal investigative services for long periods of time, but it might also involve offenders who, despite previous prison sentences, for example, continue to pursue their criminal activities. Moreover, the fact that offenders are facilitated by, or at least not significantly hindered by, their environment, plays an important role in the ability of offenders to defy law enforcement activities. In brief, this is the central focus of the analysis of the cases investigated in this sub report.

##### **Research design**

The empirical core of the Dutch Organised Crime Monitor (DOCM) is the systematic analysis of completed criminal investigations. Criminal investigations, particularly if they have been lengthy and/or have involved the use of far-reaching investigation methods, are a rich source of information. In this fifth data sweep, we analysed 30 criminal investigations in the field of organised crime. For these investigations we

analysed the entire investigation file, usually following an interview with the public prosecutor responsible for the case and/or the team leader. The case files were analysed by using a check list (see Appendix 2). After 5 data sweeps of the Monitor, a total of 180 cases have been analysed using this tried-and-tested methodology. The empirical analyses in this sub report are largely based on the aforementioned 30 cases from the fifth data sweep. When mapping the criminal careers of offenders (Chapter 2), however, we also included previous data sweeps. In a number of other subtopics, we also look back at the findings of previous reports.

The richness of the empirical material and the depth of the qualitative analyses make the DDCM an ideal tool for answering qualitative questions concerning the nature of organised crime in the Netherlands (Kleemans et al., 1998, p. 28-29; Kruisbergen et al., 2012, p. 57-58). In specific subareas, given the large number of cases that have now been studied, quantitative analyses are sometimes possible. Examples of this include analyses of criminal careers (Van de Bunt and Kleemans, 2007; Van Koppen, 2013; this report), analysis of investments by offenders in the legal economy (Kruisbergen et al., 2015), analysis of the judicial process and collection in the case of confiscation orders (Kruisbergen et al., 2016), and analysis of the judicial process in criminal cases against organised crime offenders (Van Wingerde and Van de Bunt, 2017). There is, however, an important proviso here; in principle, quantifying statements only apply within the context of the cases that we have analysed.

Finally, we should emphasise here that the scope of our research is limited to cases of organised crime that have been detected and prosecuted by Dutch authorities. This is because Dutch criminal investigations are our main source of information.

## Conclusions

### Criminal careers in organised crime

In this report, we examined the criminal careers of organised crime offenders. On the one hand, we provided a quantitative overview of the criminal careers of offenders. Of the 349 offenders from the last 3 data sweeps of the Monitor whose criminal history could reliably be established, around 4 out of 5 had already been involved with the criminal justice system prior to the index case (this is similar to analyses performed in 2007). In addition, more than two-fifths had 6 or more previous offences to their name and more than three-fifths had been criminally active for 11 years or more. It is clear from the offenders' criminal history that just over a third had completed a non-suspended prison sentence prior to the index case. If we compare these organised crime offenders with a general population of individuals with a criminal record, we can conclude that, on average, they are older, have committed more crimes and are more likely to have completed a prison sentence. This is essentially in line with previous research, both Dutch and international (Van Koppen et al., 2010a, 2010b; Francis et al., 2013; Savona et al., 2017; Fuller et al., 2019). Moreover, within the group of organised crime offenders, a distinction can be made between offenders with a leading role and offenders with another role; the former have a more active and more significant criminal record (which they have had more time to build up, since they are older on average).

On the other hand, using the more qualitative information from the cases studied, we analysed persistent criminality, relating to offenders who, despite having previously been suspected of activities in the field of organised crime and having frequently received relatively heavy sentences, persist with their criminal activities. We mainly did this by focusing on 30 suspects who feature in 2 or more data sweeps of the DDCM. We considered whether their involvement in organised crime

demonstrates the diversity or indeed the continuity of the criminal activities. For the majority of these persistent offenders, the criminal field in which they are active is continuous (different types of drug crime being regarded as one criminal field). To some extent, we also see this continuity in the tasks undertaken by offenders. In separate cases, sometimes with many years between them, different suspects perform the same type of tasks within the criminal business process, such as coordinating criminal activities or acting as intermediary.

Finally, we explored a number of potential reasons for persistent criminality. We made a distinction between an economic component (lack of other economic opportunities, habit or greed), a socio-cultural component (whereby we examined the role that trailer parks may play in the context within which organised crime takes place) and a family component (where people get family members involved in their activities).

### **Shielding against the authorities**

Another key aspect of this report concerned shielding against the authorities. We found that access to the criminal activities of offenders is significantly impeded by the international nature of many of these activities. We then looked in particular at the role of the social environment. In our case material, the shielding of criminal activities by the social environment manifests itself in two overarching ways.

Firstly, we discussed examples that indicate that offenders shield their criminal and other activities by taking advantage of the opportunities offered to them by the environment, including by exploiting technological developments, such as digital functionalities that enable them to operate anonymously (or supposedly anonymously). We demonstrated how, in addition to creating an anonymous environment, the licit environment can provide protection in other ways. Exploiting the characteristics of legal structures allows criminal activities to remain undetected for longer periods of time. We focused in particular on how occupational embeddedness can help provide shielding. In a number of the cases that we studied, it is clear that criminal activities are an extension of normal, licit activities. This intermingling of legality and illegality helps to keep offenders and their criminal activities under the radar. In the examples of both the anonymous and the licit environment, the social environment does not have to be aware of the criminal activities. The second overarching pattern of offender protection, on the other hand, highlights cases in which various individuals, to varying degrees, are often aware of criminal offences. As a result, these individuals play a role in the criminal activities, sometimes actively and sometimes just by looking away. A good example of this is the family environment. To overcome problems around trust, criminal groups usually follow the laws of social and geographical proximity. Members of criminal networks are often linked by family or friendship ties. This family environment can act as a cover vis-à-vis the investigative authorities, which means that criminal activities can continue for longer periods of time. As well as the family environment, ignorance, economic gain and fear may act as silencing factors. Ignorance can manifest itself in two ways. There are individuals who are not aware that they are contributing to criminal activities because, for example, they are providing what is in itself a licit service in good faith. In many of the cases that we studied, however, there appears to be 'feigned' ignorance, whereby the social environment goes to great lengths to give the investigative authorities the impression that it does not know anything. In this context, we can see in a number of cases that the social environment benefits in one way or another from the criminal activities. This occurs in the case of family and friends who also reap the financial rewards of the criminal activities. It also occurs in the case of facilitators who, as professional facilitator or simply by not asking questions, form a crucial link within the criminal business process, for example by supplying goods or services for

payment in cash (see Kruisbergen et al., 2012). Moreover, the clients of offenders, the purchasers of criminal goods and services, also benefit from the persistence of criminal activities. Finally, fear plays a major role in shielding offenders and their criminal activities – the frightened environment. Violence, or the threat of violence, is a powerful way of ensuring that the environment remains silent. After all, a frightened environment is usually a silent environment.

### **Investigation of organised crime**

However, these silencing factors are not infallible. This is clear from the fact that all of the cases specified ultimately came to the attention of the Dutch law enforcement authorities. The majority of investigations started following the receipt of information from national or international investigative agencies. Triggers external to investigations, such as tip-offs and crimes being reported, are far less common. It is also clear from the investigations studied that the criminal activities had sometimes already been going on for a long time at the point when the investigation started. In these cases the abovementioned factors could have contributed to the shielding of these offenders.

We also considered counterstrategies used by some offenders, such as technical devices designed to frustrate investigative activities and the corruption of employees in law enforcement organisations. We saw examples of this in a number of cases. It is not possible to say, based on our material, whether corruption is also more common than it used to be. However, we have highlighted factors that may have increased the pressure to bribe customs officers and the police, such as more stringent checks on logistics hubs and the automation of work processes, which make specific employees a more crucial factor in specific cases (Nelen and Kolthoff, 2017; Madarie and Kruisbergen, 2019; Staring et al., 2019; Smit et al., 2019).

Which investigative methods and strategies were used in the 30 analysed cases? Firstly, it appears that many main suspects remain silent and say nothing or very little during interrogations (see also Van de Bunt and Kleemans, 2007, p. 147-148). Some main suspects in our cases, however, give a detailed statement and, in a case involving a person making a voluntary disclosure, the statement plays a decisive role. Secondly, in almost all the cases, use is made of telephone and/or Internet tapping. In many cases, this tool makes a significant contribution to the successful completion of the investigation. Our cases illustrate that offenders continue to use the telephone and related services, probably due to convenience and the logistical complexity of many criminal operations. However, offenders often take measures to prevent communication being effectively intercepted.

Thirdly, we described how breaking into the shielded environment can be a successful strategy. Some offenders go to great lengths to communicate in an environment where they think they are safe, for example, but this can actually make them very vulnerable as well. A number of files provide insights into how the police listen in on conversations in commercial and residential premises or vehicles, for example, thereby gathering a wealth of valuable information. Undercover agents can also form a 'crowbar' that can be used to break into the shielded environment with which offenders surround themselves. In addition, searches of residential premises, for example, are an important, physical way of breaking through offenders' protective shields. In a number of cases, some sort of bookkeeping relating to criminal activities is found, for example. Finally, efficient cooperation with international partners can be a key factor in the success of criminal investigations. Conversely, if cooperation with a country is not straightforward or does not go well, this international dimension can also obstruct the process.

It is also interesting to note that, even when they realise that the police are actively watching them, offenders often simply continue to pursue their criminal activities.

In some cases, we see a change in the modus operandi, but we see few examples of offenders stopping their criminal activities. In general, continuation of the criminal business process seems to be the dominating attitude. This may be due to a number of reasons, ranging from a sense of invincibility to pressure from co-offenders or clients or the inability to obtain an income by other means.

In summary, our analyses indicate that organised crime offenders already have relatively large numbers of offences and sentences to their name at the point when they are (once again) the subject of a criminal investigation in the index case. In that sense, we are to some extent dealing with persistent offenders. We also see this persistence in their activities in the field of organised crime; as far as we could determine, offenders are often active in the same criminal field in different cases (where 'drugs' is regarded as one broad criminal field). Offenders are also often persistent when they are confronted with attention from the police. The social environment in which offenders operate also plays a concealing or facilitating role in the criminal activities and the persistence of these activities. Finally, the criminal investigations studied indicate that offenders have sometimes already been active as criminals for a long time before the investigation begins. At the same time, these same investigations illustrate how the police are capable of effectively breaking through protective layers.

### **Potential implications for policy**

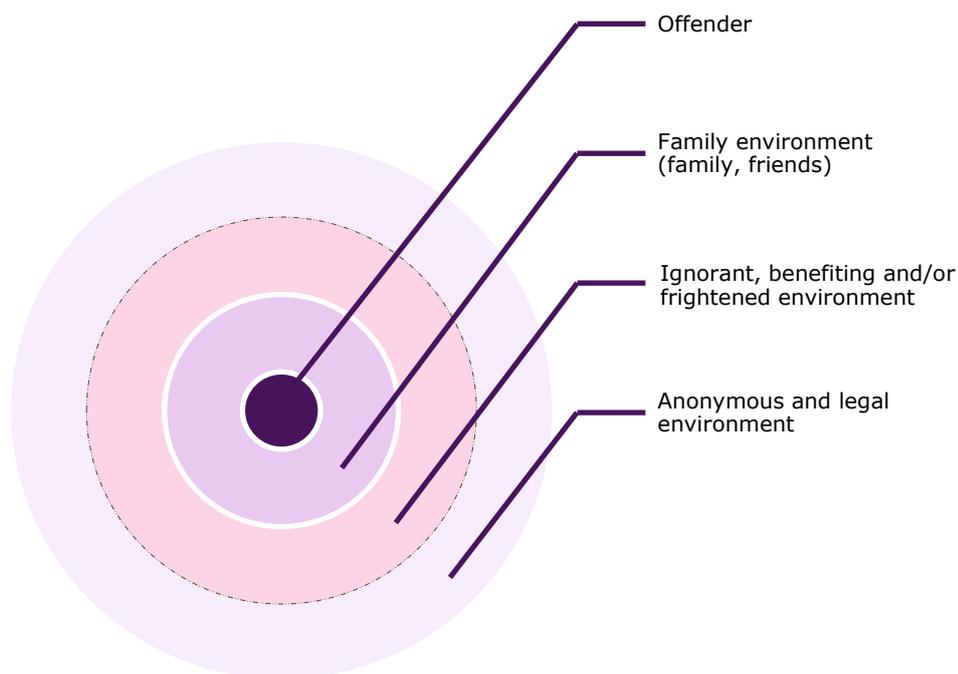
Some of the insights from this report are illustrated in Figure S.1. This diagram puts the offender at the centre, surrounded by various rings that represent different aspects of the offender's environment. These play a facilitating or supporting role in the perpetration of criminal activities or make a significant contribution to the immediate or long-term protection thereof: the family environment, the ignorant, benefiting and/or frightened environment and, finally, the anonymous and legal environment.

Figure S.1 gives a general overview of the different circles around the offender. The size of these circles, however, varies from one offender to another. Some offenders operate as 'local heroes' (Kleemans et al., 2002, p. 74-75), explicitly from their family environment, with various family members and friends being aware of the criminal activities being perpetrated. Other offenders have a limited circle of confidants around them. Ongoing criminal activities are also often visible to the immediate family environment and this immediate environment can act as an important social 'cover' in this context. Beyond this family ring begin the ignorant, benefiting and/or frightened environment and the anonymous and legal environment, which are separated in the diagram by a dotted line. This dotted line is designed to indicate that the size of these circles can vary and can be influenced. From the offender's perspective, circles can be larger or smaller. An offender who is successful as a criminal and protects his or her criminal activities can increase the size of the circle, thereby involving an ever greater proportion of the social environment in these criminal activities or the protection thereof through ignorance, economic gain or fear.

However, the central idea behind Figure S.1 is that the size of the circle is determined not only by the offender, but also by actors in the immediate social environment, the police, the criminal justice system, policymakers, and local administration. Legislation and regulations determine the legal scope within which citizens, offenders and investigators can operate. Legislation and regulations, the enforcement thereof and investigations also have an impact on the ignorant, benefiting

and/or frightened environment. In the sections below, we will look in detail at potential policy implications on the basis of our findings.

*Figure S.1: The embeddedness of organised crime*



### **Interventions in criminal careers**

Interventions in criminal careers are often based on implicit assumptions around types of offenders and their developmental pathways. However, within organised crime, we see different types of offenders and different types of criminal careers. Some offenders start at a young age and progress within organised crime, other offenders do not progress or stop completely and others still do not get involved in organised crime until later on in life. However, even those who start relatively late in life can still play a leading role and be persistent offenders. Some persistent offenders get involved in organised crime once again, even after they have received relatively heavy sentences. This calls into question the criminal justice approach to these individuals. Can the criminal justice approach overcome this persistent involvement? On the one hand, their reoffending demonstrates that imprisonment does not necessarily put an end to a criminal career. There seems little reason to assume that longer sentences will lead to less reoffending on release and more effective reintegration. On the other hand, imprisonment prevents the offender from committing offences while behind bars. A criminal career will be interrupted, at least temporarily, by a severe criminal sanction of this type.<sup>40</sup> According to this way of thinking, the absence of criminal sanctions can also be regarded as a success factor in the career of an individual who is involved in organised crime; thanks to the absence of adequate judicial intervention, the career of a offender can continue to develop uninterrupted (Van de Bunt and Kleemans, 2007, p. 167-168). It is clear, therefore, that organised crime cannot be combated effectively without criminal law. Without law enforcement, the systematic violation of regulations can

<sup>40</sup> However, even when a perpetrator is in prison, crimes can still be committed.

lead to the blurring and ultimately the disappearance of underlying values. The criminal justice approach is also important in terms of the message it conveys to the environment and the public debate. After all, if they are not exposed, criminal activities will not be discussed.

Few would disagree that it is preferable to cut a criminal career short in the early stages or, better still, to stop it before it really gets under way. We also see offenders who start committing crimes from an early age in DOCM cases (see, for example, section 2.1 (this report); Van de Bunt and Kleemans, 2007, p. 20). It is possible that some of these early starters could be reached through policy that equips them to stay away from crime. This could be achieved both through general measures, such as more effective education, and through measures that target specific young people. The latter category assumes that the development of a criminal career in organised crime can to some extent be predicted. However, that is definitely not always the case. Moreover, some offenders do not start their career at an early age; they are late starters. In their recent analysis of the criminal careers of young people and young adults who have been suspected of committing a serious crime, Van Koppen et al. (2017) demonstrate that only a small proportion of the offenders they investigated follow a development path that could be classified as 'progressive'.

Offenders who have committed a serious crime at a young age do not appear to be destined by definition for a career in crime, and this career cannot easily be predicted in advance on the basis of risk factors. Consequently, individuals who were not on the police's radar before may come to light during investigations. Also, investigations may bring to light offenders who were already known to the police, but whose role had not been previously identified. So, as well as preventing or interrupting the criminal career of early starters and 'progressors', identifying these 'unknown' or 'underestimated' individuals is therefore a key task.

This takes us back to Figure 1. When you look at this diagram, focusing on individual offenders might constitute too limited an interpretation of interventions in criminal careers. Since we are dealing with organised crime, in which the social environment plays a key role, the broader impact of interventions must also be taken into consideration. What impact do interventions have on the immediate social environment of offenders and factors such as economic gain, ignorance and fear? Examples of this are the potential impact of investigation and prosecution or of administrative approaches to criminal activities on the willingness to cooperate of those within the immediate social environment.

### **Subversion: from threat to resilience and strength**

Figure 1 also makes it clear that it may be better to approach the debate around subversive criminal activities (in Dutch policy terms: "Ondermijning") from a prevention and intervention perspective rather than from a threat perspective.

The concept of "subversion" has had an important agenda-setting impact, by emphasising the harmful effects of different types of crime that, in the past, were often classified as separate phenomena, such as organised crime, corporate crime, high-impact crime and, more recently, cybercrime (Huisman and Kleemans, 2017). The concept of subversion has therefore brought together different crime-related problems and different government partners with a powerful message that these phenomena could have serious social consequences and that a joint approach is crucial. You may, however, wonder whether the debate around subversion would be better conducted from a perspective of resilience and strength rather than from a threat perspective. In Figure S.1, the circle around the offender could get bigger and increasingly constitute a threat to society, but the emphasis could also be placed on the issue of how offenders can go about their business relatively undisturbed and how this free space around offenders and their immediate social environment could

be restricted, by making it more difficult to operate anonymously and legitimately or by making the social environment more resilient by addressing the factors of ignorance, economic gain and fear. After all, the immediate social environment can contribute to or protect criminal activities for all manner of reasons, but it could also play a key role in preventing or combating these criminal activities. Here, too, there is no easy answer. Still, an environment that facilitates organised crime could also make things more difficult for criminal groups. This counterforce in the environment, its resilience, can in turn be promoted through government action.

### *Eyes and ears*

Offenders make use of licit structures, among other things to facilitate their criminal activities. In the various data sweeps of the DOCM, for example, we have seen that warehouses or commercial premises in the hospitality or retail sector play a key role in the activities of some criminal groups, sometimes to such an extent that a legal 'front' conceals a veritable criminal marketplace. In these cases, the environment plays a more passive role and is not necessarily aware of the criminal use of such premises. However, that certainly does not mean that the use of licit structures is invisible. By using their eyes and ears, alert individuals within the environment can certainly help prevent the criminal use of these structures. These may be local residents who notice that a shop is not doing any regular trade, for example, or that a shop or warehouse is being used for a purpose other than that for which it was intended. Alternatively, they could also be civil servants who are involved with the premises concerned through the granting of a licence, for example, or the checking of regulatory compliance.

### *Removing excuses*

In addition, there are actors who play a more active role and who, to a greater or lesser extent, wittingly or unwittingly, facilitate the activities of criminal groups. In various reports of the DOCM, we see, for example, suppliers of goods and services who are being used to conceal or invest money obtained from criminal activities. These may concern providers of financial and legal services, such as advisers, trust offices, and lawyers. However, all kinds of suppliers of (other) expensive goods and services may also be involved, for example by selling or renting cars, scooters, boats, electronics and houses for cash payment (Kruisbergen et al., 2018, p. 90; Kruisbergen et al., 2012, p. 203-207). In this report, among others, we investigated travel agents who, in a number of cases, appear to play a significant role by allowing trips to be paid in cash, sometimes on a frequent basis for the same group, in total amounting to large sums of money. In addition to concealing and spending criminal revenues, we see that providers of what in themselves are licit goods and services also play a role in other aspects of criminal business processes. Sometimes, it is clear that these providers are aware of the active role that they are playing, but often it is not. In this context, we described in a previous DOCM report a spectrum that ranges from unwitting third parties, service providers who 'don't ask questions', to third parties who deliberately get involved and, finally, to professional facilitators, players who knowingly serve various criminal groups, where serving this criminal clientele constitutes an important, if not the most important, part of their overall activities (Kruisbergen et al., 2012: 93-99). As stated, certain goods, services and sectors pop up in criminal investigations again and again, in the field of storage and transportation or financial/legal services, for example. Sometimes, 'new' players emerge, such as spyshops or various providers of Internet-related services (Odinot et al., 2017; Kruisbergen et al., 2018).

There are a number of tools for countering ignorance (feigned or otherwise) – *removing excuses* (Cornish & Clarke, 2003; Soudijn, 2011) – and reducing the benefits that facilitation of organised crime brings for some individuals. Regulations are one such tool, such as regulations that define the scope of compulsory licensing, the Public Administration (Public Screening) Act (Wet BIBOB) or the Money Laundering and Terrorist Financing (Prevention) Act (Wwft). There could also be regulations that contain generic injunctions or bans, such as a potential statutory limit on cash payments. Tools of this type can be used by the government to build barriers to counter criminals who wish to use facilities provided by the licit economy.

Clearly, however, regulations alone are never enough. Especially when combating and preventing organised crime, the government is dependent on, among other things, the awareness and mentality of providers of goods and services. Generally speaking, professional facilitators, who can be found at the far end of the above-described spectrum, will have to be approached through the criminal justice system. When it comes to combating the facilitation of crime, some sectors, such as the car industry, have been the focus of attention of government players for some time now. Other sectors are not yet being scrutinised or are being scrutinised to a lesser extent. Here, genuine ignorance can play a role or providers of goods and services can claim ignorance with more credibility. It may therefore be wise here to reduce the opportunity for excuses. This can be achieved through the combined use of information and criminal-law intervention in specific sectors. Targeted information, through industry associations, for example, can alert businesses to the fact that, under certain circumstances, the sale of what are in themselves legal goods and services, such as electronics, Internet-related services or travel, can constitute a criminal offence, such as money laundering. If there is sufficient publicity in the sector concerned, successful apprehension and prosecution of a limited number of eligible suppliers could help deter other providers from facilitating criminals.

Finally, in most forms of organised crime in the Netherlands, citizens are involved. This involvement can take the form of a consumer, victim or witness. Consumers, together with the illegal nature of drugs, form the basis of the revenue model used by suppliers on drugs markets. The harmful consequences of drug use, in health terms in particular, have been known for a long time now. The external, negative effects of the demand for drugs clearly extend much further. The fact that the consumer constitutes an important link in the chain on the drugs market is a good argument for considering ways of influencing consumer behaviour. Since drug use and the possession of small quantities of drugs is not actively addressed, a government that wants to reduce the use of drugs can only use persuasion as a tool, through an information campaign, for example. Major information campaigns are used in many different fields, partly because the 'sermon' as a policy instrument is easier to use than the 'stick' of legislation and enforcement (Vedung and Van der Doelen, 1998, p.118). However, according to research in the field of road safety, among other things (SWOV Institute for Road Safety Research), information campaigns that target the general public and are not accompanied by enforcement actions, for example, do not always have a positive impact and sometimes even have a negative impact. Providing people with information can work in some situations, but it is not a straightforward, no-obligation tool and must always be carefully thought through. Citizens can also be involved as victims, including in some types of cybercrime, or as witnesses, such as the local resident mentioned earlier in this report, who notices that a rented warehouse is potentially being used for a purpose other than that for which it is formally intended. As we saw in the case material, witnesses (and co-offenders) may loathe to report crimes due to the fear instilled in them by offenders.

### *Overcoming fear*

Fear, too, can be a key factor in keeping offenders off the radar. For offenders with a violent reputation, a frightened environment is often also a silent environment. User-friendly, anonymous ways of sharing information with the police and the judiciary may make people more inclined to report crimes. Moreover, a number of large criminal cases involve witnesses or co-offenders who, given their central role, cannot remain anonymous but, in spite of this, have provided crucial statements. Fear for their own life or that of others, or the fear of a very long prison sentence, can turn a witness or suspect into a cooperating witness or person making a 'voluntary' disclosure. Thus, the terror instilled by offenders, which can protect them for long periods of time, can also turn against them. In high-profile cases in the Netherlands, and also in a case studied as part of the fifth data sweep of the DOCM, the silence around a main suspect was effectively broken through statements from witnesses and persons making a voluntary disclosure. At the same time, these cases provide examples that suggest that individual statements, as well as providing strong evidence, can also lead to complications, not only with regard to the safety of those involved and their families, for example, but also on account of a lack of clarity or disagreement concerning the conditions under which a statement is made.

### *The fundamental role of criminal investigations*

The criminal justice approach to organised crime has been complemented with other types of approaches for some time now, such as situational or financial approaches. Given the close link between organised crime and the regular society, this is essential. This report also describes this interconnectedness in detail and advocates involving the environment in combating and preventing organised crime.

However, intervention under criminal law, meaning apprehension and prosecution, is and will remain crucial. First and foremost, apprehension and prosecution are necessary to prevent serious violations of the law; without them, a situation of lawlessness would emerge. However, their significance extends much further. Criminal investigations are also a rich and often exclusive source of information on criminal practices. It is through criminal investigations that we recognise the *modus operandi* of various types of organised crime and can identify the vulnerable links in the criminal business process. Without these insights, a situational approach to organised crime is impossible.

Successful investigations are also crucial for raising awareness and for the 'removing excuses' strategy. Organised crime offenders use various providers of what are in themselves licit goods and services, providers who find themselves somewhere on the spectrum that ranges from genuine ignorance at one end to deliberate, professional facilitation at the other. For providers who are not or not yet at the far end of the spectrum in particular, prosecution of a small number of colleagues can be an effective way of raising awareness and creating a deterrent. Finally, apprehension and prosecution are crucial if the aura of impunity that surrounds some offenders is to be dispelled. A successful criminal justice approach to offenders who instil fear can have an impact on witnesses and co-offenders and encourage them to break their silence.

### **Knowledge of organised crime and the approach adopted to tackle it**

Over the past two decades, a great deal of progress has been made in the way we tackle and approach organised crime. Still, it is clear from the scope and seriousness of the criminal activities that are constantly being exposed by individual investigations that there is still much work to be done. If organised crime is to be combated

effectively, adequate knowledge is essential. Here, too, there is much work to be done.

The Dutch Organised Crime Monitor owes its origins to the conclusions of the Parliamentary Inquiry into Criminal Investigation Methods (PEO, 1996) and the subsequent political decision-making process. At that time, an advice was given to report periodically on the nature of organised crime in the Netherlands (Ministry of Justice/Ministry of the Interior and Kingdom Relations, 1996). The reports and articles published since that time on the basis of the DOCM, and other publications by the police and researchers associated with universities and other research institutes, for example, have provided significant insights into different aspects of the phenomenon of organised crime. Consequently, since the 'Van Traa' Parliamentary Committee, knowledge of organised crime in the Netherlands has increased significantly. Nonetheless, there are still gaps in our knowledge of organised crime. This is particularly true of knowledge around the *approach* to organised crime. There are now a number of different ways of combating organised crime. The 'conventional' approach is the criminal justice approach, consisting of the apprehension and prosecution of offenders. Furthermore, there is the financial approach, the detection of criminal cash flows and the confiscation of criminal gains. Finally, there is an approach that we could call the situational approach. Here, the factors in the environment that enable crime are key. This approach includes a broad range of measures to combat and prevent organised crime, such as the Public Administration (Public Screening) Act, the 'administrative' or 'programme-based' approach and information campaigns (targeted at citizens or at specific sectors, for example). Indeed, policy documents often refer to the integrated approach to organised crime, which focuses on a combination of different tools, both under criminal law and otherwise. There is a strong focus on the potential threat – the subversive impact of organised crime. As a result, a great deal is invested in combating it. On the other hand, knowledge of implementation in practice and of the results and effectiveness of the approach adopted is still limited. The focus of research, as well as of accountability reports, for example, must be on acquiring knowledge of how the various approaches impact in practice, more so than before.

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