



## **.SIAK-Journal – Zeitschrift für Polizeiwissenschaft und polizeiliche Praxis**



James, Adrian (2005):  
**Criminal Networks. The challenge to Policing the 21st Century?**

SIAK-Journal – Zeitschrift für Polizeiwissenschaft und polizeiliche Praxis (3), 20-28.

doi: 10.7396/2005\_3\_C

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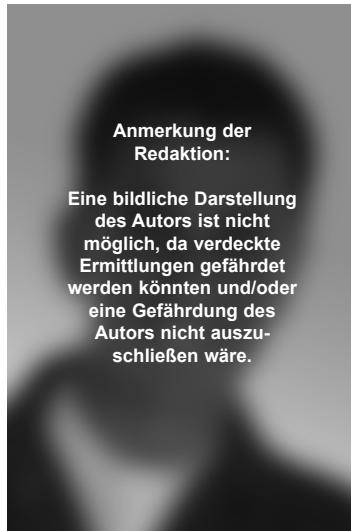
James, Adrian (2005). Criminal Networks. The challenge to Policing the 21st Century?, SIAK-Journal – Zeitschrift für Polizeiwissenschaft und polizeiliche Praxis (3), 20-28, Online: [http://dx.doi.org/10.7396/2005\\_3\\_C](http://dx.doi.org/10.7396/2005_3_C).

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Hinweis: Die gedruckte Ausgabe des Artikels ist in der Print-Version des SIAK-Journals im Verlag NWV (<http://nwv.at>) erschienen.

Online publiziert: 4/2014

**Adrian  
James**



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**Adrian James BSc (Hons), MSc.,**  
Intelligence Manager,  
London Metropolitan Police,  
Specialist Crime Directorate,  
New Scotland Yard & Department  
of Social Policy,  
London School of Economics.  
e-mail:  
A.D.James@lse.ac.uk

## The challenge to Policing the 21<sup>st</sup> Century? Criminal Networks

This paper considers the growth of criminal networks and some of the ways law enforcement agencies are reshaping their intelligence systems to meet the challenges they present. Illegal immigration, a key source of revenue for criminal networks, is used to contextualise the nature and extent of the threats faced. Discussions of criminal networks and illegal immigration take place against the backdrop of the wider immigration debate. Across Europe, immigration continues to be an emotive, highly politicised subject. As a general election approaches, the major political parties in the UK vie with each other to present credible, or perhaps more importantly acceptable, immigration policies to the electorate. Whilst recognising this fact, this paper takes an instrumental approach and focuses its attention on illegal immigration which, all too plainly, is a bad thing not only because it is contrary to law but also because of the human suffering it causes. Particularly significant in the context of this paper; illegal immigration strengthens and sustains criminal networks, many of which now claim influence across the globe. This paper has a particular UK bias but the themes explored should be familiar to many engaged in law enforcement in Member States.

**The Three Ages of Modern Policing.** "The great forces of historical change" including advances in technology, transport and communications have "transformed the texture of the developed world in the second half of the 20<sup>th</sup> Century" (Garland 2001: 78). Nowhere have these changes been more keenly felt than in law enforcement.<sup>1</sup>

### Vocabulary:

revenue = *Einkommen, Einkommensquelle*  
to contextualise = *in einen Kontext setzen,*  
*in einen Zusammenhang setzen*  
election = *Wahl*

to vie = *wetteifern*  
electorate = *Wählerschaft*  
suffering = *Leiden*  
bias = *Ausrichtung*  
advances = *Fortschritt*  
keenly = *stark, scharf*

## THE BEGINNING OF THE 20<sup>th</sup> CENTURY

Images from the beginning of the  
20<sup>th</sup> century – local criminals and  
the local "bobby".  
(Pictures: West Midlands Police,  
[www.constabulary.com](http://www.constabulary.com)).



## THE 1960s



Modern policing in the UK began in London in 1829 but until the 1950s was still very much local in character. Constables lived amongst the communities they served. Police work meant uniformed foot patrols that aimed to catch offenders in the act or to deter crime by maintaining a highly visible presence in the community and little else. For much of the 20<sup>th</sup> Century officers had access only to rudimentary communication equipment; constables reported to their supervisors from a police box sited on their beat. Even when radio equipment became available, doubts about its efficiency meant that Scotland Yard continued to

publish guidance to patrol officers urgently needing their colleagues' assistance to; blow three times on their police whistle or at night to, shine their torch in the direction of other police officers.<sup>2</sup>

The second half of the 20<sup>th</sup> Century, referred to by sociologists such as Garland (2001) as "late-modernity", was characterised by rapid advances in technology, communications and transport but also by; increasing crime rates and opportunities for crime, reduced situational controls and relaxation of informal controls in society. The police responded inter alia by adopting a reactive policing style known as "unit beat" policing. Officers were distanced from their communities by being put into patrol cars so that they would better be able to provide a rapid response to emergency calls.

During this period the police generally waited for crimes to occur and then responded to events with their new "scientific" detection techniques.<sup>3</sup> Basic science epitomised by techniques such as; fingerprinting or scene examination for tool marks etc. gave way to more sophisticated techniques such as DNA examination and biometrics but the principles remained the same. The police reacted to events; fulfilling their primary mandate of emergency order maintenance (Reiner 2000: 136).

**Vocabulary:**

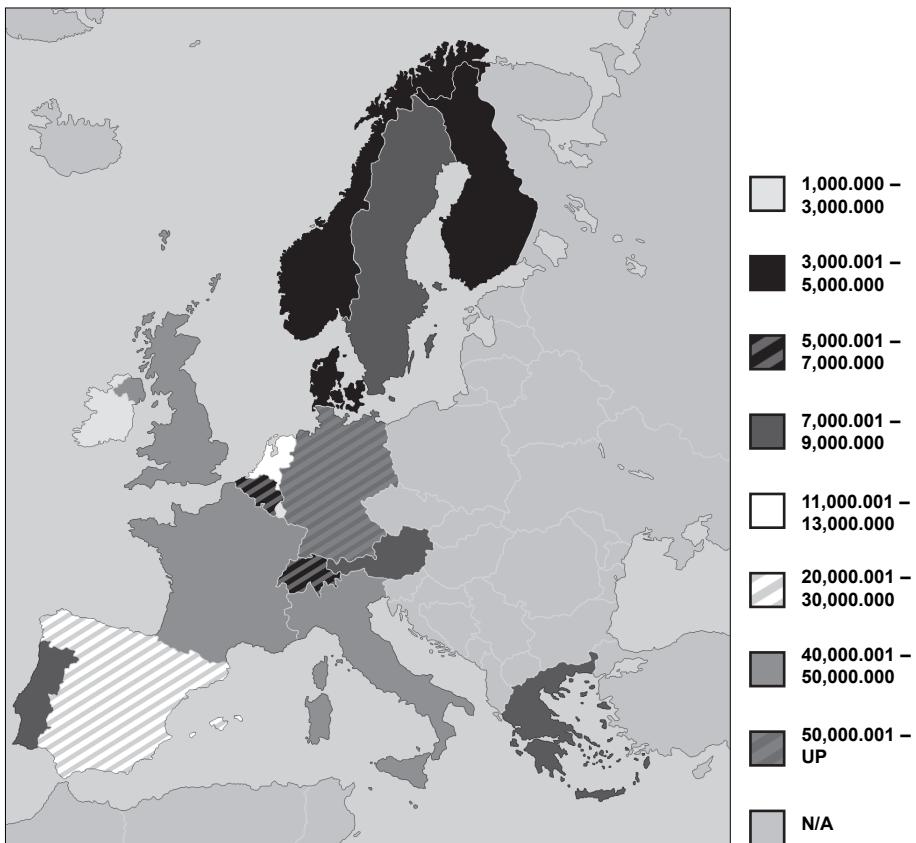
- constable* = Polizist, Exekutivbeamter
- uniformed foot patrol* = uniformierte Fußpatrouille
- to deter* = abschrecken, abhalten
- to maintain* = beibehalten, erhalten
- equipment* = Ausrüstung, Ausstattung
- beat* = Rayon, Revier
- guidance* = Orientierungshilfe, Anweisung
- whistle* = Pfeife, Trillerpfeife
- torch* = Fackel, Taschenlampe
- to refer to* = verweisen (auf), hinweisen (auf)
- relaxation* = Entspannung, Lockerung
- to provide* = liefern, bieten, vorsehen
- to occur* = sich ereignen, vorfallen, eintreten
- detection* = Erkennung
- to epitomise* = verkörpern
- sophisticated* = fortgeschritten

Images from the 1960s –  
police control room and unit  
beat or "panda" car and Constable.  
(Pictures: West Midlands Police,  
Cambridgeshire Police).

Modern policing in the UK began in London in 1829 but until the 1950s was still very much local in character.

For much of the 20<sup>th</sup> Century officers had access only to rudimentary communication equipment; constables reported to their supervisors from a police box sited on their beat.

## MOBILE PHONE SUBSCRIBERS (2003)



A little simplistic perhaps because during this period there was the emergence of Scotland Yard's Criminal Intelligence Branch and the establishment of regional criminal intelligence offices but these units represented only a tiny fraction of police resources.

The third phase from the 1980s to the present is characterised by an information-soaked environment. Sociologists such as Lyon (1999) have suggested that society has moved into the post-modern age; that society, as it is commonly understood, is

breaking down while others such as Giddens have argued persuasively that the phenomena characterised as "post-modern" are usually just the more extreme instances of a fully developed modernity (cited in Gauntlett 2002).

Whichever theory one subscribes to it is clear that the pace of change has quickened. The Internet has created new crimes and facilitated the wider commission of many "old" ones. There are more than 50 million mobile telephones in the UK and that number grows daily. A large proportion of these are of the pay-as-you-go variety; no self-respecting criminal would be without one. Text messaging, unheard of twenty years ago is now for many, the preferred form of communication. This mass of communication and electronic data has created a "data-smog".

In the policing sector the result has been bifurcation; increasing emphasis on developing more proactive, national structures with all the technological "wizardry" available to combat transnational crime but also (perhaps, learning from the failed experiment of unit beat policing) an increasing recognition of the importance of service delivery; of continuing to meet local needs by encouraging greater community involvement to enhance problem-solving activities that may provide sustainable solutions to policing problems. At first glance these may be perceived to be competing priorities but one need only consider the lived reality of many local communities facing for example; widespread drugs problems or gun crime to begin to see a priori

**Vocabulary:**

*soaked* = durchdrungen  
*persuasively* = überzeugend  
*pace* = Tempo, Schritt  
*commission* = Verübung, Begehung  
*pay-as-you-go (mobile phone)* = Wertkarten (-telefon)

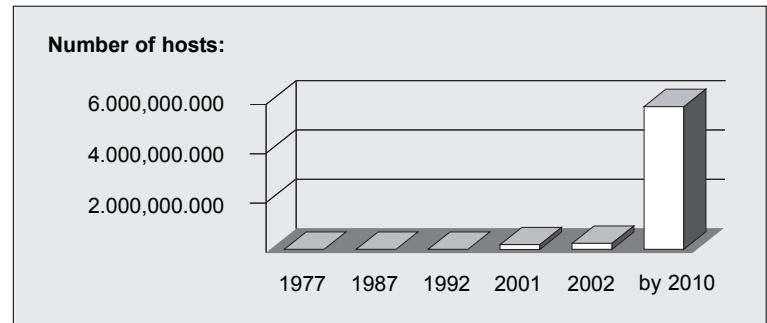
*emphasis* = Schwerpunkt, Betonung, Gewichtung  
*wizardry* = Hexerei  
*delivery* = Zustellung, Lieferung  
*to enhance* = erweitern, verbessern  
*sustainable* = anhaltend  
*to perceive* = wahrnehmen, erkennen  
*competing* = konkurrierend

**Vocabulary:**

*exploited* = ausgenutzt, ausgebeutet  
*adjunct* = Zusatz, Beifügung, Beigabe, Attribut  
*narrow* = beschränkt, eng  
*broker* = Makler, Maklerin, Vermittler  
*prevailing* = vorherrschend, überwiegend  
*overwhelming* = überwältigend  
*vulnerability* = Verwundbarkeit, Verletzbarkeit

that there are clear links between transnational crime and local problems. This also highlights another, often overlooked, truth. Every major criminal, every member of every criminal network lives within a community and on some local police officer's "patch". Properly exploited, the local intelligence opportunities routinely afforded can be useful adjuncts to the more sophisticated intelligence gathering methods that one might usually consider when discussing transnational crime and these opportunities must not be ignored.

**The Risk Society.** Risk management has become an essential element of modern policing. Though to many citizens only the most abstract of notions, there is an important connection between corporate risk management and routine policing interventions. Ericson and Haggerty's thesis Policing the Risk Society (1997) attempts to lift the analysis of policing in late modernity out of the narrow field of crime control and into the field of governance (O'Malley 1999 cited in Campbell 2004). They suggest that the police have become information brokers to institutions such as insurance companies, and other organisations that operate based on knowledge of risk. In turn, these institutions influence the ways that police officers think and act and that these institutions are part of a "risk society" where such knowledge is used to control danger. It has been argued that though the management of risk is increasingly important "policing intervention in the lives of others in the name of law and order, peace-keeping, crime fighting and community safety is

**GROWTH OF THE INTERNET**

**Growth of the Internet:**  
 1977: 111 hosts  
 1987: 10,000 hosts  
 1992: 1,000,000 hosts  
 2001: 150 – 175 million hosts  
 2002: over 200 million hosts  
 by 2010: about 80% of the planet will be on the internet.

popularly demanded and expected" (i.e., that the lived reality of our communities cannot be ignored) and that Ericson and Haggerty's work fails to adequately explore the relationship between the police's risk management role and the "prevailing structures of belief in policing's ability to actually manage risk" (Campbell 2004). The public's confidence in the police to manage that risk may largely be a question of faith. That faith, or trust, is negotiated and renegotiated each day through the tens of thousands of routine interactions that take place between police and public; the overwhelming majority of which take place at the local level. It is for this reason that the bifurcation described, far from being problematic, is so very necessary if public confidence and support is to be retained.

Corporate concern with risk is a product of the information-soaked environment, of globalisation and what it brings; a sense of vulnerability in being part of a world system. Often, risks cannot be delimited spatially and may become ever more difficult to manage because of their global nature. In the past risks were largely perceptible: today the risks are "global, implicit in post-industrialisation and in the main unseen"

Often, risks cannot be delimited spatially and may become ever more difficult to manage because of their global nature. Risk management has become an essential element of modern policing.

In the USA, in the wake of the catastrophic events of 9/11, the first director of national intelligence has been appointed.

The routes taken by migrants to enter the EU are well established.

Migrants may be charged anything from £2,000 to £20,000 to enter the UK.

(Coker 2002). In the information bog of late-modernity, there are few certainties. The key to effective risk management is credible, actionable intelligence. Recognising this, law enforcement agencies around the world are reassessing their intelligence gathering capabilities. In the USA, in the wake of the catastrophic events of 9/11, the first director of national intelligence has been appointed. He will have authority over the budgets of the 15 US intelligence agencies and will be able to order the collection of new intelligence, information sharing between agencies and establish common standards for the management of intelligence. In 2003, the discovery of a terrorist plot to use poison gas on the streets of London and the devastation wrought by the Madrid bombings of 2004 have given a new impetus to the reform of intelligence management but in the UK at least, as recent well-publicised intelligence failures testify, there is still much to do.<sup>4</sup>

**Illegal Immigration to the European Union.** There has always been illegal immigration. In the past these enterprises were essentially small-scale; now human smuggling and trafficking are big business and few migrants make their journey to the West without assistance. The routes taken by migrants to enter the EU are well established.<sup>5</sup> The enlargement of the EU free movement zone in 2004 brought the EU's borders closer to many would-be migrants but whilst more effective (or at least, the promise of more effective) policing in the EU Accession countries has shifted the nexus points eastwards to Russia, Turkey and the Ukraine, illegal immigration to the free movement zone has not reduced significantly.

The United Nations Office on Drugs and Crime reports that globally each year, 500,000 to 700,000 people are trafficked and that this evil trade earns criminal gangs between \$12 and \$20 billion annually (UNODC 2003).<sup>6</sup> Evidence suggests that facilitation networks prefer to work within their own ethnic or family background. Migrants may be charged anything from £2,000 to £20,000 to enter the UK, dependent on the route travelled and the level of risk of capture or discovery as assessed by the smugglers (who usually carry out their own dynamic risk analyses).<sup>7</sup>

There have been some audacious and high profile attempts to enter the UK illegally. In February 2000, nine Afghans seized a passenger aircraft on a flight from Kabul and eventually landed the plane near London. The whole question of whether this was a real hijacking or simply mass illegal immigration has been the subject of much debate but events such as these can distract attention from the greater problem. The truth is that few migrants are able to reach the West unaided and they are usually willing to pay handsomely for the assistance. Criminal networks provide counterfeit identity and travel documents to those with the means to pay and will often provide expert help to facilitate migrants' journeys. At Heathrow

#### Vocabulary:

bog = Sumpf, Morast  
 devastation = Verwüstung  
 impetus = Anstoß, Auftrieb  
 testify = bezeugen

accession = Beitritt  
 assessed = eingeschätzt, beurteilt, bewertet  
 audacious = wagemutig, mutig, kühn  
 hijacking = Entführung  
 unaided = ganz allein, ohne Unterstützung  
 counterfeit = Fälschung

**Vocabulary:**

to intercept = auffangen, abfangen  
 courier = Kurier  
 thriving = prächtig gedeihend, blühend, florierend  
 forgery = Fälschung  
 to undermine = untergraben  
 licit = gesetzmäßig, erlaubt, gesetzlich  
 painstakingly = sorgfältig  
 unhindered = ohne Hindernis

Airport up to 50 individuals a week are intercepted with counterfeit documents that have been supplied by criminal networks. Parcels containing hundreds of counterfeit passports are regularly seized at UK ports in the possession of couriers or are intercepted in the mail.<sup>8</sup> Commonly such documents have been counterfeited in Thailand where there is a thriving forgery and counterfeiting network although there are a number of other countries where the manufacture of EU passports is an equally profitable business.

**Organised Crime Groups or Criminal Networks?** The smuggling of migrants and human trafficking by criminal networks are real problems facing Member States. Much of the literature on serious and organised crime describes the organisational forms at their heart as "organised crime groups" but as Williams (2003) notes "most criminal activities are initiated by individuals or small groups and can best be understood as "disorganised crime"". This does not mean to suggest that "organised crime" is a chimera. Crime groups exist but few modern groups conform to media-driven images and it is probably more accurate to describe them as criminal networks. A criminal network is a "highly sophisticated organizational form" with the capacity to infiltrate the legal economy, undermine public morals and neutralize law enforcement through corruption at national, regional and even global level (Williams 2003a). Such networks are often characterised by significant linkages between people, places and

events. These networks pose the single greatest challenge to law enforcement agencies in the 21<sup>st</sup> Century.

In many countries criminal networks have infiltrated both private and public institutions and as a result have blurred the line between licit and illicit activity. For example, it is broadly accepted that Russian-speaking criminal networks are active in many neighbouring countries including, Azerbaijan, Kazakhstan and Georgia and their reach extends into much of Europe and North America. Infiltration of these networks is always difficult, often impossible. Prosecutions must be painstakingly assembled and can take a great deal of time during which the network may be able to operate relatively unhindered.<sup>9</sup>

Increasingly, criminal networks operate across a range of markets and in multiple jurisdictions for example, Chinese criminal networks in Europe are involved in human trafficking but they are also involved in

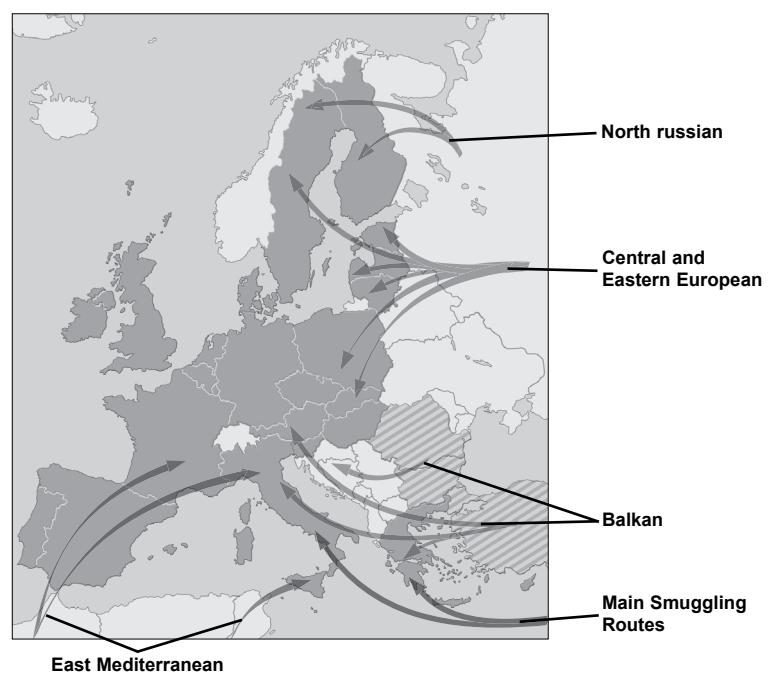
The smuggling of migrants and human trafficking by criminal networks are real problems facing Member States.

A criminal network is a "highly sophisticated organizational form" with the capacity to infiltrate the legal economy, undermine public morals and neutralize law enforcement through corruption at national, regional and even global level.

**Drug trafficking and human smuggling routes.**

(Source: Europol 2004).

EUROPEAN MAP – SMUGGLING ROUTES



Most of the known illegal immigration routes are also well-established drug trafficking routes.

Sophisticated organisational responses are required to meet this challenge.

The challenge for policing is to look beyond the UK's borders and to work even more effectively with its European partners.

drug trafficking, money laundering and the manufacture and sale of counterfeit goods (NCIS 2004). Most of the known illegal immigration routes are also well-established drug trafficking routes. It is probably wrong to view the problems that networks create as "the immigration problem" or "the drugs problem" or the "counterfeit goods problem" but rather as the more generic "transnational crime problem".

**Organisational Responses.** Sophisticated organisational responses are required to meet this challenge. The continuing development of the Schengen arrangements, the growth of Europol and increasing cooperation in the areas of justice and home affairs, shows that the EU and its Member States are working hard to improve intelligence-gathering and the coordination of law enforcement activity. In the area of illegal immigration the EU has established the Risk Analysis Centre (RAC) that is based in Helsinki. The centre's purpose is to conduct threat assessments and risk analyses of illegal immigration and to report on those findings for the benefit of Member States.<sup>10</sup> The UK's response is the National Intelligence Model (NIM) that was introduced in 2000 by the UK National Criminal Intelligence Service. The purpose of the NIM is "to provide strategic direction, to make tactical resourcing decisions about operational policing and to manage risk (Home Office 2004)". The model stresses the importance of accurate evidence-based intelligence assessments, presented in standardised formats that enable decision-makers to prioritise resources and to make effective and timely interventions. The NIM represents an attempt to ameliorate problems by enabling decision-makers to do the best thing on the balance of the available evidence rather than just doing something.

**Conclusions.** The UK is not alone in facing the challenge of transnational criminal

networks and the NIM can only take UK law enforcement so far. The challenge for policing is to look beyond the UK's borders and to work even more effectively with its European partners. The National Intelligence Model (NIM) provides a mechanism for the coordination of UK law enforcement activity but to continue that success all Member States' governments and law enforcement agencies must think and behave much more in network terms and create systems based on professionalism, trust and the free flow of intelligence that allow the same flexibility of action as the criminal networks they aim to dismantle (Williams 2003). Member States require local systems that ensure that local intelligence opportunities are exploited and community confidence is maintained and national structures that can capture that intelligence, add value to it and ensure that finite resources are allocated to identified priorities but as this paper has indicated; in the data smog of late-modernity national structures are, by definition, limited in their capacity to meet the challenge of transnational criminality.

As criminality increasingly ignores national boundaries there is an urgent need for harmonisation of national processes to produce a "European Intelligence Model" that will support the development of standardised intelligence products that may more easily be exchanged between the law enforcement agencies of all Member States. Only then can European law enforcement agencies truly claim to be making progress against transnational criminal networks.

#### **Vocabulary:**

*money laundering = Geldwäsche  
to ameliorate = verbessern  
to dismantle = demontieren, abbauen, abbrechen  
progress = Fortschritt*

## Zusammenfassung

Dieser Artikel befasst sich mit der Zunahme krimineller Netzwerke und der Art und Weise, wie die zuständigen Organe der Rechtspflege<sup>11</sup> die Struktur ihrer "Intelligence Systems"<sup>12</sup> diesen Veränderungen anpassen. Ziel dieser Umstrukturierungen ist es, den neuen Herausforderungen gerecht zu werden. Die illegale Immigration stellt in vielen Fällen die Haupteinkommensquelle für kriminelle Netzwerke dar. Diskussionen darüber und über illegale Immigration finden im Schatten einer umfassenden Immigrationsdebatte statt. Quer durch ganz Europa ist die Diskussion über den Themenbereich Immigration nach wie vor sehr emotionsgeladen und höchst politisch. Als allgemeines Wahlkampfthema wetteifern die führenden Parteien in Großbritannien mit einer glaubwürdigen oder vielleicht noch wichtiger, mit einer allgemein akzeptablen Immigrationspolitik um die Wählerschaft.

Großbritannien ist nicht allein mit den Herausforderungen durch transnationale kriminelle Netzwerken konfrontiert. Das "National Intelligence Model" kann die Polizeiarbeit in Großbritannien nur bis zu einem bestimmten Grad unterstützen. Die Herausforderung für die Überwachungstätigkeiten besteht in der Auseinandersetzung mit den Gegebenheiten hinter den britischen Grenzen und in einer effektiveren und effizienteren Zusammenarbeit mit den europäischen Partnern.

Das "National Intelligence Model" bietet eine Unterstützung zur Koordination von polizeilichen Aktivitäten in Großbritannien. Um die erzielten Erfolge aufrecht zu erhalten, müssen die Regie-

rungen aller EU-Mitgliedsländer und die Organe der Rechtspflege nicht nur vernetzt denken, sondern auch handeln. Weiters sollten bzw. müssen Möglichkeiten des Informationsaustausches geschaffen werden, die auf Professionalität, Vertrauen und frei fließendem Datenaustausch beruhen. Diese Systeme müssen im Endergebnis über dieselbe Flexibilität und Schnelligkeit verfügen wie die der kriminellen Netzwerke, die sie zu zerschlagen versuchen. Die einzelnen Staaten benötigen dafür eigene lokale Systeme, die garantieren, dass lokale Informationsflüsse ausgenutzt werden können und eine ausreichende Vertrauensbasis vorherrscht. Ein wichtiges Element ist auch, dass die begrenzten Ressourcen den definierten Schwerpunktbereichen zugeteilt werden. Allerdings beschreibt dieser Beitrag auch ausführlich, dass für nationale Strukturen nach heutiger Definition die transnationalen agierenden Kriminalitätsnetzwerke eine große Herausforderung darstellen.

Da die Kriminalität zunehmend nationale Grenzen ignoriert, herrscht ein dringender Bedarf an einer Harmonisierung nationalstaatlicher Prozesse in der EU. Dies ist die Voraussetzung ein "European Intelligence Model" entwickeln zu können. Ein solches Modell sollte die Möglichkeit bieten, einen standardisierten Informationsfluss zwischen den Organen der Rechtspflege zu gewährleisten. Nur so können die europäischen zuständigen Einrichtungen wirklich behaupten, dass sie den Herausforderungen der transnationalen kriminellen Netzwerken entgegentreten können.

Die illegale Immigration stellt in vielen Fällen die Haupteinkommensquelle für kriminelle Netzwerke dar.

Quer durch ganz Europa ist die Diskussion über den Themenbereich Immigration nach wie vor sehr emotionsgeladen und höchst politisch.

Das „National Intelligence Model“ kann die Polizeiarbeit in Großbritannien nur bis zu einem bestimmten Grad unterstützen.

## Literaturhinweise

**Der Beitrag beschreibt ausführlich, dass für nationale Strukturen nach heutiger Definition die transnationalen agierenden Kriminalitätsnetzwerke eine große Herausforderung darstellen.**

**Da die Kriminalität zunehmend nationale Grenzen ignoriert, herrscht ein dringender Bedarf an einer Harmonisierung nationalstaatlicher Prozesse in der EU.**

<sup>1</sup> This paper builds on the notion of policing set out by Brian Flood of the UK's National Criminal Intelligence Service in his paper "Are we really serious about intelligence..." Delivered at the National Crime Squad HQ on 14<sup>th</sup> July 2004.

<sup>2</sup> From the now defunct Metropolitan Police Instruction Book, once mandatory reading for recruits (incidentally, these instructions were still in force in 1977 when this paper's author joined the service).

<sup>3</sup> For example, White, P.C. (2003) Crime Scene to Court: Essentials of Forensic Science. London, Royal Society of Chemistry.

<sup>4</sup> For example, HM Government's dossier on Weapons of Mass Destruction.

<sup>5</sup> Source – Tor Burman, Europol Serious Crime Department, Illegal Immigration Group.

<sup>6</sup> UN Office on Drugs & Crime 2003.

<sup>7</sup> UK Foreign and Commonwealth Office 2003.

<sup>8</sup> Data obtained from a member of the Heathrow Human Smuggling Team, September 2004.

<sup>9</sup> Based on the author's experience.

<sup>10</sup> Threat Assessment – criminal pressure towards the EU external borders; risk analysis – vulnerabilities of society and the EU external border security system itself.

<sup>11</sup> Die Begrifflichkeit wurde in Absprache mit dem Autor gewählt.

<sup>12</sup> Da es im Deutschen keine allgemein gültige, generelle Übersetzung für den Terminus "Intelligence System" gibt, wurde der englische Ausdruck beibehalten. Generell kann unter diesem Terminus die Summe der Mittel zur Verbrechensbekämpfung, welche vor allem umfassende Informationssysteme, technische Hilfsmittel sowie sämtliches zur Verfügung stehendes Know-how sind, verstanden werden.

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