

Elements of Best Practice in Policing Transnational Organized Crime: Critical Success Factors for International Cooperation

Dr. Vy Le, Dr. Peter Bell & Dr Mark Lauchs

Faculty of Law, School of Justice,
Queensland University of Technology
Adjunct Fellow,
Centre for Excellence in Policing & Security (CEPS)
Phone: 617 3138 7105
p6.bell@qut.edu.au

Abstract

Transnational criminal groups have demonstrated their ability to subvert traditional policing initiatives by a single state and thus, responses to TOC must be “extensive in scope, multilateral in form and to the extent possible, global in reach” (Godson and Williams 2001, 329). Given the importance of international policing efforts in addressing TOC, there is a paucity of empirical research conducted into its overall effectiveness and the existence and/or use of “best practice” models. There is also limited understanding of how law enforcement agencies interact and cooperate in an international context and whether such collaboration, results in tangible and positive outcomes for investigations. This paper will examine several examples of best practice in policing TOC and the elements which are critical to any successful law enforcement response to TOC.

1. Introduction

In a globalised world, the capacity for organised crime groups to operate across borders, expand their activities and capitalise on opportunities in a range of illicit markets is unprecedented (Ganapathy and Broadhurst 2008). Organised crime is no longer viewed as a purely domestic or local problem but has become transnational and effectively, “borderless” in nature (Godson and Williams 2001). The pervasive nature of transnational organised crime (TOC) activity continues to challenge and undermine traditional methods of policing that have attempted to control its spread and influence. In effect, the growth of TOC appears “beyond the competence of the traditional criminal justice investigative agencies” (Harfield 2008; Findlay 1995, 282). Therefore, it is well established that an international and multilateral approach to policing is essential in the fight against TOC (Lemieux 2010a; Bowling 2009; Brady 2008; Harfield 2008; Cockayne 2007; Bernal and Serrano 2002; Godson and Williams 2001).

Transnational criminal groups have demonstrated their ability to subvert traditional policing initiatives by a single state and thus, responses to TOC must be “extensive in scope, multilateral in form and to the extent possible, global in reach” (Godson and Williams 2001, 329). Given the importance of international policing efforts in addressing TOC, there is a paucity of empirical research conducted into its overall effectiveness and the existence and/or use of “best practice” models. In effect, there is limited understanding of how law enforcement agencies interact and cooperate in an international context and whether such collaboration results in tangible and positive outcomes for investigations. This paper will examine several examples of best practice in policing TOC and the elements which are critical to any successful law enforcement response to TOC.

2. Discussion

To date, international efforts to control TOC have involved primarily, multilateral norm development, multilateral and bilateral capacity development and bilateral policing and intelligence cooperation (Cockayne 2007). The two key international policing organisations are Interpol and Europol. The majority of information on international policing efforts has focused predominantly on the functions and activities of these two policing organisations (Bowling 2009; Brady 2008; Cockayne 2007; Sheptycki 2004; den Boer

2002; Benyon 1994). A small number of states including the US, the UK, France, Germany, the Netherlands and Australia have established investigative branches overseas that have the capacity and responsibility to enforce violations (e.g. drug trafficking) that have international implications (Lemieux 2010a).

2.1 Characteristics of international policing

Effective police cooperation across borders involves sharing intelligence, coordinating operations, securing evidence and targeting suspects (Block 2008). A number of scholars in this field have proposed a range of principles and guidelines to develop a comprehensive strategy for international crime control and specifically, for policing TOC. However, very few studies have conducted a “systematic evaluation” of international police cooperation and the use of anecdotal evidence is likely to be unreliable and inaccurate (Block 2008, 81). The process of evaluating organised crime control strategies is difficult and tends to focus on self-evaluations conducted by agencies. These evaluations rely on the perceptions of individual agents and administrative data rather than the analysis of impact (Beare and Martens 1998).

The nature of international police cooperation may be explained using Benyon’s (1994) three-tiered system which describes the *macro*, *meso* and *micro* levels of police cooperation. The *macro* level involves executive government decision-making on issues such as police operational powers across borders (e.g. arrest, surveillance and interrogation), extradition procedures, entry and exit from sovereign states and the role of international treaties and conventions (Benyon 1994). This level is also likely to include “norm development” i.e. building a consensus on definitions of crime and the types of activities which constitute TOC (Cockayne 2007). Godson and Williams (2001) also emphasise the importance of establishing international conventions and norms in developing an effective strategy to combat TOC. The process of developing norms in the criminalisation of specific activities has been largely driven by Western conceptions of crime in developed nations (Andreas and Nadelmann 2006).

The *meso* level is concerned with the “structural and procedural frameworks” in which operational policing occurs. This level of cooperation involves the establishment of specialist task forces, face to face contact between officers, linking information systems and coordinating access to shared criminal intelligence databases (Benyon 1994). Sharing intelligence and information is crucial to the success of international police cooperation, as it builds a knowledge base of actual and/or potential criminal activity outside their jurisdiction (Lemieux 2010a). The *micro* level of cooperation involves the investigation of specific offences and the prevention and control of particular types of crime through the use of formal and informal policing networks (Benyon 1994). Networking is often cited as a key factor which contributes to positive outcomes for international police cooperation (Lemieux 2010a). This stage involves police officers who are purely operational and work to enforce the laws unilaterally or in conjunctions with foreign police institutions (Lemieux 2010a).

Block (2008) analysed three empirical examples of international police cooperation in Europe to develop an understanding of the practicalities and issues involved in policing organised crime. The examples of police cooperation included the use of direct bilateral contacts, police liaison officers and the development of Joint Investigation Teams (JIT). The key advantage of working with direct contacts was the efficiency and speed at which information was obtained and that a degree of trust between the parties ensured the work was carried out as arranged. The deployment of police liaison officers facilitates police cooperation through the swift exchange of data and information. The liaison officer is described as the “human interface” for data interconnection between their home and host country (Bigo 2000, 74). The practices of liaison officers demonstrate the importance of personal networks and knowledge as being vital to effective police cooperation across borders. The third example is the development of JITs, an attempt to “formalise” police cooperation in Europe (Block 2008, 78). JITs are teams consisting of representatives from law enforcement agencies and judicial bodies in various EU Member States. These teams agree to jointly investigate cases of cross-border and international crime. The representatives are given permission to be present in the host country for the purposes of the investigation and also to access a shared pool of information and evidence obtained during the investigation (Block 2008). The concept of JITs is likely to be similar to other international police task forces developed for the purpose of collaborative investigation.

Lemieux (2010b) examined the operational outcomes of an international drug trafficking investigation led by the US Drug Enforcement Administration (US DEA) to evaluate the effectiveness of international police cooperation. The quantitative data explored two factors:

- a) Whether any correlation existed between the intensity of international police cooperation and the outcomes of the DEA's international investigations (number of arrests and seizures); and
- b) How the diversity of national police services within each international investigation led by the DEA affected operational outcomes (number of arrests and seizures).

The qualitative component involved several semi-structured interviews conducted with investigators from the US DEA and the national police services in Canada (RCMP), Colombia, the Netherlands, the United Kingdom and Venezuela (Lemieux 2010b).

First, the quantitative data indicated that the US DEA's cooperation with a number of foreign law enforcement agencies is strongly correlated to the operational success of joint international drug investigations (Lemieux 2010b). Therefore, the intensity of international police cooperation to target drug supply chains or a particular crime group can produce positive and tangible outcomes (Lemieux 2010b). Second, the interviews highlighted four key advantages of highly diversified international police cooperation (Lemieux 2010b):

- 1) Sharing and pooling of knowledge generated a better understanding of criminal network structure and the connections among drug traffickers.
- 2) A diversification of information sources and intelligence offered more legal options for prosecuting offenders.
- 3) A diversification of information sources and informants increased the chances of infiltrating criminal groups.
- 4) Different legal environments in other jurisdictions enabled investigators to gather intelligence that may be less valuable in court but contributed to the success of the investigation.

Both these studies highlight key advantages of international police cooperation namely, the exchange of information and the pooling of resources. In particular, Lemieux's study points to the effectiveness of international police cooperation in targeting specific organised crime activities such as illicit drug trafficking. In order to assess the effectiveness of international police cooperation, Lemieux (2010b) suggests that attention should be given to the overall quality of criminal intelligence, types of information sources and the sophistication of investigation techniques. Furthermore, it is also important to consider the effect of legal, organisational and political dimensions on foreign police partnerships and how these factors impact on their ability to share intelligence (Lemieux 2010b).

In the international context, policing organised crime encompasses more than the traditional functions of law enforcement agencies (Harfield 2008b, 484). In targeting TOC activity, national, bilateral, multilateral, regional and global efforts should be complementary and reflect similar overall priorities and guiding principles directed towards feasible goals (Godson and Williams 2001). In addition to strengthening law enforcement practices and cooperation, Godson and Williams (2001) developed a strategy against TOC which also emphasised the importance of establishing international conventions and norms, enhancing national judicial and legal institutions, harmonizing regulatory and legal regimes across state boundaries, removing safe havens, employing non-traditional counter-crime methods and mobilising the non-government sector. Similarly, Harfield (2008a) proposed a number of "pre-requisites" for international policing of organised crime: appropriate legislation and instruments enabling cooperation (treaties); courts with relevant competency; agencies with appropriate powers and capabilities; prevention initiatives; and knowledge management and information sharing.

Legislation and Instruments

At a global level, the UN developed the Convention Against Transnational Organised Crime 2000 and its three protocols: the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children; the Protocol Against the Smuggling of Migrants by Land, Sea and Air; and the Protocol Against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition (McFarlane 2005). The Convention provides guidelines for mutual legal assistance between state parties, law enforcement cooperation and the collection, analysis and exchange of information on the nature of organised crime activity. Australia is a signatory to this Convention but the majority of laws targeting organised crime activity are state-based. Legislation designed to target organised crime activity focus on three areas (Dewar, Clough, Boughey and Oldfield 2009):

- Laws relating to criminal association.
- Proceeds of crime or asset confiscation laws which remove the motivation for criminal activity and prevent those assets from funding organised crime activity.

- Policing powers which extend investigative capacities (e.g. telecommunications interception and surveillance).

The process of prosecuting transnational crime groups requires consistency across legislative definitions of “organised crime” and what constitutes organised crime activity. In Australia, the federal approach to combating organised crime has largely rested on agencies that investigate, assess and monitor organised criminal activity rather than actively prosecuting crimes through offence provisions. These agencies include the Australian Crime Commission (ACC), AFP, Crimtrac and Austrac (Dewar, Clough, Boughey and Oldfield 2009). However, Di Gennaro (2001) argues that measures to strengthen the legal approach to combating organised crime should focus primarily on the police organisation. Further to this, legislation that aims to dismantle and weaken organised crime groups is only effective if police have the capacity and powers to investigate crimes and identify perpetrators (Di Gennaro 2001). This approach suggests that strategies to combat organised crime should focus more on building police capabilities and developing cooperative policing initiatives between states, federal and international policing agencies.

Courts with relevant competency

The process of investigating and prosecuting transnational criminality requires governments to invest resources in collaboration efforts, in the likely event that criminal trials take place in more than one jurisdiction (Harfield 2008). Domestic court systems must have the capacity to conduct trials and request evidence from foreign jurisdictions if necessary. In Australia, the *Foreign Evidence Act 1994* (Cth) enables law enforcement agencies to adduce evidence from foreign jurisdictions. Furthermore, the process of punishing and prosecuting offenders outside Australian jurisdiction, will usually involve Treaties for Mutual Judicial Assistance and Extradition (Di Gennaro 2001). However, these treaties are more likely to be effective between two countries that are “equal” in judicial standards and compatible in their definition and understanding of TOC (Di Gennaro 2001). Issues with international cooperation have generally arisen when law enforcement agencies encounter disparate legal systems and laws relating to TOC. This issue suggests that it is important to consider how developed countries with an established legal system can assist less developed or dysfunctional states in creating an equally effective legal system.

Agencies with Appropriate Powers and Capabilities

The prosecution of offenders can only occur when law enforcement officials have the requisite powers and capabilities to conduct investigations, including sufficient powers to secure evidence, logistical resources to support an investigation and staff equipped with the relevant skills, experience and expertise (Harfield 2008). Police and other law enforcement agents should be granted powers that allow them to operate with less bureaucracy (Godson and Williams 2001). Transnational crime groups operate largely in network structures and police are more likely to be successful in containing TOC if they can operate with the same level of flexibility and adaptability (Godson and Williams 2001). As discussed, the success of any strategy aimed at targeting organised crime activity must be concentrated towards developing an effective police force with the requisite capacity to investigate and prosecute crimes. Therefore, efforts to control TOC through legislative means are less effective without a competent police force. In countries where expertise and training is poor, law enforcement agencies from developed countries should be motivated to improve and strengthen the capacity of police in these areas (Godson and Williams 2001). This will ensure cooperative policing efforts produce the most effective outcomes for joint investigations.

Prevention Initiatives

Law enforcement, government and policy makers should aim towards reducing and containing the spread of organised crime activity (Godson and Williams 2001). Government partnerships with private sector companies are useful for anti-money laundering efforts, especially with private banking institutions. In some countries, law enforcement agencies work closely with individual banks to “sensitise them to the threats” of organised crime activity (Godson and Williams 2001). If TOC groups are unable to launder and move their money, this will significantly impact on their ability to conduct business. Partnerships between Customs and freight companies are also useful for monitoring the transport and delivery of potentially illicit goods from overseas (Godson and Williams). This is evidenced in Canada and the US through their Customs Trade – Partners against Terrorism (CT-PAT) and the Partners in Protection (PIP) programs that operate across the largest land border in the world.

In addition, educational programs in schools and private business can prevent or minimize the growth of organised crime activity (Godson and Williams 2001). For example, in recent years, the AFP has fostered

partnerships with the Vietnamese community to create forums for educating a population considered at risk of participating in drug smuggling operations (AFP 2009). These forums were introduced to increase awareness about the dangers associated with drug smuggling ventures and creating community awareness should form a part of any effective approach to prevention, risk management and diversion.

Knowledge Management and Information Sharing

An impediment to policing TOC is the lack of knowledge and understanding of the nature and extent of TOC (Benyon 1994). The success of an investigation into TOC is largely dependent on having specific types of knowledge: knowledge about the criminals, their relationships and organization (if any); knowledge about the transport and financial infrastructures which facilitate TOC; knowledge about the criminal laws; and knowledge about illicit markets (Harfield 2008). The vast amount of information available to law enforcement means that police must find ways to assess and use knowledge effectively in the performance of their duties (Dean, Filstad and Gottschalk 2006). The challenge with information sharing is considering the best methods of transferring explicit knowledge from one policing agency to a foreign policing agency. The information must then be re-created to ensure it is culturally appropriate in a new social context (Dean, Filstad and Gottschalk 2006). It is important to recognise that policy and practice are intimately related to the cultural norms of a society (Beare and Martens 1998). Therefore, policing skills and knowledge developed in one country may need to be re-created or transformed to suit the context of policing in another country.

Generally, there are two tiers of information sharing: open sharing and the sharing of secret or sensitive information (Godson and Williams 2001). Open sharing involves “strategic, macro-level” information which assists global (UN) and regional bodies to develop their own comprehensive assessment of TOC (Godson and Williams 2001, 341). These assessments might examine general trends and regional responses to TOC. The second tier of information sharing involves the disclosure of sensitive or confidential information and/or intelligence about criminal organizations. This type of information sharing is less problematic when the interests of states are closely aligned and the exchange involves agencies that are well-functioning and secure. However, concerns are raised when sharing sensitive information with highly corrupt or weak states that could potentially misuse such information. Despite this, the clear benefits of information and knowledge exchange between policing agencies cannot be overlooked. In most cases, information and knowledge exchange facilitates a process of learning and instills greater trust and confidence between agencies.

Issues with International Policing

Previous research has indicated that controlling TOC requires increased collaboration between foreign law enforcement agencies. However, the capacity of law enforcement agencies to identify and counteract TOC remains highly fragmented and the mix of global, regional and bilateral arrangements to combat TOC have developed somewhat “haphazardly” (Cockayne 2007; Godson and Williams 2001). Furthermore, a number of scholars recognise that coordinating international policing efforts is problematic given that crime control has long been regarded as an issue of state sovereignty (Cockayne 2007). Any agency that engages in a system of police cooperation will face a number of obstacles namely, incompatible legal and judicial procedures, differences in law enforcement style, culture, technological capability and policies which can hinder cooperative policing efforts against TOC (Lemieux 2010b). These obstacles impede the development of a coordinated, global approach to fighting TOC.

One of the key issues with international policing ventures is the difference in policing capabilities, powers and resources between states. This is likely to be a common issue with police collaboration in developing nations where the infrastructure, standards of conduct and investigative techniques differ markedly from those in developed nations (Godson and Williams 2001). Godson and Williams (2001) suggest that training be offered to law enforcement agencies in less developed nations where expertise and training initiatives are likely to be limited. Another issue concerns divergent legal systems and foreign evidential procedures (Block 2008; Harfield 2008a). The compatibility of national legal frameworks and criminal justice systems will ultimately affect the scope of police operations and the nature of joint policing efforts (Lemieux 2010b). Therefore, some scholars have suggested “harmonising” national criminal codes or creating international criminal law regimes to create a standardised set of laws but this option is clearly difficult to achieve in the short term (Godson and Williams 2001).

An issue relevant to the development of international policing initiatives is the lack of best practice frameworks and knowledge to guide operations. Bowling (2009, 158) suggests that if global policing is to obtain “professional status”, there is a need to understand “what research and practical knowledge informs

and drives strategic development and operational status". For example, how transnational police officers are selected and trained or what measures are in place to ensure accountability and legality of actions (Bowling 2009; Harfield 2008b; Benyon 1994). Therefore, the practice of international policing should be informed by evidence-based research that is focused towards developing best practice models.

Case Study: The Australian Federal Police (AFP)

In Australia, the international role of the Australian Federal Police (AFP) focuses on three key areas (AFP 2012b): collaboration with international law enforcement agencies; intelligence gathering; and capacity building. The AFP are commonly involved in offshore operations such as peacekeeping missions, restoring law and order in failed states and cooperative policing ventures that aim to target transnational crime. For example, the AFP's International Deployment Group (IDG) provides rapid deployment of police to assist in UN missions, capacity development and security operations (AFP 2013b). The IDG currently manages approximately 440 members deployed to various UN and international missions in locations such as Cyprus, Timor-Leste, Papua New Guinea and the Solomon Islands (AFP 2013b). The AFP Law Enforcement Cooperation Program (LECP) assists foreign law enforcement agencies to address transnational crime by supporting a number of bilateral and multilateral projects (AFP 2012d). These projects include (AFP 2012d): strengthening the capability of foreign law enforcement agencies to gather information and evidence against illicit drug traffickers; increasing the AFP's capacity to gather intelligence; improving the infrastructure of foreign law enforcement agencies; improving the operational understanding of TOC and developing personal and institutional networks. The LECP is largely focused on fighting illicit drug markets and trafficking (Malone 2000).

AFP's Law Enforcement Cooperation Program

Some of the activities funded by the LECP include (Malone 2000; AFP 2013d):

- Positions on the Management of Serious Crime Course and National Strategic Intelligence Course for international law enforcement agencies.
- Delivery of an International Management of Serious Crime Course in Vanuatu and the Solomon Islands.
- Delivery of a Law Enforcement Intelligence Course in Singapore for its law enforcement agencies.
- Attachment of an AFP officer (analyst or criminal intelligence) for short term assignments in California, Indonesian National Police, Hong Kong Police and Royal Solomon Islands Police.
- Drug technical Investigations training for Royal Malaysian Police and the Indonesian National Police.
- Support to the Thailand Transnational Crime Coordination Network, the Cambodian Transnational Crime Team and the Colombian Transnational Crime Team.

The LECP has directly contributed to enhancing the capacity of foreign law enforcement agencies in their efforts to combat transnational crime (AFP 2012a). In recent years, the LECP has established a number of Transnational Crime Centres to build the capacity of foreign law enforcement partners to investigate and disrupt TOC activity at its source (AFP 2012a). These centres are located in Indonesia (Indonesian National Police Transnational Coordination Centre), Vietnam (Vietnam Joint Transnational Crime Centre), Cambodia (Cambodia National Police Transnational Crime Unit), Thailand (Bangkok Transnational Crime Coordination Network) and Colombia (Colombia National Police Transnational Crime Team) (AFP 2012a).

AFP engagement in the Asia/Pacific region

The LECP has supported a number of international policing initiatives. Key LECP achievements include the establishment of the Pacific Transnational Crime Network (PTCN) comprised of numerous Transnational Crime Units (TCUs) (AFP 2005). In this region, TCUs have been established in Fiji, Samoa, Tonga, Vanuatu, Papua New Guinea and Cook Islands (AFP 2012a; AFP 2005). TCUs provide a "proactive, transnational crime intelligence and investigations capacity in each of the participating counties" (AFP 2005, 5). These units collect, collate, analyse and disseminate tactical intelligence, assist with target development and management of issue-specific investigations; and establish domestic networks to support their activities (AFP 2005). In addition to the TCU's investigative functions, the AFP also conducts extensive training and capacity building programmes that run parallel to the TCU program (AFP 2005). Furthermore, the AFP and TCU network have forged cooperative relationships with the US Drug Enforcement Administration (US-DEA), the Pacific Islands Forum and Interpol to enhance training and capacity building opportunities (AFP 2005). The establishment of TCUs has resulted in a number of arrests and seizures related to illegal fishing, arms smuggling, fraud and the dismantling of a clandestine-drug laboratory in Nadi, Fiji (AFP 2005). The next phase in developing the

Pacific Transnational Crime Network was the establishment of the Pacific Transnational Crime Coordination Centre (PTCCC) in Suva (AFP 2005). The PTCCC is responsible for coordinating the process of collection and dissemination of intelligence throughout the Pacific region and to provide intelligence support to law enforcement agencies (AFP 2005). From January to June 2012, the PTCCC received 417 Information Reports from TCUs and other stakeholders (AFP 2012a). Through the PTCN, Pacific Island countries have developed the capacity to effectively address TOC activity and in particular, make informed assessments about the impact of TOC in their respective countries (Henshaw 2008). Furthermore, the effectiveness of the PTCN can be attributed to its focus on the law enforcement priorities of each country, is staffed by local officers and works at the operational level through direct police-to-police assistance (Henshaw 2008).

The AFP has developed a well-integrated network of liaison agents who gather and share information with other policing agencies (Baker 2004). The AFP's international liaison officers work closely with the LECP and they provide a pivotal role in the implementation of LECP activities (Malone 2000). The AFP's International Liaison Officer Network has over 85 AFP appointees in 30 countries, incorporating 30 Posts and 9 offices around the world (AFP 2012c). These offices are located in the immediate Pacific region but also in locations of interest (primarily drug-related) such as Colombia, Myanmar and Afghanistan (McFarlane 2007). In particular, the impact of ongoing drug smuggling activity between Southeast Asia and Australia has seen the AFP reassess its deployment of liaison officers in the Asia/Pacific region (Palmer 2000). The appointment of liaison officers includes 14 posts within Asia (Baker 2004). Current AFP liaison posts in the Asia Pacific region include: Port Moresby; Bali; Jakarta; Singapore; Kuala Lumpur; Manila; Ho Chi Minh City; Hanoi; Guangzhou; Hong Kong; Phnom Penh; Bangkok; Yangon and Beijing (AFP 2013b). The establishment and expansion of these liaison posts is in direct response to ongoing criminal activity in the Asia Pacific region and the threat that these activities pose to Australian interests (Palmer 2000). During 2011-2012, the International Liaison Network facilitated 26 inwards and 27 outwards visits of foreign law enforcement agency and AFP delegations to and from Australia (AFP 2012a). In addition to the liaison posts, the AFP has also established ten Transnational Crime Units in diverse locations such as Vietnam, Cambodia, Tonga, Columbia and West Timor (McFarlane 2007). Through the International Network, the AFP (2012a) has recently introduced a Transnational Crime Delivery Team based in Canberra. The Delivery Team provides a comprehensive response to organised crime through policing and investigative facilities in Southeast Asia and the Pacific. The investment of significant resources and personnel in developing these initiatives demonstrates an ongoing commitment by the AFP and the Australian government to combat TOC activities in partnership with foreign law enforcement agencies.

Cooperative policing and shared intelligence have assisted AFP investigations into drug trafficking, money laundering, sex tourism, fraud, people smuggling, arms sales and terrorist activities (Keelty 2003). The movement of illicit drugs from key source or transit countries in the Asia Pacific region to Australian markets, has resulted in the development of specific cooperative policing initiatives to target these activities. For example, diverted precursor chemicals from legitimate industries in China and India are supplying a growing amphetamine and MDMA industry in Southeast Asia (Wardlaw 2009). The AFP responded by establishing a second liaison post in China (Guangdong province) and negotiated for an additional office in Laos (Wardlaw 2009). Furthermore, a Specialist Response Amphetamine Type Stimulants (SRATS) team comprised of investigators, forensic chemists and intelligence staff was created to provide regional assistance (Wardlaw 2009). As part of the SRAT initiative, the AFP has conducted offshore training and forums to share techniques in the detection and dismantling of illicit drug laboratories. The first of these courses was conducted in Hunan province, China, in March 2008 (Wardlaw 2009). In June 2008, a joint operation between the AFP's SRATS team and Cambodian authorities resulted in the destruction of 33 tonnes of saffrole-rich oil, a precursor used in the production of ecstasy (AFP 2008).

More recently in April 2013, the AFP and Indonesian National Narcotic Board (BNN) conducted a joint operation with the US Drug Enforcement Administration (DEA) to dismantle an organised crime syndicate involved in the importation of precursor chemicals into Australia (AFP 2013d). As a result of the joint investigation, the BNN seized 300 litres of pure saffrole which had the potential to produce 3 to 5.1 million ecstasy tablets (AFP 2013d). Although detailed information regarding joint operations between the AFP and its international partners is often difficult to source, the information that is available points to the effectiveness of international cooperative policing efforts in addressing TOC activity.

Other key bilateral initiatives in the South Pacific include the deployment of AFP officers to the Solomon Islands in the Regional Assistance Mission to the Solomon Islands (RAMSI) – *Operation Helpem Fren* and for *Project Wok Wantaim*, an operation with the Royal Papua New Guinea Constabulary (RPNGC) (McFarlane 2005). The primary objectives of RAMSI included: securing law and order; strengthening the criminal justice system; maintaining access to services; and stabilising economic and government institutions (Fullilove 2006; McFarlane 2005). The Australian government's decision to intervene may be attributed to a number of reasons – one being the plausible risk that the Solomon Islands could become a "locus" of transnational crime including illicit drug trafficking and money laundering (Fullilove 2006). Some of RAMSI's successes include the seizure of approximately 4000 firearms and over 300,000 rounds of ammunition and the arrest of more than 160 former officers on over 600 charges (Fullilove 2006). In Papua New Guinea, the AFP mission was to address serious crime in Port Moresby and stabilise law and order (McFarlane 2005). As a result, the AFP was deployed in a range of areas within the RPNGC such as criminal investigations, prosecutions, transnational crime, fraud and forensic services (McFarlane 2005).

Case Study: US Drug Enforcement Administration (US-DEA)

The United States' Drug Enforcement Administration (DEA) enforces the provisions of the Controlled Substances Act against criminals and criminal organisations involved in the growing, manufacture or distribution of illicit drugs and other controlled substances (US Department of Justice 2012). The DEA's responsibilities and objectives are outlined as follows (US DEA 2013; Newton 2011):

- Investigate and arrest major drug law violators who traffic in controlled substances interstate and internationally.
- Investigate and arrest drug dealing criminals, gangs and syndicates who perpetrate violence in communities.
- Seized and forfeit assets and criminal proceeds derived from and associated with drug offending activity.
- Enforce the provisions of the Controlled Substances Act.
- Manage a national drug intelligence program focused on collecting, analysing and sharing intelligence across state and foreign jurisdictions.
- Coordinate and cooperate with foreign, federal, state and local law enforcement officials on mutual drug enforcement efforts, including efforts to reduce the availability of illicit drugs in the US.
- Maintain responsibility for all programs associated with drug law enforcement counterparts in foreign countries and liaise with the UN, Interpol and other organisations regarding international drug control programs.

The DEA recognise the international nature of drug trafficking and therefore, have developed strong partnerships with foreign law enforcement agencies in their efforts to combat illicit drug trafficking and production. The DEA has 86 foreign offices located in 67 countries. These partnerships allow for information sharing, joint investigations and training of foreign police who work closely with the DEA (US Department of Justice 2012). The DEA is also involved in assisting foreign police such as the Colombian National Police, Mexico's Federal Investigations Agency and Russia's Federal Security Service with their efforts to intercept illicit drugs before they enter US borders (Newton 2011). To effectively prosecute international drug offenders, the DEA has extradition agreements with many nations and in particular, Colombia remains the key extradition partner (US Department of Justice 2012). The DEA's approach to fighting international drug crime reflects the importance of building strong law enforcement partnerships with foreign agencies as a way to enhance their investigative capabilities.

3. Conclusion

This paper has examined five critical success factors in policing transnational organized crime (TOC). Some of the key issues with international policing ventures is the difference in policing capabilities, powers and resources between states. Research has shown that capacity building is pivotal to the effective targeting of TOC globally. The paper has discussed the impact of technology, information/ intelligence sharing on the fight against TOC and the need for robust legislative mechanisms to ensure the successful investigation and prosecution of TOC across various countries. Through the examination of two case studies, the Australian Federal Police and the US Drug Enforcement Administration, the paper has shown that international cooperation between law enforcement organisations can take different forms. But critical to their success is

the interoperability of resources (techniques and information sharing) and the face to face networks that are established and maintained by law enforcement personnel working side-by side.

The successful targeting of TOC is predicated on the need for international cooperation, capacity building, effective and efficient collection, collation, analysis and dissemination of intelligence amongst international partner agencies and increased compatibility of national legal frameworks and criminal justice systems. Some scholars have so far as to suggest a “harmonising” of national criminal codes or creating international criminal law regimes to develop a standardised set of laws, an objective that will be difficult to achieve in the short term.

TOC is a pervasive phenomenon that is not limited to affluent states or territories. It undermines economies and corrupts governments. It is anticipated that through greater cooperation and collaboration between law enforcement agencies, whole of government approaches can be applied to TOC, regardless of where occurs.

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