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Insights into the effectiveness of preventive instruments tackling organised crime

English summary

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Organised crime poses a threat to the security of our societies and the integrity of public administration. While preventive measures may be effective in thwarting certain types of crime, little is known about the types of instruments that can effectively help preventing organised crime. There is thus a need to better understand what has been reported in both the domestic and international scientific literature in terms of the effectiveness of preventive instruments with a focus on organised crime. This study responds to a call from the Research and Documentation Centre (*Wetenschappelijk Onderzoek- en Documentatiecentrum*, WODC) to gather insights into the effectiveness of preventative instruments in the field of organised crime.

The approach to tackling organised crime in the Netherlands

Tackling organised crime involves a combination of legislative, criminal and administrative measures. Originally, the approach to tackling organised crime in the Netherlands consisted mainly of repressive measures, leaving the responsibility for their implementation mainly to the police and the judiciary. Since the 1990s, this approach has changed; today, a combination of repressive and preventive measures is used. The focus has also shifted to tackling so-called opportunity structures,¹ which usually (albeit mostly unintentionally) facilitate the occurrence of criminal activities.

Research questions

The research questions underlying this study are presented in Box S-1.

Box S-1: Research questions

1. Which preventive instruments focusing on organised crime have been evaluated in the domestic and international scientific literature?

- Which preventive instruments do the studies focus on?
- What do we know about the instruments targeting opportunity structures?
- What do we know about the target groups of these instruments?

2. What is known about the (intended and unintended) effects of the evaluated instruments?

- What operating elements and barriers can be identified in the literature?
- What do we know about the financial costs and benefits of these instruments?
- What can be said about the methodological quality and robustness of these studies?

3. What lessons can be drawn for the Netherlands from the domestic and international scientific literature on preventive instruments focusing on organised crime?

- What could be effective instruments to prevent organised crime in the Netherlands?
- Which organisations could play a role in the design and/or implementation of those instruments?

¹ Opportunity structures are elements of the legitimate economy that criminals abuse to operate. In doing so, society (albeit mostly unintentionally) facilitates criminal activity.

Methods and scope of the study

To answer the research questions above, we conducted a literature review and interviewed scientific experts. The first phase of the literature review consisted of structured searches of the available literature. In particular, we searched for domestic and international scientific literature evaluating preventive instruments focusing on organised crime. In addition, we conducted more targeted searches, with the goal of complementing the previous, relatively limited, body of literature identified through the structured searches. In total, 18 relevant sources were identified and reviewed. Subsequently, to add to and verify the knowledge generated in the literature review phase, we conducted interviews with six scientific experts in the field of organised crime.

This study focuses on the prevention of organised crime and, in particular, on the following three activities associated with organised crime: 1) drug production and trafficking, 2) arms trafficking and smuggling, and 3) human trafficking and smuggling. Moreover, only studies clearly indicating that the instruments described therein have an intended preventive purpose were included (though those could serve another purpose in addition to prevention too). The primary goal of this study is to gather and analyse the scientific evidence on the effectiveness of the application of preventive instruments. Therefore, our analysis focuses exclusively on studies that sought to evaluate or study the effectiveness of preventive instruments in this area (and in relation to the main criminal activities which are central to our analysis). As we only included sources that sought to evaluate preventive instruments, the materials reviewed should not be interpreted as representative of the total available literature on the prevention of organised crime. Similarly, this study does not provide a comprehensive overview of existing preventive instruments in this field.

Main findings and conclusions

Based on the aforementioned steps, a total of 18 studies were included in our literature review. Five of them assessed the application of instruments in the Netherlands, and nine evaluated preventive instruments in other countries (including the United Kingdom (4), the United States, (2), Australia (1), Italy (1) and (the borders of) Pakistan (1). One study evaluated instruments in multiple locations (namely former Yugoslavia, Israel, the Philippines, and Nepal). The remaining three studies reviewed did not have a specific geographical focus. None of the studies reviewed assessed the implementation of a single instrument or initiative in multiple countries or jurisdictions simultaneously.

Although the number of studies assessing preventive instruments in the field of organised crime was quite limited, these studies contained information on a wide range of instruments. Based on that literature, we were able to identify, for example, instruments that attempted to influence the financial capacity of (potential) offenders. For instance, through the confiscation of assets and/or other property, and restricted access to certain products (such as setting a maximum transaction weight of chemicals needed to produce certain drugs). Other instruments focused more on restricting actions and/or freedom of movement of individuals (e.g. by refusing or revoking licences, closing down businesses and criminalising the gathering of members of motorbike gangs in public). Yet other instruments were used to increase the resilience of (potential) victims, such as by means of education and awareness-raising projects.

The instruments we identified were mostly designed to tackle a particular criminal activity, such as drug production and trafficking. In five studies, the instruments focused exclusively on drug production and/or

trafficking, while two other studies focused on human trafficking. Arms trafficking and smuggling are covered in one study. However, more than half of the included studies (10) discuss organised criminal activities in relation to both the criminal activity and to other contextual aspects, e.g. both drug trafficking and opportunity structures and/or facilitators.²

The evaluated preventive instruments have a strong focus on situational prevention and on primary and secondary target groups

All 18 studies evaluated one or more instruments that, according to the authors, were at least partially preventive in nature. From these, we extracted a total of 81 instruments across the three (organised) criminal activities. These were then first classified using De Waard's conceptual model³ to better identify the target groups of the evaluated instruments. The model focuses on two main dimensions. Firstly, and in line with earlier public health frameworks, one should consider whether the instruments target the general population (primary level), or groups more susceptible to become victim or offender (secondary level), or those directly involved in or linked to criminal activity (tertiary level). Secondly, we examine whether the instruments seek: to reduce the willingness of potential offenders to commit criminal activities (offender-oriented), to limit the vulnerability of potential victims (victim-oriented), or to strengthen the situational guardianship (situational). This is based on the idea that crime occurs when three elements come together: a motivated offender, a suitable target, and the absence of a capable guardian.

Our analysis shows that the included studies reported on situational and offender-focused instruments relatively more often than on victim-focused instruments. Among the materials reviewed, the instruments categorised as being offender-focused tended to focus on the secondary and tertiary levels. For instance, through the confiscation of assets or other property. The situational instruments were more often situated in between primary and secondary prevention levels. An example is the mandatory identification of purchases of medicines that can be used to produce methamphetamine and the introduction of recordkeeping procedures for distributors of those substances. A smaller number of instruments identified through our review was dedicated to victim-focused prevention, such as resilience training. This may, at least to some extent, be the result of our literature review search strategy, as we focused on criminal activity and not necessarily on victimisation.

We then classified the situational prevention instruments using the Situational Crime Prevention (SCP) framework⁴ to better identify their objectives. SCP focuses on the environment and situations in which crimes are committed, rather than on the criminal actors. In particular, SCP instruments aim to reduce the likelihood of the occurrence of crimes (including the aforementioned opportunity structures). By applying this framework we found that a significant proportion of the evaluated instruments included in our review of the literature sought to 'increase risks' to criminals. For instance, by increasing the likelihood of

² Facilitators are individuals, organisations or networks that may contribute to organised crime, such as the laundering of illicit funds.

³ De Waard, J. (2020). *Preventieve en bestuurlijke aanpak van georganiseerde criminaliteit in Nederland: Een multidimensionale aanpak*. Ministerie van Justitie en Veiligheid. Den Haag.

⁴ Clarke, R.V. (1995). 'Situational Crime Prevention'. In *Crime and Justice: Review of Research*, 19: 91-150; Clarke, R.V., en Felson, M. (2011). The origins of the routine activity approach and situational crime prevention. In *The origins of American criminology: Advances in criminological theory*, edited by F.T. Cullen, A.J. Myer, F. Adler & C.L. Jonson, 245-260.

identification (and thus arrest and perhaps prosecution): several instruments sought to limit the anonymity of certain individuals or activities. Other instruments focused on 'increasing efforts', usually with the technique of deflecting offenders'. Moreover, a large proportion of the instruments we identified seemed to focus on techniques linked to 'removing excuses' (i.e. the justification of criminal acts by offenders). Several cases involved also 'setting rules', for example. Finally, there was also some attention to efforts seeking to 'reduce the rewards' offenders expect to obtain from the criminal activities. Here, most instruments aimed to disrupt the (criminal) markets and take away or deny benefits.

There is relatively little robust evidence on the effects of preventive instruments in the field of organised crime

Evaluating preventive instruments is complex. The studies included in this review sought to better understand the effects associated with the implementation of one or more preventive instruments. However, the quality of the data and the methods used complicated such an analysis, which often barred the authors of the studies in question from making statements about whether the instruments had a preventive effect on the nature and scope of organised crime. The studies often relied on imperfect indicators or proxies. For instance, administrative data, such as the number of (illegal) drug laboratories detected, or the number of drug producers arrested. Furthermore, the studies reviewed did not use methodologies normally associated with more robust research designs for (impact) evaluations.⁵ Available evidence on possible operating elements and barriers as well as information on the financial costs and benefits of these instruments was limited or even absent in the sources cited. Consequently, we could not elaborate on these aspects based on this literature review.

However, the lack of evidence on the effectiveness of preventive instruments should not be interpreted as detrimental of the role these instruments can play in tackling organised crime. In recent decades, preventive policies have been part of a broader strategy to tackle organised crime. This is also true in the Netherlands, where legislative and policy efforts have focused on addressing the opportunity structures for criminal activity.

No clear lessons on effective preventive instruments for the Netherlands, but some suggestions to strengthen future research

The paucity of evaluative research, and in particular impact research, on preventive instruments focusing on organised crime and the weak evidence identified do not provide a sufficiently solid basis to make concrete statements about the effectiveness of these instruments. As a result, we are not able to draw concrete lessons for the Dutch context.

In our analysis, we have identified some of the main shortcomings in the reviewed literature, such as the sometimes vague definition of organised crime, the lack of baseline data and over-reliance on weak or imperfect indicators. Moreover, there seems to be a need for more and stronger research in this area. Strong(er) evaluation designs are needed to improve the knowledge base and develop more effective organised crime prevention strategies. Some experts we spoke to stressed the need to reconsider the

⁵ For example, randomised controlled trials (RCTs), and other (quasi-)experimental designs, which are well suited to testing causal hypotheses. In both cases, a programme or policy is regarded as an 'intervention' or treatment, the extent to which it achieves its objectives is tested, based on a pre-specified set of indicators.

indicators and data sources used in current research, and to incorporate multiple methods in evaluation designs.

The perceived obstacles are not unique to the evaluation of organised crime prevention. Perhaps lessons can be learned from approaches in other areas of crime prevention. Overall, more efforts seem necessary to better understand the role and effects of the specific instruments identified and to paint a clearer picture of the impact of preventive efforts in the field of organised crime.