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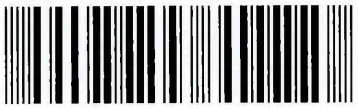

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One Step Ahead: The Police Transnational Firearms Intelligence Network

(The '*Network*').

Richard John Severns.

A thesis submitted in partial fulfilment of the requirements of
Sheffield Hallam University
for the degree of **Professional Doctorate in International Criminal Justice**

May 2015

Abstract

Policing has been reconstructed from state provision to a mixture of public and private police providers. Bayley and Shearing (2001) have called for continuing research to enable a better understanding of the reconstruction. In addition, the transnational threat from organised crime groups (OCGs) and terrorists has increased (Lilley 2009). Therefore, this thesis examines a transnational police response to that threat and any resulting reconstruction of policing that occurs within a context of global policing theory.

Transnational policing has previously been analysed by developing the Weberian theory of bureaucratisation. Police officers, with operational independence from their democratic nation state, meet to create transnational policing processes. This is known as 'Policeization' (Deflem 2002, p228) which is viewed by some critics as generating a loss of sovereignty and an increase in the global police state (Westmarland 2010). That tendency towards the global police state is confirmed more recently with a theory of global policing (Bowling and Sheptycki 2012).

The increased threat from OCGs and terrorists has been accompanied by their increasing use of firearms (Bruggeman 2008, Jojarth 2009 and Rollins 2010) and my epistemological standpoint (Corbin-Dwyer and Buckle 2009) relates to the development of policing and intelligence gathering on the firearms threat. Therefore, this professional doctorate thesis has focused on the police transnational firearms intelligence network (the Network). Qualitative data has been gathered to establish whether the Network contributes to a reconstruction of policing. That data has been analysed using adaptive grounded theory (Chamaz 2006) and nodal network analysis (Shearing and Johnston 2010).

As a result, this thesis articulates the UK firearms threat and the police response. The indications are that the Network is contributing to a glocal reconstruction of policing. The reconstruction includes pluralistic transnational action in partnership with other UK public organisations. There is no evidence of any privatisation of policing at the transnational level or any global control of UK policing through the Network.

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List of Abbreviations

7/7 - 7th July 2005 terrorist attacks in London

9/11 - 9th September 2001 terrorist attacks in the United States

ACC - Assistant Chief Constable

ACPO - Association of Chief Police Officers

ATF - Bureau of Alcohol, Tobacco, Firearms and Explosives

BASC - British Association of Shooting and Conservation

BBC - British Broadcasting Corporation

BBM - Olympic .380 BBM blank firer

BCU - Basic Command Unit

BSSC - British Shooting Sporting Council

BTP - British Transport Police

CEOP - Child Exploitation and Online Protection Centre

CEPOL - European Police College

CO19 - Metropolitan Police Specialist Firearms Command

CONTEST - UK Government Counter Terror Strategy

CoP - College of Policing

COSI - EU Committee on Operational Co-operation on Internal Security

CPS - Crown Prosecution Service

CRQ - Central Research Question

CT - Counter Terrorism

CTU - Counter Terrorism Unit

CUF - Criminal Use of Firearms

DCC - Deputy Chief Constable

DG - Director General

DNA - Deoxyribonucleic Acid

DTI - Department of Trade and Industry

EC - European Commission

ECHR - European Court of Human Rights

ECIM - European Criminal Intelligence Model

EFE - European Firearms Experts

ESRC - Economic and Social Research Council

e-trace - The US firearms database

EU - European Union

EUROPOL - EU Law Enforcement Agency or European Police Office

FATF - Financial Action Task Force

FBI - US Federal Bureau of Investigation

FELWG - Firearms and Explosives Licensing Working Group

FCO - Foreign and Commonwealth Office

Firearms threat - The threat to the UK from the criminal use and supply of firearms through an illicit firearms market.

FSS - Forensic Science Service

FTI - Forensic Technology Incorporated

GBH - Grievous Bodily Harm

GCHQ - Government Communications Headquarters

GMP - Greater Manchester Police

GTA - UK Gun Trade Association

HMCE - Her Majesty's Customs and Excise

HMPS - Her Majesty's Prison Service

HMRC - Her Majesty's Revenue and Customs

HOLAB - Home Office Legal Advisory Branch

HOLMES - Home Office Large Major Enquiry System

HUMINT - Human Intelligence

IAG - Home Office Themed Independent Advisory Group

IBIN - Interpol Ballistic Information Network

IBIS - Integrated Ballistics Identification System

ICC - International Criminal Court

ICE - US Immigration and Customs Enforcement

ICPC - International Criminal Police Commission

ILO - International Liaison Officer

ILORs - International Letters of Request

ILP - Intelligence Led Policing

INTERPOL - International Criminal Police Organisation

IPC - Independent Police Commission

IPCC - Independent Police Complaints Commission

IT - Information Technology

JIT - Joint Investigation Team

JMG - Joint Management Group

LEA - Law Enforcement Agency

LEWP - EU Law Enforcement Working Party

LCSS - London Centre for Social Studies

MI5 - UK Security Services

MI6 - Secret Intelligence Service

MLA - Mutual Legal Assistance

MOD - Ministry of Defence

MOU - Memorandum of Understanding.

NABIP - National Ballistics Intelligence Programme

NABIS - National Ballistics Intelligence Service

NARPO - National Association of Retired Police Officers

NCA - National Crime Agency

NCIS - National Criminal Intelligence Service

NCS - National Crime Squad

Network - The police transnational firearms intelligence network

NIM - National Intelligence Model

NGO - Non-Government Organisation

NPIA - National Police Improvement Agency

NPT - Neighbourhood Policing Teams

NYPD – New York City Police Department

OCG - Organised Crime Group

OSINT - Open Source Intelligence

PCC - Police and Crime Commissioner

PCSD - Police and Crime Standards Directorate

PCSO - Police Community Support Officer

PoA - Programme of Action

PR - Public Relations

PSNI - Police Service of Northern Ireland

RCS - Regional Crime Squad

RCT - Rational Choice Theory

RIPA - Regulation of Investigatory Powers Act 2000

RFD - Registered Firearms Dealer

SAG - Strategic Alliance Group

SALW - Small Arms and Light Weapons

SCP - Situational Crime Prevention

SIO - Senior Investigating Officer

SHU - Sheffield Hallam University

SLN - SOCA Liaison Network

SOCA - Serious Organised Crime Agency

SPOC - Single Point of Contact

TAM - Terrorism and Allied Matters

TRAF - Threat Reduction Assurance Forum

TRB - Threat Reduction Board

UK - United Kingdom

UKBA - United Kingdom Border Agency

UKTA - United Kingdom Threat Assessment

UN - United Nations

UNODC - United Nations Office on Drugs and Crime

US - United States of America

WCO - World Customs Organisation

WTO - World Trade Organisation

'Candidate's Statement'

'This professional doctorate thesis is dedicated to the victims of gun crime and those working hard to prevent and detect such crime.'

In January 2009, after completing 30 years' service, I retired from the police in the rank of Detective Inspector. I then completed an MA in International Criminal Justice at Sheffield Hallam University (SHU), which included a dissertation on the organised crime/terrorist nexus. This resulted in my first publication in the Encyclopaedia of Transnational Crime and Justice edited by Margaret E Beare (Severns 2012).

After completing the MA, I was accepted on the International Criminal Justice Professional Doctorate Programme, which has resulted in this thesis. I was self-funded and completed the thesis and research alone. However, I would not have reached this stage without the support and guidance of a number of people who have contributed to my research and gathering of knowledge over the past 36 years.

My family have supported me throughout, especially my wife Helen and my sons John and George. They have always been there for me and give me the motivation to 'keep at it'. I thank them and express my love and support to them. In addition, my parents never failed to give me support. They encouraged me to work hard and I will always be grateful to them.

I express my thanks to the research participants who have provided me with a wealth of evidence. Some of the participants are happy to be named in the thesis, however, for the benefit of them all, they have to remain anonymous. They will understand the reasons for that and they know who they are.

I would also like to thank my former colleagues. Including those who worked on Operation Barker and helped me gather the knowledge that has contributed to this thesis. I include the various forensic scientists, the Crown Prosecution Service (CPS) staff and Criminal and Civil Barristers, who were meticulous in working on the case to bring the offenders to justice.

Finally, I wish to thank the academics who have supported me on the professional doctorate modules, especially those who have encouraged me

through the final stages of completing the thesis. They include the rapporteurs, readers, previous supervisors and my current supervisors Dr Craig Paterson and Dr Ed Pollock

The thesis is divided into three parts. Part I sets the scene by way of introducing the thesis, defining key words, the aim and objectives, the current literature and the methodology used to research and analyse the evidence for the thesis. Part II critically analyses the workings of the police transnational firearms intelligence network (the *Network*). It examines the threat from the criminal use and supply of firearms that the *Network* deals with, what nodes make up the *Network* and what drives the operation of the *Network*. Part III critically analyses whether the *Network* contributes to any reconstruction of policing.

PART I - SETTING THE SCENE

Chapter 1 - Introduction to the Thesis

1.1 Rationale

The state is no longer the sole provider of policing. There is a mixture of public and private provision. This move is referred to as a *'reconstruction of policing'* and there is a call for continuing research to understand what factors are shaping that reconstruction (Bayley and Shearing 2001). There is also an increasing transnational threat to global insecurity from organised crime groups (OCGs) and terrorists who are *'more in tune with globalisation'* than those who police them (Lilley 2009, p137). This thesis examines a transnational police response to the OCG/terrorist threat and any resulting reconstruction of policing that occurs within the context of global policing. It contributes to a professional need to understand policing networks and what impact they have on the future of policing. The results can inform the debate on the future of policing and the need to review the structure of policing in England and Wales identified by the Independent Police Commission (IPC) (Stevens 2013).

The transnational threat is underpinned by globalisation, whereby OCGs and terrorists have embraced the increased connectivity between nation states and the ability to travel, using improved networks and technology (Held and McGrew 2003, Levi 2007). Therefore, the transnational policing response and any reconstruction of policing should be examined within the context of globalisation (Castells 2004) and a theory of global policing. Bowling and Sheptyki (2012) propose such a theory of global policing, which weighs the direction of policing towards the global rather than the local.

Knowledge on the reconstruction of transnational policing has previously been developed by comparing global security governance from within the nation state with state governance from a distance and governance across a network. The

conclusion is that the spheres of governance overlap and should be examined in terms of a '*nodal network*' (Shearing and Johnston 2010, p496). This requires an analysis of the network itself and it should be preceded by an analysis of the nodes within the network.

Nodes are individuals, groups, organisations or states. Establishing the knowledge and capacity of each node provides a true picture of how security governance[1] operates and where the operating power lies within the network (Shearing and Johnston 2010). However, there is little evidence on how such nodal networks should themselves be governed and held to account (Loader and Walker 2004). There is also evidence from failings in police investigations that governance of the police in the UK is flawed (Rowe 2014). Therefore, any network analysis needs to establish where and how the network is governed.

Bowling and Sheptycki (2012, p3), define transnational policing as,'*any form of order maintenance, law enforcement, peace keeping, crime investigation, intelligence sharing, or other form of police work that transcends or traverses national boundaries*'. Such transnational policing has been analysed by Deflem (2002) who developed the Weberian theory of bureaucratisation. Police officers, with operational independence from their democratic nation state, meet together, independent of the nation state, to investigate crime and create transnational policing processes. The police meet at various levels including bilateral meetings between police from two countries to investigate specific criminal activity and international police conferences to discuss options for dealing with trends in global and transnational crimes. Some of the meetings result in policy, enactments and international treaties by the respective nation state governments of the police involved. They can, in some cases, also lead to the creation of international organisations[2]. This process has become known as *'Policeization'* (Deflem 2002, p228).

---

[1] Policing, state security and the responses to threats to the nation state in their widest sense. From the national to the international (Shearing and Johnston 2010).

[2] In 1923, an International Police Congress was held in Vienna attended by 131 police representatives from various countries in Europe, Egypt, Japan, China and the United States. The meeting was organised by police officials acting on their own initiative independent of their political centres and it led to the formation of the International Criminal Police Commission (ICPC). The ICPC enhanced co-operation between police from different nation states to deal with ordinary crime subject to individual nation state laws. The ICPC was eventually renamed Interpol in 1956 (Deflem 2002). Interpol is an international organisation as opposed to a transnational organisation because, as explained by Bowling and Sheptycki (2012, p3), *'international is interaction among nation states, while transnational denotes a phenomena that transgress national boundaries'*.

According to Westmarland (2010), increased professional contact, by police from different nation states, might be perceived by some critics, particularly politicians, as generating a loss of sovereignty. As a result, those critics perceive that a global police state exists, where the police determine policing from beyond the nation state and the elected representatives of individual nation states no longer have a say in how they are policed (Westmarland 2010, p198). Therefore, this thesis will re-examine whether and how policeization continues and where the power to direct policing rests.

In addition, a standpoint of critical investigative epistemology[3] exists in relation to the development of police intelligence[4] on the criminal use and supply of firearms. There is also an increased threat of organised criminals and terrorists using firearms (Bruggeman 2008, Jojarth 2009, Rollins 2010). Therefore, this thesis focuses on the police transnational firearms intelligence network (the *Network*). Evidence has been gathered and subjected to adaptive grounded theory analysis and nodal network analysis to answer the central research question (CRQ):

Does the *Network* contribute to a reconstruction of policing?

Qualitative evidence has been gathered from interviews with United Kingdom (UK) based *Network* participants and from my experience as an insider with some knowledge of working with the *Network.* Where I use evidence from my experiences, I have used the first person. The evidence has been analysed and corroborated with Open Source Intelligence (OSINT) drawn from rigorously researched and evaluated information from publically available sources (Tekir 2009). Some OSINT is used to support the literature review but it is used extensively in the findings where it has been graded using a mixture of the police 5x5x5 intelligence grading system and the Maryland scale.

---

[3] *This is my standpoint. The professional investigative epistemology emerges out of a knowledge and experience of investigating the illicit firearms market and working with other professionals in that field. The epistemology also includes my own experiences as an investigator. I have been 'part of the scene' (Sugden and Tomlinson 1999, p390) as a police officer and I can relate my own experiences of the Network and empathise with the professional ethics and integrity of those taking part in it. However, as I am no longer a police officer or 'part of the scene', I can step back and take a more critical investigative standpoint (Sugden and Tomlinson 1999, Corbin-Dwyer and Buckle 2009).* (This epistemology is explored further in the methodology chapter at 3.3).

[4] Intelligence is defined for the purposes of this thesis at 1.3.5 below. However, police intelligence is classed as intelligence that comes predominantly from the community that the police serve and a large part of it is converted for use as evidence in court. Only a small proportion of police intelligence is covert and it's disclosure to the court is restricted. On the other hand, intelligence obtained by UK intelligence services is secret in order to protect sources and predominantly obtained by covert means (MacVean 2008) with the intension of causing disruption (Sohi and Harfield 2008).

The 5x5x5 grading system is based on subjective evaluation, however, the use of such grading guides the reader on how much weight can be placed on the evidence used (see chapter 3.8). The A to E source evaluation code and the 1 to 4 intelligence evaluation code is used from the 5x5x5 system (ACPO NPIA 2010) and the dissemination code is replaced by the Maryland score (Civil Service 2010); with an addition of 0 where no research is involved or it cannot be ascertained. A Maryland score of 5 has also been used where the evidence has been the subject of a thorough police investigation that has been tested by the UK judicial system or where a thorough parliamentary or independent commission investigation has taken place[5].

---

[5] **Evaluation of OSINT produced from ACPO NPIA (2010) and Civil Service (2010) and 3.6 herein.**
"5x5x5 Intelligence Report:
SOURCE EVALUATION

- *A - Always reliable*
- *B - Mostly reliable*
- *C - Sometimes reliable*
- *D - Unreliable*
- *E - Untested source*

INTELLIGENCE EVALUATION

- *1 - Known to be true without reservation*
- *2- Known personally to source but not to officer* (in this case the researcher)
- *3 - Not personally known to source but corroborated*
- *4 - Cannot be judged*
- *5 - Suspected to be false or malicious"* (ACPO NPIA 2010)

HANDLING CODE

- Replaced by Maryland scale score with the addition of 0 where quality of research cannot be assessed (or is not applicable) and Level 5 also includes where a thorough police, parliamentary or independent investigation (including wide public consultation) has taken place:

Level 1	*Observed correlation between an intervention and outcomes at a single point in time. A study that only measured the impact of the service using a questionnaire at the end of the intervention would fall into this level. (For the purpose of this research where research other than evaluation research is carried out for academic or intelligence purposes it will receive a score of 1).*
Level 2	*Temporal sequence between the intervention and the outcome clearly observed; or the presence of a comparison group that cannot be demonstrated to be comparable. A study that measured the outcomes of people who used a service before it was set up and after it finished would fit into this level.*
Level 3	*A comparison between two or more comparable units of analysis, one with and one without the intervention. A matched-area design using two locations in the UK would fit into this category if the individuals in the research and the areas themselves were comparable.*
Level 4	*Comparison between multiple units with and without the intervention, controlling for other factors or using comparison units that evidence only minor differences. A method such as propensity score matching, that used statistical techniques to ensure that the programme and comparison groups were similar would fall into this category.*
Level 5	*Random assignment and analysis of comparable units to intervention and control groups. A well conducted Randomised Controlled Trial fits into this category."*

Therefore, where the source is reliable, the evidence is known to be true without reservation and it has been subjected to the highest degree of analysis it is graded the highest grade A15; The lowest grade is D50 when the source is known to be unreliable, the information is suspected to be false or malicious and no research methods have been applied or they cannot be ascertained. Where the evidence is drawn from a previously untried source it is graded E. This suggests a lower grade than D sourced evidence but, E sources, over time, may turn out to be always reliable (Civil Service 2010 and ACPO NPIA 2010).

The evidence from the interviews, together with the insider and OSINT evidence, has helped to fill a gap in the literature on how theories of transnational policing are brought together and applied to police intelligence networks. There is also a gap in the literature on the threat to the UK from the criminal use and supply of firearms through an illicit firearms market (the *firearms threat*).The gap in the literature extends to how transnational police intelligence networks operate and how well organised or governed those networks are.

This thesis starts to fill all the identified gaps in the literature and contributes to the debate on global policing. By researching the *Network,* from the point of view of UK based police officers and staff, evidence has been drawn to show that policeization (Deflem 2002) is still an important factor in explaining how the *Network* has developed. It is driven by competitive adaptation (Kenny 2008) where the police respond to the criminal threat by improving transnational networks. That threat and the response are shaped by globalisation (Castells 2004).

New evidence has been identified that affects the subject (Phillips 1992). It has been found that the *Network* involves nodes, rooted within the nation state, working from the bottom up, to drive international police organisations and in the words of Harfield (2008, p484), *'organize organized crime policing'*. The governance, accountability and driving force of those nodes lies firmly within the nation state, which suggests a development of nation state policing rather than the establishment of a global police state. It is a glocal reconstruction of policing with identifiable roots in the UK that challenges Bowling and Sheptycki's (2012) theory of global policing.

The reconstruction is driven by the *firearms threat* and facilitated by 'late modern cops' (see chapter 8) with a mission to deal with the threat using available transnational pluralistic police resources. The resources are mainly public policing resources. However, they are assisted by other UK based government organisations and supplemented by IT developments supplied by the private commercial sector, which promotes specialised policing techniques on a transnational basis.

Theoretically, the reconstruction amounts to a pluralistic development of nation state policing rather than a reconstruction of policing from the outside in the form of a global police state. The *Network* is contributing to a glocal reconstruction of policing where the nation state police recognise the glocal threat of crime and the opportunities available globally to adapt to deal with that crime. As such, they decide from the local nation state which global opportunities should be used. Pluralistic transnational policing is part of the glocal process.

1.2 Aim and Objectives

The aim of this thesis is to identify any reconstruction of policing that takes place because of the workings of the *Network*.

To achieve that aim the following objectives have been set:

- Theoretically; to establish how the *Network* operates within a globalised criminological framework and whether it contributes to a reconstruction of policing beyond the nation state.

- To identify and share best practice from the *Network* on who develops policy and how it is developed.

- Practically; to examine the implications for transnational police practice from a UK point of view, by understanding policing networks and what impact they have on policing. Such an understanding of networks can inform the debate on the future structure of policing.

1.3 Definitions and Parameters

1.3.1 Overview of Definitions and Parameters

To achieve the aim and objectives resulting from the rationale, this thesis covers a snap shot in time between 1990 and 2015. It covers the period of my involvement in the detailed investigation of the *firearms threat* and gives an up to date perspective of the *Network* from those who take part in it. The emphasis is on what nodes make up the *Network*, how those nodes influence the *Network*

and how the *Network* affects the reconstruction of policing. It gives a voice to people involved on how they go about liaising with other nodes and making the links between the nodes to deal with the *firearms threat.*

Most organisations consider the strengths, weaknesses, opportunities and threats to their organisation and business, together with the political, economic, social, technical, legal and environmental issues (Johnson and Scholes 1993). Such issues have been drawn out in this thesis on the *Network* however, the focus is on the criminology of policing and how the *Network* is interpreted by the warranted and unwarranted police staff and associates involved in it[6]. Terminology has been used which needs an initial explanation to understand the scope of this thesis and introduce the reader to the subject area. In the sections that follow:

- Illicit firearms and illicit firearms markets are defined as they form the *firearms threat* that the *Network* gathers information on.
- Transnational police networks are defined as that is what the *Network* is.
- Intelligence is defined as that is a core business of the *Network.*
- The reconstruction of policing is explained, as this thesis seeks to establish if any reconstruction has taken place.

All the terminology is explained from a UK point of view, which is where this thesis views the *Network* from.

In summary, the scope of this thesis covers UK persons, who come together with persons from other countries, to form the *Network,* analysing information to produce new intelligence and exchanging existing intelligence on the *firearms threat.* The way the *Network* comes together and operates, is assessed to see if it impacts on the reconstruction of policing, which (in short) is the development of how policing is delivered, who delivers it and where it is delivered.

---

[6] The detailed legal aspects of transnational policing are not within the scope of this thesis unless, as is the case with a later discussion on Bowling and Sheptyki's (2012) *'legal aces'*, it is relevant to the participants and how they work. It is however concerned with socially legitimate policing which includes abiding by a common code of rules (Bottoms and Tankebe 2012) and all the participants are keen to point out that they only act within the bounds of UK law.

1.3.2 Illicit Firearms

The UK is subject to the strict control of firearms. In 2004, a five-year mandatory sentence for unlawful possession of a prohibited firearm was introduced by the Criminal Justice Act 2003[7] (Hales, Lewis and Silverstone 2006). The increased sentencing added to the strict control on firearms in the UK, which involves licensing and the enforcement of a number of offences. Those offences include the unlawful manufacture and supply of firearms (Sampson 2006, UK Government 2013).

A firearm is defined in the 1968 Firearms Act:

'.....as any lethal barrelled weapon of any description from which any shot, bullet or other missile can be discharged and includes:

(a) any prohibited weapon, whether it is such a lethal weapon as aforesaid or not; and

(b) any component part of such a lethal or prohibited weapon; and

(c) any accessory to any such weapon designed or adapted to diminish the noise or flash caused by firing the weapon. (Sampson 2006, p292).

Firearms are then classified in the 1968 Act for UK licensing purposes; restricting the possession of shotguns[8] and section one firearms[9] to persons who hold the requisite firearms licence (BASC 2006, UK Government 2013). Prohibited firearms[10] can only be authorised for use by the Secretary of State and that authorisation is generally only given to the military and the police in the UK (Great Britain, Home Office 2002, Sampson 2006, BASC 2006, CPS 2013,

---

[7] UK gun control was already strict. The legislation, banning the use and possession of most types of firearms, had been tightened following the murder of 16 people in Hungerford in 1987 and 16 children and their teacher at Dunblane in 1996.

[8] *A shotgun is a smooth bore gun (not being an air gun) which has a barrel not less than 24"in length and does not have any barrel with a bore exceeding 2" in diameter: It either has no magazine or has no detachable magazine capable of holding more than two cartridges; and is not a revolver gun...*(UK Government 2013, BASC 2006)

[9] A section one firearm is a firearm that is not currently prohibited under section 5 of the Firearms Act 1968 and is usually a sporting or target rifle or a shotgun capable of holding more than two cartridges in a magazine. It can also include some high powered air rifles, muzzle loading pistols and flare guns (BASC 2006).

[10] Prohibited firearms are listed in the 1968 act and they include automatic weapons, self-loading weapons, pump action weapons, firearms less than 60 cm in length or with a barrel less than 30 cm long, smooth bore revolvers, weapons designed or adapted to discharge any noxious liquid, gas or other thing, air weapons designed or adapted to use a self-contained gas cartridge system, military weapons and ammunition including grenades and mortars (Great Britain, Home Office 2002, Sampson 2006, BASC 2006, CPS 2013, UK Government 2013).

UK Government 2013). Any firearm manufactured, supplied or held without the requisite authority or licence is illicit.

Air weapons and ammunition are also restricted under the 1968 Firearms Act. The trade, certification and criminal use, manufacture and supply of all firearms and ammunition is policed by various UK law enforcement agencies (LEA) (Sampson 2006, ACPO 2007, Gregory 2008, ACPO 2011, Gore 2012, NABIS 2012, SOCA 2012a)[11].

1.3.3 Illicit Firearms Markets

An Illicit market involves any trading contrary to national or international law. It includes the illegal manufacture and supply of firearms (Jojarth 2009). As the Cold War ended the number of armed conflicts around the world increased. Those involved were armed by a number of sources. In particular, they were equipped by individuals and groups carrying out an illicit trade in firearms. The armed conflicts created a market for the illicit trade in firearms, which, in turn, fuelled conflict. In addition, there has been an increase in firearms violence away from conflict zones, some of which is attributed to OCGs and terrorists (Bruggeman 2008). This has been evidenced recently by the attacks in Paris, where a number of people were shot dead by suspected terrorists (BBC *News* 2015).

The increase in firearms violence also creates a market for the illicit trade in firearms that, again, fuels more firearms violence in cities around the world. The consequence of the increase in armed conflict and criminal use of firearms is that an estimated 500,000 people, worldwide, die from firearms injuries each year, 300,000 in conflict and post conflict zones and 200,000 from other firearms related homicides and suicides (Bruggeman 2008, Jojarth 2009, Rollins 2010).

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[11] UK LEAs include all UK police forces, the National Crime Agency (NCA), the UK Border Agency (UKBA) and Her Majesty's Revenue and Customs (HMRC). In carrying out this policing function the LEAs work in partnership with each other and with other agencies such as the UK Intelligence Agencies; the Security Services (MI5), the Secret Intelligence Service (MI6) and Government Communications Headquarters (GCHQ) and government departments such as the Home Office and the Department of Trade and Industry (DTI) (Sampson 2006, ACPO 2007, Gregory 2008, ACPO 2011, Gore 2012, NABIS 2012, SOCA 2012a).

The problems caused by the illicit trade in Small Arms and Light Weapons (SALW)[12], which includes the UK definition of firearms, were raised with the United Nations (UN) by a number of Non-Government Organisations (NGOs). They include, '*Fundación Gamma Idear, International Physicians for the Prevention of Nuclear War, Russian Physicians for the Prevention of Nuclear War, Leitana Nehan Women's Development Agency, Christian Council of Sierra Leone, People with Disabilities of Uganda, South Asia Partnership International (on behalf of South Asia Small Arms Network)*' (United Nations 2001, p3).

A series of conferences from 1998 to 2001 resulted in the UN adopting a Programme of Action (PoA) to prevent, combat and eradicate the illicit trade in SALW (Bruggeman 2008, Golding and McClory 2008, Jojarth 2009). The UN reviews the progress of the PoA on an annual basis with meetings of experts from member countries (United Nations 2011). However, this is generally based on PoA updates rather than evaluation research (Kytomaki and Yankey-Wayne 2004).

The strict firearms control that already exists in the UK restricts the availability of firearms. There is little evidence of firearms being illegally smuggled into the UK. Illicit firearms are supplied from the stock already in the UK, much of which is re-cycled for use by way of loan by illegal suppliers[13]. It includes re-activated firearms and converted weapons[14], which are sought because of the lack of other firearms caused by tight control. The additional mandatory sentence, introduced in 2004, does not appear to have restricted the availability of firearms from the existing illicit UK stock (Hales, Lewis and Silverstone 2006).

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[12] SALW, are, *'man portable, made or modified to military specifications for use as lethal instruments of war'*. They include non-military firearms. Small arms are designed to be operated by one person and light weapons by a small group. They are variously described as arms, weapons, guns, firearms and sub classified as automatics, semi-automatics, pistols, revolvers, heavy and light machine guns, hand guns, rifles, shotguns, air weapons, stun guns, CS sprays, converted firearms, deactivated firearms, reactivated firearms, blank firers and include shoulder launched missiles (Jojarth 2009, p223).

For the purposes of this thesis, the legal definition of firearms used is the one contained in the UK 1968 Firearms Act.

[13] The current literature does not, however, specify or profile who the people are that are hiring out firearms. However, this is discussed in detail in the presentation of research findings on the current threat (see 5.4).

[14] Deactivated firearms can be held legally in the UK; however, it is possible to re-activate some to make them illegal prohibited firearms. In addition offenders talk of illegal conversions where legal blank firearms or legal air weapons are converted to make them into illegal prohibited firearms that fire bullets (Hales, Lewis and Silverstone 2006).

1.3.4 Transnational Police Networks

Policing includes the wide concept of social control. Policing and the function of the police has been the subject of wide research (Paterson and Pollock 2011). There are different levels of democracy within the various nation state police forces around the globe (Haberfield and Cerrah 2008). The police are the key to any nation state keeping control of and interacting with its citizens and that interaction takes many forms (Bowling and Sheptycki 2012). Generally, though, the police have the monopoly on the use of force within the state. In addition, they provide a social service and keep the peace (Reiner 1992).

This thesis does not explore policing, transnational policing or social control per se, rather, it examines one area of transnational policing by the public police and the impact that has on the wider aspects of policing. The focus of the research is on the UK public police (warranted and unwarranted staff), who operate on a transnational basis, and any other individuals or organisations that make up the nodes in the network that the police staff operate. The public police are generally referred to as 'the police'.

The study and use of nodal networks to understand the knowledge and capability of policing is advocated in the literature (Burris 2005, Shearing and Johnston 2010). A network is an *'arrangement with intersecting lines, a complex system or a group of interconnected people or things'* (Hawker 1996, p416) and, more specifically to this thesis, it is an interconnected group of people who come together to obtain information (*Oxford English Dictionary* 2003). A node is an individual, group, organisation or state that is part of the network (Shearing and Johnston 2010).

The police who take part in transnational networks are usually part of a democratic state, they are not dictated to by the nation state and they do not separate themselves from the state, however, they do co-operate with police in other nation states. That co-operation relies on knowledge networks designed to prevent and detect transnational crime (Deflem 2002). It is driven by globalisation through increased interconnectedness facilitated by the use of, what Levi (2007, p775) defines as, '*tools of late modernity*', such as improved travel and technology.

This thesis focuses on the policing carried out by nation state public police to prevent and control the *firearms threat*. It includes the work of sworn police officers, those employed to work alongside them in a support function and those who work in partnership with police officers and police support staff. The evidence is drawn from people based in the UK, who are employed by or advise UK police forces. They facilitate the coming together of a group of interconnected people from various nation states, to gather intelligence to police the *firearms threat, which* includes crimes that affect more than one country and as such are transnational crimes (Reichel 2005).

The intelligence agencies in the UK, including MI5, MI6 and GCHQ, have become increasingly pluralised into policing functions. As such, they have their own transnational networks, which include the function of gathering and exchanging information and intelligence on the illicit trade in firearms (Gregory 2008, Andrew 2009, GCHQ 2010, MI6 2010, MI5 2012). However, intelligence agencies have not been included within the scope of the research except where they link to or otherwise impact on the *Network*.

1.3.5 Intelligence

Information, intelligence and evidence are terminologies used in this thesis. Intelligence is the focus of the research as well as a product of it. Evidence about the *Network* has been analysed to produce academic findings and recommendations and those findings could be classed as intelligence. Therefore, it is important to understand intelligence (Ronn and Hoffding 2012), especially when it is open to a number of interpretations and misinterpretations (Harfield et al 2008)[15].

Vincent (1881) stated, "*police work is impossible without information*". Policing today, as in 1881, is just as impossible without information, but the capacity and capability for acquiring information and analysing it has improved and expanded (Harfield 2009). According to Bowling and Sheptycki (2012, p85), *'Information is the lifeblood of policing'* in a late modern global world.

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[15] There are a number of ways of defining and understanding intelligence and what the user intends intelligence to mean (Sohi and Harfield 2008). Therefore, it is important to ask the provider of any intelligence what they mean when they say they are providing intelligence.

Information that has been subject to rigorous evaluation and risk assessment, so that it assists the police with decision making, is defined as intelligence. From that intelligence, decisions can be made on prevention, enforcement, and further intelligence gathering strategies (Harfield 2009). '*All information leading to intelligence is always evidence*' (Harfield 2009, p366). For legal reasons and reasons of protection of sources not all information is used as evidence in court; some remains as information and is analysed to become intelligence (Billingsley 2009).

Harfield (2009) has defined intelligence for the police in the UK as an analysis of information from which decisions can be made. However, there is no clear overarching definition that can be agreed on. The US 'Commission of Terrorism' was established after the September 11th 2001 attack (9/11) and reported on failures to connect intelligence prior to the attack. They called for professionalisation and centralisation of intelligence in the US. This was to ensure that one organisation has an overview and is able to pull together all the intelligence. The professionalisation of intelligence requires an epistemological understanding of intelligence (Ronn and Hoffding 2012).

To meet its aim and objectives this thesis will establish an epistemological understanding of the *Network*, which in turn requires an understanding of the intelligence that is the business of the *Network*. That includes what it is and how it is obtained, analysed and evaluated. Intelligence can be found on a continuum from raw data to information to knowledge. It can be between information and knowledge or after knowledge (Ronn and Hoffding 2012).

Information is data with meaning and knowledge; it contributes to finding the right answer to a question. On one level, intelligence is the process by which information is turned into knowledge, at which point it is plausible information. Alternatively, it can be valid and actionable knowledge; where it is known to be true, it answers the question and action can be taken as a result. However, there is a further argument that states intelligence is the process of turning information into knowledge and then into actionable knowledge. In other words, it is a section of a continuum that extends further from raw data to actionable knowledge and it includes knowledge (Ronn and Hoffding 2012).

Knowledge is also a continuum in itself. In ascertaining the right answer, especially in relation to what might happen, the absolute truth cannot be stated until after that event. Therefore, knowledge can range from true to the best of an individual's belief, to absolutely certain. Whether intelligence includes knowledge or falls either side of knowledge, it is subject to error (in itself and by those judging it) so it is fallible (Ronn and Hoffding 2012) and it should be subject to a clear evaluation of the source and the product (ACPO NPIA 2010).

In summary, intelligence is fallible and it is necessary to know how and why it was assembled to understand what it is and its value (Ronn and Hoffding 2012). In addition, and of importance to this thesis, it is necessary to know the impact intelligence has on individual nodes and nodal networks to understand where the power lies (Shearing and Johnston 2010, Castells 2004). Intelligence is not, as one former Chief Police Officer in the UK claimed, all information held on police computers (Haggerty and Ericson 2000); some analysis has to be made of that information for it to become intelligence (Harfield 2009, Ronn and Hoffding 2012). Thereafter, fully *'analysed intelligence is more potent than coercive force for policing'* (Grieve 2008, p17). This thesis will show that the *Network* deals in the full continuum of intelligence from raw data to absolute knowledge. It is also a conduit for the exchange of knowledge, policy transfer, police disruption of the illicit firearms market and gathering of evidence for court.

1.3.6 The Reconstruction of Policing

The police existed in the UK in the 1800s but they were considered to be weak and liable to corrupt practices (Reiner 2010). Professional police forces also existed in other parts of the world in the 1800s. However, the launch of the Metropolitan Police in London (following enactment of the Metropolitan Police Act 1829) is perceived by many police officers to be the first professional force and is interpreted as the birth of the modern professional police; the *'new police'* (Reiner 2010, p40). Even though there are differing views on why it was established (see Reiner 2010 for *orthodox* and *revisionist* views below), the Metropolitan Police, and other police forces that were subsequently formed in the UK, were more than just an organisation that enforced the law on behalf of the UK Government (Bowling and Sheptycki 2012). UK police forces were accountable to a democratically elected government. They were professional

and co-ordinated (Reiner 2010) and policed with the consent of UK citizens (Rowe 2008).

Policing in the UK is based on a social contract with the people. It empowers them to decide on the type of police and policing they want (Bowling and Sheptycki 2012). Policing by consent underpins community policing which is predominant in the UK (Maguire and John 2006, Waddington 2007, Savage 2007, Baggott 2007, Tilley 2008) and it is important that all police research should consider the legitimacy of any policing that is being undertaken to ensure it is legitimate in the eyes of those who are being policed (Rumbaut and Bittner 1979, Bottoms and Tankebe 2012).

The birth of the modern police force was driven by a combination of factors. Those factors included the industrial revolution, urbanisation and a class struggle, which were used to explain differing views. The *'Orthodox'* view was that the modern police was brought about by way of a response to the increase in crime as a result of the industrial revolution and increased urbanisation in the UK. The protection of the UK upper classes against revolution by way of a new police force was known as the *'Revisionist'* view. However, the current consensus is that the birth of policing was driven by a *'Neo Reithian Revisionist Synthesis'* (Reiner 2010, p65), a synthesis of the orthodox and the revisionist theories (Reiner 2010). Interestingly, the continuing reconstruction of policing highlighted by this thesis appears to be driven by the threat of crime and whichever view is taken of the drivers behind the birth of modern policing they all contained an element of a threat.

Globalisation has made it increasingly difficult for democratic nation states, such as the UK, to control and provide the police and policing demanded by its citizens (Bowling and Sheptycki 2012). Held and McGrew (2003) state that globalisation is increased interaction between nation states. This means that what happens within the nation state is affected by what is happening in the wider world. According to Deflem (2010), there is also increasing interaction between police officers from different nation states, which is evidenced by, amongst other activity, the increased number of police International Liaison Officers (ILOs) stationed overseas by different nation states (Walker 2008, p125). This is particularly so with the police in democratic nation states as they

tend to have operational independence from their political centres (Deflem 2002). For example, the New York City Police Department (NYPD) has counter terrorism intelligence officers stationed in 11 cities outside the United States (US) providing previously unavailable knowledge on terrorist attacks like Mumbai (New York City Police Foundation 2015). This thesis also includes other data on the number of UK ILOs stationed outside the UK (see chapter 6.3). Therefore, policing becomes global in nature and as stated by Bowling and Sheptycki (2012, p131), *'While there is no global police force, there is global policing'*.

Over time, policing has become pluralised at all levels. A number of people and organisations, both public and private, local, national and transnational, have become involved in what the police do and in delivering what they do (Crawford 2008). The reconstructing of policing is the development of how policing is delivered and who delivers it. Generally, there has been a move away from the nation state government being responsible for both authorising and providing policing to them steering policing (Bayley and Shearing 2001). The move reflects a wider move from centralized government to put the power and resources in the hands of those bringing about local delivery. Leaving those in the central government to steering rather than rowing. The move is driven by tighter budget constraints and a need to be more efficient (Osborne 1993).The reconstructed move away from nation state policing, and its pluralisation, can be viewed in a number of ways including the geographical reconstruction of policing. How policing is delivered transnationally within the geographical continuum from local to global, and who is involved in that delivery is the focus of this thesis (Crawford 2008, Bowling and Sheptycki 2012).

The theoretical aspects of the reconstruction of contemporary policing and what impacts on and drives that reconstruction are discussed in more detail in the literature review that follows. Three themes are drawn from the existing literature. They broadly match the themes drawn from the research findings, which is in line with grounded theory research where the literature review is constantly reviewed in line with the findings (Glaser 2010). The first theme in the literature review examines the *firearms threat*. The second theme examines what the current literature says about the policing response to that threat. The

third theme provides a theoretical framework for this thesis by examining what the existing literature says about global policing, its outcomes and its impact on the reconstruction of policing.

Chapter 2 - Literature Review

2.1 Introduction to the Literature Review

Historically, the police in the UK, working with the consent of the public, take action in response to criminal threats. They respond by way of problem solving and the adoption of evidence based strategy and policy as part of a wider social control that is needed to maintain order (Paterson and Pollock 2011). In fact, the various responses to crime can fall anywhere along a continuum of crime control from dealing with the social causes of crime to the detection and bringing to justice of individuals by the police (Stenson 1991).

The response to the threat sometimes involves the police working on a transnational basis through *'Policeization'* (Deflem 2002, p228). Policeization is bureaucrat to bureaucrat contact drawn from Max Weber's *'bureaucratization'* (Kalberg 2005, p47) which tends to persist, no matter who is in power (Deflem 2002, Kalberg 2005). The UK police are a legitimate bureaucracy operating within a legal system that gives them a monopoly on the use of force to maintain order and control crime (Deflem 2002). They represent the government on the street by operationalising government policy and exercising the monopoly on the use of force (a concept identified by Max Weber) to deal with offenders within the sovereign nation state of that government (Rumbaut and Bittner 1979).

The police also respond by assessing the strengths, weaknesses, opportunities and threats within their organisation with a view to working more efficiently. Such assessments, made in line with government policy in the UK, lead to the pluralisation of policing where more agencies, both public and private in nature, take responsibility for policing issues (Jones and Newburn 2006). In some cases, the shape of policing is reconstructed. The current emphasis is on the nation state government steering policing and other agencies providing policing services and in particular, there is a move towards the privatisation of policing (Bayley and Shearing 2001). However, there are indications that the nation state is finding it increasingly difficult to steer policing (Bowling and Sheptycki 2012) and there is a perception amongst some politicians within nation states that a global police state exists (Westmarland 2011).

Stenning and Shearing (2012) see contemporary policing to be very wide in that *"...the modern realities of policing* (are) *pluralised provision, not monopolised by nation states, serving a broad range of ends reflecting a broad range of public and private (state and non-state) interests, occurring in cyberspace as well as terrestrially, performed through technology as well as through human agency, and occurring transnationally as well as domestically"* (p268).

The aim of this thesis is to examine the extent that the *Network,* viewed from the point of view of the UK public police and their involvement as nodes in the *Network,* leads to a reconstruction of policing. In other words do the police who take part in policing the *firearms threat* engage in relationships and activity that promote Bayley and Shearing's (2001), Westmarland's (2011), Stenning and Shearing's (2012) and Bowling and Sheptyki's (2012) wider view of a reconstruction of policing.

Stenning and Shearing (2012) state that transnational police research is in its infancy and there is a pre-occupation amongst academics with the transnational activities of the public police to the exclusion of transnational private policing. This thesis also focuses on the public police nodes but draws out the extent of their relationship with private nodes and the impact this has on the wider reconstruction of policing. To understand the impact, there is a need to show where the literature stands on the current *firearms threat*, as that is what the *Network* is dealing with. In addition, there is a need to show where the literature stands on the response to the threat and the theoretical impact of that response on the reconstruction of policing. Therefore, this review will critically analyse the existing literature on the *firearms threat* and the response to it. This includes the involvement of the *Network* in that response, the existing theoretical framework of global policing and what the theoretical outcomes are in relation to a reconstruction of policing.

The review will show that, according to the current literature, there is a continuation of policeization and a reconstruction of policing in the form of pluralisation and privatisation, which extends to the transnational (Bayley and Shearing 2001, Deflem 2002, Jones and Newburn 2006). Sometimes, that reconstruction leads to influences by organisations not based in the UK, which

could add to the perception that a global police state exists (Westmarland 2011, Stenning and Shearing 2012, Bowling and Sheptyki 2012).

2.2 The Threat According to the Current Literature

There is an increasing threat to society from the illicit supply and use of firearms by organised criminals[16] and terrorists[17] (Bruggeman 2008, Jojarth 2009, Rollins 2010). As well as the general global threat from the illicit firearms market, in 2010, the media reported a threat of a '*Mumbai*' style terrorist attack, on the UK. The attack would involve multiple murder using firearms (Hayman 2010 - B30[18], BBC 2010a - B30, and 2010b - B30, Police News 2010a - B30 and 2010c - B30). The actual risk of a Mumbai style attack being launched in the UK by al-Qaeda terrorists has not been made clear to the public. MI5, who are the lead agency on counter terrorism in the UK, specify the use of firearms by al-Qaeda as a threat (MI5 2012 - A40). Analysis of the research for this thesis shows that the Mumbai style threat has not been overlooked by the *Network*. However, operational security risks have prevented research participants from disclosing much detail on the assessment of the threat.

A potential source of illicit firearms for terrorist use in the UK is the OCG/terrorist nexus, where OCGs and terrorists deal with each other to meet a specific need (Severns 2012). While the core leadership of al-Qaeda do not promote links with OCGs, there are many al-Qaeda inspired organisations and individuals who need to work with local OCGs for funding and logistics (Rollins 2010). This was clearly evidenced by Operation Barker, a case I investigated, where a suspected al-Qaeda inspired individual purchased a deactivated firearm from an OCG in Derbyshire together with the means to reactivate it illegally. Having purchased the deactivated firearm with the equipment to

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[16] Organised crime is variously defined and can be summed up as, *'more than one person working together over a period of time to commit crime for personal gain. By committing crime, or in protecting their criminal enterprise, those persons present a serious threat to society by way of violence, corruption or damage to the economy'* (Hobbs 1998, Levi 1998, SOCA 2009 - A10, Reichel 2005, Levi 2007, Severns 2012).

[17] Terrorism can be summed up as *'any crime, including any preparatory crime, that has the ultimate aim of instilling mass fear amongst opponents, in order to bring about regime change or impose a particular political or religious will'. Terrorists are 'those persons who aspire to and carryout, or are party to, acts of terrorism'* (Hobbs 1998, Wilkinson 2003, White 2005, Clarke and Lee 2008, Levi 2007, Bettison 2009, Severns 2012).

[18] Open Source Intelligence (OSINT) has been used throughout this thesis to support other research evidence and the academic literature. Where OSINT has been used (in the literature review onwards) it has been graded to make the reader aware of the strength of the OSINT evidence. The grading is explained in chapter 3.3 and in the introduction; however, A15 is the highest grade and D50 the lowest. Anything graded E means the source is untested.

reactivate it, the terrorist suspect also obtained the knowledge from the OCG to reactivate and produce a working prohibited firearm (Severns 2001 - A15, BBC 2004 – B10).

It can be inferred from the interviews with the OCG members and the literature on the terrorist suspect in the Barker case, that they were influenced by what was happening in the wider world (Severns 2001 – A15, Andrew 2009). That wider world impact can be explained by globalisation, which is the increased connectivity between nation states and the increased ability of criminals to move about embracing the use of improved travel networks and technology (Levi 2007). Similarly, what happens in one part of the world, such as Derbyshire, can have an impact on the wider world (Held and McGrew 2003).

Similar global influences can be inferred from the murder of an off duty soldier (Lee Rigby) in Woolwich in 2013 (Malik and Walker 2013 - B30). There are claims that the terrorists, who carried out the murder, were radicalised into, what White (2005) refers to as, religious terrorism, by persons in the UK and elsewhere spreading the al-Qaeda ideology. As with the 7th July 2005 (7/7) bombers (BBC 2005 – B30, Bettison 2009), at least one of the Woolwich murderers, allegedly travelled abroad to make connections with al-Qaeda fighters. However, rather than use bombs for their attack in Woolwich they used a car, knives and a firearm (Malik and Walker 2013 - B30).

The origin of that actual firearm is not known and may have been used by the terrorists to provoke the police into shooting them dead (BBC 2013a – B30). It has been described as '*a 9.4mm Dutch calibre KNIL Model 91 revolver* '(Malik and Walker 2013 - B30). It is an old firearm but it could still be a lethal barrelled weapon and illegal in the UK (CorEden-Sterling 2013 – A10). It is not clear as to whether the Woolwich attackers had any intention to obtain more reliable firearms, which could have been used to kill other people. Their focus does appear to have been on killing a soldier in a symbolic way in order to terrorise those opposed to their views. However, the firearms element of the Woolwich attack cannot be ignored and one inference that could be drawn, which is in need of further research, is that al-Qaeda inspired terrorists in the UK do seek to use firearms, but they lack the means in the form of access to a stock of up to

date firearms and ammunition[19]. As outlined by Ronn and Hoffding (2012) further research would develop the intelligence into knowledge.

The Woolwich murder is further evidence of the criminal threat to the UK from the criminal use of firearms, terrorism and organised crime. It also adds to the current knowledge that the main terrorist threat to the UK is from glocal Islamist terrorists who are local to the UK and are motivated by a global religious terrorist ideology to carry out terrorist attacks; in the UK or on a transnational basis from the UK (White 2005, Andrew 2009, Bettison 2009, Great Britain, Home Office 2011c - A15, MI5 2013 - A10). In addition, there is a threat from transnational Islamist terrorists who are residents of a country outside the UK and may be motivated by the global fight to attack the UK (Great Britain, Home Office 2011c - A15, MI5 2013 - A10).

Levi (2007) includes terrorism in an analysis of organised crime. He argues that it operates in a similar way to other criminal groups using *"tools of late modernity"* (p775). These include the internet, air travel and global financial services. However, when he talks about the progression of former terrorists in Northern Ireland into organised criminals he does make the distinction that terrorists have *"ideological motivations"* in committing crime, whereas organised criminals are "*motivated by personal financial accumulation"* (p791).

According to Levi (1998), organised crime is generally used to describe a group of people who act together on a long term basis to commit crimes for gain and glocal organised crime takes many forms in the UK (Hobbs 1998). The organised crime activity linked to the Operation Barker illicit firearms market investigation was many and varied and influenced by global activity (Hales, Lewis and Silverstone 2006, Severns 2001 - A15).

Hobbs (1998) coined the term *'glocal'* in relation to organised crime. He showed that local organised crime is driven by what is happening globally, such as the global market in controlled drugs that supplies the local drug dealers in the UK. Those local dealers rely on that global market for their product. However, they organise themselves together locally to carry out their criminal activity locally.

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[19] They may also have been unwilling to deal with OCGs to acquire firearms (Rollins 2010, p27 – A25).

They are not part of a worldwide network of criminals. They deal with the global market but their organisation and impact is local.

Operation Barker investigated a father and son team working as an OCG. The father and son operated from a rural workshop in Derbyshire unlawfully supplying deactivated firearms, with the means to reactivate them, to numerous UK criminals. The OCG purchased the deactivated firearms legally from an international arms dealer. So, whilst the OCG operated independently at a local level in the UK it was also facilitated by the global trade in firearms making it glocal. The other UK criminals that the father and son team supplied ranged from individual criminal armourers to murderers to organised drug dealers and, as already mentioned, a suspected al-Qaeda terrorist. Their firearms, which ranged from reactivated automatic handguns to reactivated Uzi sub machine guns, were also found in the hands of Unionist Terrorists in Northern Ireland (Severns 2001 – A15, BBC 2004 – B10, Hales, Lewis and Silverstone 2006, Morland 2011).

Not all the criminals supplied by the OCG in Derbyshire were part of OCGs or glocal criminals, however, they are representative of those involved in the illicit firearms market in the UK. In addition, the Irish terrorist threat remains in the form of dissident republican terrorist groups who are also in the market for illicit firearms. That market and the available firearms in that market are a threat and it is investigated as a priority by UK police forces. The market, including the grey area, where it moves from the legal to the illicit black market dealing, also needs further academic research to enable the police and partner agencies to tackle it (Severns 2001 - A15, Hales, Lewis and Silverstone 2006, Golding and McClory 2008, Rothe and Collins 2010, MI5 2013 - A10). This thesis includes a more detailed examination of Operation Barker in the findings. It will show that the threat is glocal and that the firearms industry is criminogenic.

Where firearms from the legal market of international arms dealing and the legal UK market in deactivated firearms are moved onto the illegal reactivation market, it is a grey area of the market and a threat. That grey area is evidence of the international arms trade facilitating the illicit firearms market. In other words the legal arms market creates criminogenic conditions. Therefore, that legal market should be held more accountable through '*system criminality*'; a

whole system approach to dealing with crime (Rothe and Collins 2010, p2) and this thesis will show that the *Network* is involved in a developing glocal whole system policing response.

Criminal users of firearms in the UK obtain their firearms in various forms from the illicit UK firearms market. In the main, the market is contained within the UK and trades in available firearms based on an internal supply and demand. There is little evidence in the UK of a cross border trade of illegal firearms. The main firearms traded and used illegally are converted imitation firearms, reactivated firearms and stolen firearms[20]. They are supplied by individual UK based criminal armourers (Hales, Lewis and Silverstone 2006).

Hales, Lewis and Silverstone (2006) interviewed 80 persons imprisoned in the UK for the criminal use of firearms in a range of crimes including drug dealing, robbery and other violence[21]. Apart from some hearsay about importation of firearms into Liverpool from Europe, there is little evidence from the interviews of the illegal importation of new working firearms. The market is complex and varied. Supply is patchy in the UK and the majority of criminals have to make do with what they can obtain; which is usually a dangerously unreliable conversion or reactivation. Few criminal end users are well connected enough to obtain quality working firearms. Even when reference is made by interviewees to new 9mm handguns, it could in fact be a good quality reactivated firearm, which looks new. This puts a different provenance on the source of a firearm when assessing the market threat and how to deal with it (Hales, Lewis and Silverstone 2006).

There is some recent evidence of the illegal importation of firearms from the US. In one operation in 2010, (Operation Newhaven[22]) an illegal reactivation unit

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[20] Mainly stolen shotguns from house burglaries or firearms leaked from the military.

[21] One of those interviewed made mention of the Operation Barker subjects as a *'father and son team'* (Hales, Lewis and Silverstone 2006, p55) importing and reactivating Uzi sub machine guns.

[22] Operation Newhaven is discussed further in the presentation of research findings at 5.4. It involves Steven Greenoe, a US citizen. He was jailed in the US for breaking down Glock pistols and hiding them in his luggage on internal US flights. He then transferred the luggage on to international flights to the UK where he reassembled and sold the firearms on to the illicit UK market. He was known to have sold at least 63 firearms on to the illicit UK market and some were used in the course of criminal activity. One was used in an attempted murder in Manchester. During that investigation a firearm from another source (Operation Lapworth) was recovered which indicated illicit UK armourers were obtaining firearms from different sources, as there was no direct connection between Greenoe and the Lapworth offenders (Carter 2012 – B30, Public service 2012 – B30).

based in an engineering factory was identified and illegal handguns and sub-machine guns together with homemade illegal ammunition were recovered. Three of the handguns recovered were found to be live working new Glock pistols, which had been purchased legally in the US and illegally imported into the UK inside stowed baggage on an aircraft (Harrington 2011). The research analysis for this thesis includes a more detailed assessment of the illegal importation of working firearms that confirms the threat exists, but it is not as extensive as the threat from conversion and reactivation.

In summary, the current literature indicates there is a threat from the illicit firearms market in the UK. Criminals with the right contacts can obtain firearms. The illicit supply of firearms is limited to converted and reactivated firearms, stolen firearms and potentially some imports from Europe and the US. The UK market is UK centric and there is little cross border dealing in illegal firearms. Apart from the Operation Newhaven US connection, the transnational connection tends to be legal imports of blank firearms and deactivated firearms which are then illegally converted or reactivated and diverted on to the illicit market in the UK. The strict gun control legislation in the UK restricts the size of the market and leads to a limited criminal use of firearms. However, when they are used, firearms have a serious impact on victims and their families and the fear of crime in the community increases (Hales, Lewis and Silverstone 2006, Golding and McClory 2008, Harrington 2011).

The threat can be explained by '*crime script analysis*' which Cornish and Clarke (2002, p42) use to show how organised crime operates. A rational choice is made by older more determined criminals, to commit well-planned crimes. In committing crime they consider the risk of being caught and make adjustments to reduce that risk. The crime script breaks down the modus operandi of organised crime and it can be used to show how the illicit UK firearms market operates and how it is facilitated by organised criminals who form criminal nexuses with other criminals, including terrorists. It can also be used to identify those who need to be targeted to reduce the market and to prevent market displacement (Sutton, Schneider and Hetherington 2001, Cornish and Clarke 2002, Severns 2012).

Rational Choice Theory (RCT) is based on the beliefs in Classical Criminology that people choose their behaviour freely based on avoiding pain (i.e. apprehension and sentence) and gaining or maintaining pleasure (getting away with criminal behaviour) (Cornish and Clarke 2014). RCT underpins Situational Crime Prevention (SCP), which is an approach to preventing crime, politically conservative in nature and situated within the Administrative Criminological theoretical perspective. SCP advocates implementing a range of techniques aimed at reducing the opportunity for criminal behaviour to occur. It includes cutting the murder rate by reducing '*the availability of handguns*' (Clarke 1997, p5). RCT is about what criminals do rather than why they do it. By understanding what they do, criminal markets can be targeted by increasing the risk for the criminals (Sutton, Schneider and Hetherington 2001).

The main premise of RCT is that criminals make decisions before committing a crime. They base those decisions on the risk of being caught weighed against the amount of reward they will receive as a result of committing the crime (Cornish and Clarke 1987, Clarke 1997). The fact that criminals make such rational choices means crime can be prevented by implementing situational preventative measures such as, *"increasing the amount of effort involved* (on the part of the offender) *to commit the crime, increasing the perceived risks of being caught, reducing the anticipated rewards of the crime, reducing provocation and removing excuses"* (Tierney 2009, p7). Despite it being about what criminals do, critics of RCT and SCP still argue that it is too simplistic because it does not consider the deeper motivations behind criminals making the decision to offend (Tierney 2009).

Nevertheless, organised criminals do consider the risks, effort and rewards in choosing which field of crime to operate in and then choose the one that maximises their profit for minimal effort (Cornish and Clarke 2002). For example, someone with criminal contacts who has knowledge and experience of firearms and engineering, will find it easy to set up and cover an illegal re-activation or conversion operation. Their script then involves following a process

that includes acquiring skills and resources and having the emotional capacity to carry out the crime[23].

The re-activation example is a simple example of a crime script. It shows how organised crime, including terrorism (Levi 2007) and the nexus between organised crime and terrorism (Makarenko 2004, Clarke and Lee 2008, Severns 2012), can be broken down in order to understand and tackle the process. In the same way that Clarke 1997 suggests reducing the availability of handguns to make it harder for murderers to gain access to them, the identification of the who, what, where, when, how and (where possible, in acknowledgement of the RCT critics) the why[24] of the reactivation process identifies a number of opportunities for preventing organised crime and terrorism[25]. The more links there are between people and groups involved in the organised crime, or in this case the illicit firearms market, the more complex the script becomes. There is an ever increasing amount of linked crimes, preparatory crimes, *'criminal actors'* and *'criminal equipment'* (Cornish and Clarke 2002, p58) making up a criminal nodal network.

Knowing and understanding the complex crime script and the nodal network it forms can help in determining how to prevent and detect firearms crime and provide an effective policing response to the *firearms threat* (Cornish and Clarke 2002, Kenny 2008, Shearing and Johnston 2010). In addition, by identifying the motivation for the crime, in response to the criticism of RCT, other distinctions can be made to enable wider social controls to be implemented from the causes of crime end of the continuum identified by Stenson (1991). According to Levi (2007), apart from the motivation, terrorism operates in a similar way to organised crime. Therefore, obtaining as much intelligence on criminal activity as possible can identify its many parts and where there is a blurring of

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[23] To complete the crime and the *'crime script'* the potential re-activator will sound out their criminal contacts for outlets for sale of the finished product. They acquire further knowledge of re-activation from books, the internet or associates, obtain the required equipment, adapt their premises or acquire new premises to be able to run the operation covertly, test the manufacturing process and the finished firearm. They then sell the required product directly to criminal end users or via one or more third parties.

[24] Who, what, where, when, why and how are the key questions of intelligence analysis (Kerr 2008) and they are also the key questions that are asked to draw out the grounded theory of this thesis.

[25] I.e. Strict control on the sale and ownership of deactivated firearms reduces access to them and prevents their reactivation (Great Britain, Parliament, House of Commons 2011a, p46 - A15).

organised crime and terrorism, distinctions can be drawn and interventions made[26].

There is a traditional view in the literature that the threat from the growth in transnational crime, including the threat from trafficking in firearms, has driven the globalisation of policing. There is also a view that such problems as the illegal trade in firearms are a symptom of conflicts around the world. In defining the problem fully it is in fact the people involved in the conflict who are the problem and they drive the threat and the response by the police (Fijnaut 2012). Therefore, it is important to look at the problem holistically in order to establish what the policing response is or should be in terms of SCP, without it leading to tactical displacement (Tierney 2009) where the criminals adapt and remain one step ahead of the police (Kenny 2008). Both the research for this thesis and the literature review have considered the transnational policing response to the *firearms threat* in detail.

2.3 The Response to the Threat According to the Current Literature

According to the current literature, whilst the *firearms threat* has a transnational aspect and should be viewed holistically, there is a need for robust local policing structures to respond to where the threat impacts (Fijnaut 2012). The *firearms threat* is monitored by the National Ballistics Intelligence Service (NABIS) in the UK (Golding and McClory 2008) and they task UK police action on the illicit firearms market through the process of the National Intelligence Model (NIM). NABIS is an ACPO (Association of Chief Police Officers) sponsored national police unit. NABIS focus on gathering and disseminating intelligence on the *firearms threat* in England and Wales and have recently expanded their area of business to include Northern Ireland and Scotland (NABIS 2012 - A10) .

All UK police forces contribute financial resources to NABIS and some contribute human resources. The core responsibility of NABIS is the examination of ballistics material recovered at crime scenes and linking those results to other firearms intelligence (NABIS 2012 - A10). NABIS and other policing groups and organisations are the *Network* nodes that are studied in

[26] I.e. In response to the motivation - stopping the radicalisation of youths in order to prevent them becoming involved in terrorism (Great Britain, Home Office 2013a – A40).

detail for this thesis. They are analysed from the point of view of the current literature then later by analysis of the research findings.

NABIS was commissioned by ACPO in 2007 to address problems such as inefficient processing of forensic evidence and the lack of information sharing and linking of evidence between UK police forces (Herrington 2011). Gallop and Wilson (2014) state such inefficiencies are part of a wider problem of inefficiencies across the whole spectrum of forensic science, exacerbated by the 2012 break-up of the Government sponsored Forensic Science Service (FSS) in favour of free market private forensic providers.

The implementation of NABIS was led by the ACPO Criminal Use of Firearms (CUF) group. Of particular importance, in securing a solution to the inefficiency and lack of information sharing, was proactive partnership engagement with all UK police forces. In addition, bringing firearms forensic examination back under the control of the police and engaging forensic partners in that process from the start, streamlined and accelerated the process of firearms examination (Herrington 2011).

A new database underpinned the NABIS process that all law enforcement partners could update and search. The NABIS process has now become sufficiently efficient that, not only can it effectively manage recovered firearms and ballistic material to link crimes and other intelligence; it can also identify inferred firearms from ballistics intelligence. In addition, it can identify potential new criminal reactivation operations, as it did with Operation Newhaven in 2009, which was a proactive operation that involved several police forces and NABIS in the UK. They collaborated to deal with the illegal reactivation and supply operation in the UK and liaised with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) in the US for them to deal with the US suspect for the Glock importation (Herrington 2011).

The Serious Organised Crime Agency (SOCA) had staff working within NABIS (NABIS 2012 - A10). Even though SOCA might appear to have been a police force to *'the reasonable man on the Clapham omnibus'* (Harfield 2006 p743), it was championed by UK Government ministers as a new type of agency which was not a police force. SOCA was run by former MI5 and MI6 officers with a

focus on intelligence. It had the aim, set by the Government, of reducing harm caused by crime, taking it away from criminal investigation and prosecution and allowing it the scope to intervene in and disrupt organised crime in other ways (Harfield 2006, p748 and 2008, p489). SOCA focused on serious organised crime, had a UK wide responsibility, with a strategic priority for firearm crime and they deployed liaison officers overseas as part of the SOCA Liaison Network (SLN) (SOCA 2012 - A10). The SOCA officers operating the SLN were ILOs (Bowling and Sheptycki 2012). This thesis will show that SOCA and its liaison network has now been taken over as a valued asset by the National Crime Agency (NCA) and it is an active part of the *Network.*

SOCA was tasked, with improving knowledge on how organised crime operated (Great Britain, Home Office 2004). Little progress has been made on improving that knowledge and there is a call for better organisation of the policing of organised crime by police and other agencies on a transnational basis. To date, NIM in the UK and the European Criminal Intelligence Model (ECIM), implemented by the European Police Office (Europol), is as far as the organisation of policing has gone and it needs to go further (Harfield 2008). However, there are signs of increased organisation with the implementation of NABIS (Herrington 2011) and (as will be shown) with the introduction of the NCA.

The ILOs working within the SLN are a key component of intelligence led policing (ILP) which is the model of policing supported by NIM and ECIM. The deployment of ILOs in Jamaica on behalf of Operation Trident, a Metropolitan Police Operation tackling shootings in London Jamaican communities, was seen as a key strategic intelligence led initiative in dealing with firearms crime in in the Metropolitan districts (Bowling and Sheptycki 2012, p80). ILOs are expected to secure timely, actionable intelligence on specific crimes and criminals. They also contribute to multi source intelligence that informs the transnational strategic response to crime and the criminals that perpetrate the crime. ILOs first started to liaise on transnational drug trafficking and this has expanded into the wider activities of OCGs and terrorists. They are important

'fixers'[27] (Block 2008, p185) who meet face to face with police from other nation states.

Bigo (2000) perceives ILOs to be facilitators of knowledge communication who, in some instances, contribute to the spread of insecurity and the subsequent securitisation of Europe. They pursue their own agenda and make work in order to justify their existence. However, the analysis of the research evidence for this thesis will show that organised crime policing is more organised through the work of ILOs and other individuals in the *Network* who occasionally work on a transnational basis. All are similar to the boundary agents identified by Kelly (2008) who are key links in partnership networks, holding the partnerships together and acting as conduits for information, intelligence and knowledge.

The UK intelligence agencies responsible for national security (MI5, MI6 and GCHQ) also have ILOs (Gregory 2008) but they are not police agencies and they do not have police powers of arrest and detention. However, they do contribute to policing by providing intelligence to assist the police. They are increasingly pluralised into policing, where the resources of a number of agencies are pooled to increase efficiency and provide more for less (Jones and Newburn 2006). This is particularly so in the case of MI5, where former MI5 staff were influential in the formation of SOCA (Harfield 2006, Bowling and Sheptycki 2012). MI5 are also the lead agency for gathering intelligence on terrorists and running operations, in close partnership with the police, to disrupt terrorist activity and bring terrorist suspects to justice (Brodeur 1999, Andrew 2009, MI5 2012 - A10).

It is not clear from the current academic literature or from the thesis research evidence what specific firearms intelligence is gathered by the intelligence agencies. However, the gathering of information within any of the police and intelligence agencies is directed in line with the priorities of the particular agency. Those priorities are published in the agencies' plans together with an intelligence requirement. All the agencies interact with each other through

[27] Block (2008) has in mind ILOs working in Russia when he describes them as *'fixers'*. They are able to circumvent the mindless Russian police bureaucracy through personal contact and knowledge of the Russian systems.

NIM[28], which, as already stated and according to the literature, *'is as far as the organisation of organised crime policing has gone'* (Harfield 2008).

The full implementation of NIM for UK police forces in 2004 was treated with scepticism by some police officers because it was the domain of intelligence officers and detectives. It was also seen as conflicting with other priorities such as community policing (Maguire and John 2006). Despite these conflicts and the empire building tendencies of NIM; where an array of computers, analysts, financial investigators, researchers and source handlers, amongst others, have replaced the criminal biographical expertise of the loan collator[29] (Smith 2009), NIM is now established in the UK. It is operated at all levels of policing by UK police forces and their partner agencies (Maguire 2008).

ECIM is similar to NIM (Brady 2008). It is a means of implementing intelligence led European wide policing. It is based on the intelligence cycle. Trends, gaps in knowledge and intelligence gathering requirements are identified for members of Europol to collect. This leads to the production of intelligence products that inform the co-ordinated targeting of organised criminals by Europol and Eurojust[30] members, by way of enforcement and disruption. The results of the enforcement and disruption are analysed and the cycle starts again with the further intelligence requirements (Hauschild 2009).

ECIM should form the basis of European policing led by Europol. Europol should be a mature community of police officers making sound intelligence based judgements rather than striving to be a supranational police force (Brady 2008). However, there are frustrations amongst those working for Europol and

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[28] Harfield (2009, p352) describes NIM as *'a business process designed to facilitate the prioritization of tasks based on current intelligence and the consequent allocation of resources'*; co-ordinating activity on a local (level 1), regional (level 2), national and international basis (level 3). Information is gathered by police and partnership agency systems. The information is researched and analysed to develop intelligence. Strategic and tactical assessments together with subject and problem profiles are produced from the intelligence. These products are then actioned at tasking and co-ordinating meetings held at all three levels. Tasking results in further information gathering, prevention initiatives and enforcement. The results of the tasking are then reviewed, researched and analysed for consideration of further action.

[29] *A single sub-division based 'information entrepreneur' with responsibility for and an overview of all the intelligence on the sub-division... Collators(had) an encyclopaedic knowledge of criminals in their area. Although they were shown ...to be not very good at disseminating their wealth of knowledge, collators were able to relate criminal biographies because they knew and had interacted with them...Such biographies have gone with the demise of the collator and would be a useful addition to the NIM process* (Smith 2009, p194).

[30] *Eurojust is the Judicial Co-operation Unit for the European Union. Eurojust assist the competent authorities of EU Member States, when they deal with serious cross-border and organised crime, such as terrorism, trafficking in human beings, drugs and arms, the sexual exploitation of women and children, cybercrime, various kinds of fraud and money laundering* (Eurojust 2013).

even misunderstandings on the definitions of information, intelligence and knowledge (Kleiven and Harfield 2008). In addition, the research evidence for this thesis shows that Europol are facilitators, rather than leaders, when it comes to the *firearms threat* and they are by no means a supranational police force.

The majority of police forces in Europe believe that criminals use and transport illicit firearms across the EU and those police forces collect data on the illicit firearms market. However, they do not share that data across borders, mainly due to security concerns. Therefore, the Odyssey project was funded by the EU to focus on the collection and exchange of data relating to firearms crime across the EU. Odyssey was set up with a view to suggesting solutions and building a prototype information technology (IT) system for managing and exchanging ballistics and other firearms related intelligence (Yates et al 2011a). This needed to be done against a backdrop of different policy, legal and data sharing issues and different IT and non-IT systems run by individuals performing one or more functions (Yates et al 2011). That backdrop is good evidence of disorganised organised crime policing alluded to by Harfield (2008).

According to Yates et al (2011) Odyssey developed a useful prototype IT system capable of being deployed with an organisation such as Europol. However, before it can become operational it needs to overcome the non-technological issues. The different legal, policy and organisational issues still remain and in particular there is a need to develop agreed policy among EU users on *'key standards of data exchange'* (p32). The technology is available to improve transnational policing but people cannot agree how to use it. This is a *'millstone'* (p33) around the neck of transnational policing and evidence that transnational organised policing can still be disorganised even when solutions are offered. The research participants for this thesis were in fact silent on Odyssey and ECIM.

Further afield, the UN PoA to prevent, combat and eradicate the illicit trade in SALW includes actions, for member state police, on OCG and terrorist use and supply of firearms (UN 2001 - A10, Golding and McClory 2008, Jojarth 2009, Spicer 2010 - A10, Great Britain, Parliament, House of Commons 2011a - A10, UN 2011 - A10). The UN also recognises that there is increasing globalisation

of organised crime and terrorism. OCGs and terrorists no longer recognise nation states. Therefore, a global response to the OCG/terrorist threat is required (UNODC 2009 - A10, UN 2009 - A10).

The SALW PoA is reviewed on an annual basis with meetings of experts from member countries (UN 2011 - A10). However, this is generally based on PoA updates rather than evaluation research (Kytomaki and Yankey-Wayne 2004). One update by the UK specific point of contact (SPOC) for the PoA, at the Foreign Office, indicates that NABIS co-ordinate police action inside the UK (Spicer 2010 - A10). A later Foreign Office update focuses on the illegal supply of firearms to other countries involving UK nationals and the illegal passage of firearms through UK territory (Gore 2012 - A10). Neither give any updates on UK police activity targeted against the *firearms threat*. This is despite the fact that the PoA suggest actions[31] for member state law enforcement agencies (UN 2011 - A10). The research participants for this thesis confirm that the UN SALW PoA has little impact on the *Network* from a UK point of view.

In summary, according to the existing literature, there is a strong UK police and policing response to the *firearms threat* and it forms part of a wider global policing response to crime (Bowling and Sheptycki 2012). However, there is still a suggestion that the response could be more organised (Harfield 2008, Golding and McClory 2008) and it is not clear how the *Network* operates within Bowling and Sheptyki's (2012) global policing. In order to understand further how the *Network* does operate within the global policing context, where it fits and whether it contributes to a reconstruction of policing, it is necessary to understand the theory of global policing and its outcomes.

2.4 The Existing Theoretical Framework According to the Current Literature

According to the literature there are no global police forces although global policing does exist in the guise of transnational policing that is delivered locally.

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[31] Those actions are mentioned in the Preamble to the SALW PoA. Actions include:

(a) Strengthening or developing agreed norms and measures at the global, regional and national levels that would reinforce and further co-ordinate efforts to prevent, combat and eradicate the illicit trade in small arms and light weapons in all its aspects;

(b) Developing and implementing agreed international measures to prevent, combat and eradicate illicit manufacturing of and trafficking in small arms and light weapons....

Police officers and staff working on a transnational basis make decisions that have an impact on how policing is delivered at the level of the Basic Command Unit (BCU) within a nation state. Therefore, the theory of global policing is best explored within the glocal, national, regional and global geographical spheres of police operation (Bowling and Sheptycki 2012). Intelligence is important to each of those spheres of policing. Intelligence and the knowledge that is produced from it lead police actions (Akhgar and Yates 2011a).

According to Bowling and Sheptycki (2012), policing takes place in a number of geographical spheres from the local to the global. Global policing is complex, it is facilitated by an *'occupational subculture of policing'* (p28) and includes a subculture of police personnel who operate in the different spheres of policing. In some cases, those police personnel take part in poor policing, which leads to insecurity and, with the increasing inter-connectedness of globalisation, the insecurity becomes global and influences nation state policing. That influence is delivered via transnational policing through links to the different geographical spheres of global policing, which have several centres of control. As a result, the nation state is undermined by a global network of policing (Bowling and Sheptycki 2012).

Therefore, to understand where the power lies within the transnational police system and the different spheres of global policing and how that impacts on policing structures, it is important to examine different aspects of transnational policing by way of Shearing and Johnstone's (2012) nodal network analysis. Such analysis has taken place for this thesis. The area of policing that has been subjected to nodal network analysis is the transnational policing of the criminal use and supply of firearms by way of the police transnational firearms intelligence network (the *Network*).

Bowling and Sheptyki's (2012) spheres of policing in which transnational policing operates, include the global, the regional, the national and the glocal. Global spheres of policing have a global range and include organisations such as Interpol. However, global spheres do not put the global in global policing, and organisations such as Interpol, which is included in the global sphere, do not dominate global policing. Instead, as with organisations and operations in the other spheres, global sphere organisations like Interpol, are nodes, which

form part of a complex network that is global policing. Regional spheres in the network are concerned with the security of a particular region of the world and include Europol. National spheres are concerned with the security of the nation state and include organisations such as the NCA in the UK and glocal spheres include local police forces and operations with transnational links. For example, they include counter terrorism units and the London Metropolitan Police's Operation Trident.

The term glocal, which Hobbs (1998) used to describe the impact of global activity on local criminal activity can also be used to describe the policing of criminal activity at this level. According to Bowling and Sheptycki (2012), police forces in the UK, US and Australia respond to local crime such as drugs, with an understanding of the wider global influences of drug trafficking through a network of trafficking routes. As such, they take part in transnational policing throughout the different global spheres of policing to help deal with the local threat from drug crime and related criminal activity. This makes them glocal in nature.

This thesis has found that the policing of the *firearms threat* is dealt with by glocal policing. As a result, the *Network* contributes towards a wider glocal reconstruction of policing delivered by an organised subculture of police, anchored in the nation state and dominated by diplomatic policing methods. The indication from this thesis is that glocal policing is dominant. It is not, as argued by Bowling and Sheptycki (2012), an element of global policing. They argue that global policing is dominant and is delivered by a subculture of police, led by enforcers who spread global insecurity through a global network and undermine nation state policing.

Bowling and Sheptycki's (2012) subculture that exists within global policing impacts on world order and it consists of police officers and police staff working across nation state boundaries, using surveillance and coercion, to deal with criminal threats. According to the literature, in some instances, police officers use evidence available in other nation states that is not available under their own nation state criminal law to control crime. For example, during the 1990s when the interception of telephone conversations was not allowed in Belgium, the Belgian police requested that other nation states carry out the intercept for

them, which they then used as evidence in Belgium Courts (Bowling and Sheptycki 2012, p19).

Global policing is, therefore, more than just law enforcement. It involves a variety of techniques driven by a subculture of police personnel who are fallible and do not always operate as they should. Those police and their subculture are examined in more detail by this thesis and the evidence from the *Network* challenges the subcultures analysed by Bowling and Sheptycki (2012).

The evidence from the research participants for this thesis also enhances the general literature on police culture and, as indicated by Westmarland (2008), it is varied and draws a variety of opinions and outcomes. The existing literature tends to suggest that the culture of the police in the UK and elsewhere results in mainly negative outcomes and there is evidence to suggest that it does (Heidenshon 2008).

According to Rumbaut and Bittner (1979), the police see themselves as shunned by society for upholding law and order. This makes them pariahs who develop their own cultures to cope with the work they do and those cultures tend to present a negative outcome, such as wide spread cynicism and solidarity leading to covering up bad practice. Such negative cultures persist and *'serve as a collective imprint on how we think about the topic'* (Campeau 2015, p671). However, as identified by Campeau (2015), the culture of solidarity, which has in the past led to a cloak of silence to cover misdemeanours, is also adaptable in the face of increased governance and accountability, towards achieving a justified legitimate result. As one of Campeau's (2015, p678) participants puts it:

> *'...this* (police) *service is only strong* (when) *the people ...are doing the right things'*.

Police culture is '*loosely defined*' (Chan 1996, p111) as the way things have always been done. It features a number of negative outcomes such as cynicism, racism, sexism and insensitivity that are obstacles to change and improvements in policing. The culture can have positive aspects in terms of it engendering team bonding that results in the team pulling together to deal with dangerous police work; but that can also lead to the team pulling together to

cover up bad practice. However, police culture varies. It is diverse, it is not the same throughout police organisations, it differs individually, collectively and hierarchically and is subject to outside influences. There are different ways of theorising about police culture and therefore the solution to dealing with the negative aspects of it is not just to simply change the rules or the policing philosophy, instead it requires a holistic approach and a full understanding of why it exists (Chan 1996).

There is some literature that is more appreciative of why police cultures exists. There is an acknowledgement that *'culture does not exist in a vacuum'* (Waddington 1999, p295) and that police talk in the canteen that demonstrates a particularly negative context does not always transfer into action on the streets. The talk or canteen banter associated with police culture is in fact a coping mechanism for doing what is often a dirty, mundane but sometimes dangerous job (Waddington 1999).

There is also evidence of the existence of positive aspects of police cultures. According to Heeres (2012) culture underpins policing at all levels and it is an important aspect of leadership to manage that culture, to move policing forward for the better. Glosmeth, Gottschalk and Soli-Saether (2007) identified that investigative team work culture impacts positively on the investigation of crime. A good team work culture leads to the frank exchange and sharing of knowledge and that enables the police to perform well and bring about a successful conclusion to the investigation. Such a culture exists among groups of police officers who are engaged in various complex investigations including trafficking in illicit commodities. The culture exists because there is an identified goal to aim for. This thesis will extend the evidence on the positive aspects of police culture by examining what that goal is and suggesting that generally there is a culture of wanting to be the best, to do the best for victims. That culture exists within the *Network* and facilitates the operation of the *Network*. It contributes to the development of nation state policing in the UK and, as indicated by Campeau (2015) positive aspects of police culture arise against a backdrop of increased governance and accountability.

The delivery of local policing in the UK from BCU to the national level has become pluralised. UK policing has been a political priority for the past 30

years. This period coincides with late modernity, which began with the prioritisation of the neo liberal free market and privatisation in society in general in the 1970s. Neo liberalism has its foundations in Adam Smith's writing of *'The Wealth of Nations'* (Clarke 2010, p50). It was the political ideology followed by prime minister Margaret Thatcher in the UK and president Ronald Reagan in the US, whereby market solutions and individual responsibilities were prioritised. Decision making moved from the professional middle class to management professionals who favoured just desert solutions for crime problems. Politicians saw this as a vote winner and so championed the cause of just deserts and law and order as a whole. This led to a call for more police resources (Garland 2000).

The UK Government chose not to fund the demand for extra resources. Instead, they followed a policy of spending less on public services and looked for other ways of identifying resources to meet the demand. This included boosting the number of volunteer special constables, the introduction of police community support officers (PCSOs) and making other government agencies, such as MI5, responsible for some policing functions. It also included partnership working in order to pool resources and the privatisation of some policing functions such as fraud investigation and security patrols. This spread of policing to produce more for less with a view to improving efficiency is pluralisation (Jones and Newburn 2006).

The privatisation aspect of pluralisation was explained in terms of *'multilateralization'* by Bayley and Shearing (2001, p1), as they hypothesised about what was happening in relation to the reconstruction of policing in democratic countries at the same time as inviting others to research the reconstruction of policing. Like governments, private providers can be the *'auspices*[32]*'* (Bayley and Shearing 2001, p3) or providers of security; or both, which suggests that policing organisation and provision could be controlled from a private organisation based outside the sovereign nation state.

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[32] Auspices are public or private groups of idividuals who take it upon themselves to organise and direct there own protection. Sometimes auspices and providers of policing are the same (Bayley and Shearing 2001, p3).

'Without close scrutiny, it has become difficult to tell whether policing is being done by a government using sworn personnel, by a government using a private security company, by a private security company using civilian employees, by a private company using public police, or by a government employing civilians' (Bayley and Shearing 2001, p15). However, it is not clear within the literature that this comment applies to transnational policing.

The research evidence for this thesis includes a more detailed examination of who actually does the policing and shows that it is the police, who work on a transnational basis in partnership with other UK public organisations, that make up the nodes in the *Network*. In carrying out such pluralistic transnational policing the police make use of private commercial resources where necessary. Those private commercial resources are one part of private multilateralization, which also includes private non-government agencies, private individuals, and the private provision of services for a fee by the government provided public police (Bayley and Shearing 2001).

According to the literature there is a blur between the public and private auspices and providers of policing under multilateralization. There are a number of suggested reasons for the multilateralization of policing including political, economic and social reasons and a rise in crime and the fear of crime (Bailey and Shearing 2001). Other research suggests a political and economic bias in the reasons for multilateralization (Garland 2000, Jones and Newburn 2006). Whatever the reasons, governments have encouraged multilateralisation and *'denationalised'* policing (Bayley and Shearing 2001, p5). This then causes an erosion of the monopoly on policing being held on behalf of the nation state.

Multilateralization can be viewed as an erosion of sovereignty that has an impact on who receives the best policing. In particular, with the rise of private commercial policing, the rich and the large corporations will be able to afford the best that the private providers can provide, giving them the most effective policing and leaving the rest to whatever the nation state government can provide. As that best provision and control could be controlled and provided

from outside the nation state there is a need for private policing to be researched and held to account[33] (Bayley and Shearing 2001).

Bowling and Sheptycki (2012) acknowledge the existence of some pluralisation in transnational policing. They evidence the existence of co-operation and private policing within high[34] and low[35] policing and at the global, regional, national and glocal levels. They state that the US is the market leader in the commercial privatisation of transnational policing activity and have been throughout history. The Pinkerton Detective Agency[36] was founded in the US in the early 1900s and Blackwater US (now known as Academi[37]), was used by the US Government and private corporations to secure and train a number of interests overseas. O'Reilly and Ellison (2006) cite the use of such private organisations as a challenge to Brodeur's (1983) original concept of high policing which was the maintenance of the sovereign state, its leading politicians and its economy by the state itself; using covert tactics of surveillance and tasking of informants to collect intelligence on state security and disrupt any activity undermining state security (O'Reilly and Ellison 2006). Bowling and Sheptycki (2012) also evidence how intelligence agencies, such as MI5 and MI6, co-operate together, and with the police, to prioritise transnational police activity through intelligence gathering and how military tactics are being used by the police to reinforce their enforcement of the law.

In summary, pluralisation, according to the literature, has led to transnational policing that is weighted towards enforcement and the '*militarisation and securitisation of police intelligence*' (Bowling and Sheptycki 2012, p52). There has been little research on transnational private policing. Therefore, whilst it is accepted that private policing plays a part in facilitating transnational policing, the main focus of global policing theory is on how police officers and police staff from the public police shape global policing (Bowling and Sheptycki 2012).

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[33] Especially when the likes of G4S a private commercial policing company are working in several countries and employ 530,000 staff working on public and private contracts (Stenning and Shearing 2012).

[34] Preserving national security (O'Reilley and Ellison 2006).

[35] Law enforcement to prevent and detect crime and disorder (O'Reilley and Ellison 2006).

[36] Now known as Pinkerton. They manage risk for organisations around the world (Pinkerton 2013 - A10).

[37] Originally set up to train local and regional LEAs Blackwater became Academi in 2011 (BBC 2011c - A20).

Greater co-operation between police from different nation states exists and this could lead towards the creation of supranational police forces that have executive powers in various nation states (Fijnaut 2012). However, there is little evidence of such supranational policing from the research evidence obtained for this thesis and the facilitation from the private industry is not in the form of policing, it is in the form of products that support policing.

According to Bowling and Sheptycki (2012) global policing does not consist of one global police force but consists of local police officers and staff engaged in global police activity beyond the nation state. They are bureaucrats working across nation state boundaries (some as ILOs). They have a *'sense of mission'* (Reiner 2010, p119) as part of their subculture to achieve results. In achieving their mission ILOs can be divided into technicians, diplomats, entrepreneurs, public relation experts, legal experts, spies, field operators and enforcers (Bowling and Sheptycki 2012, p87-92) and those subcultures are discussed in more detail in the analysis of the findings. They are challenged by this thesis.

All ILOs and transnational police bureaucrats work with and manage intelligence at different levels from the operational to the strategic. Generally, intelligence about a criminal threat, leads the action they take (Bowling and Sheptycki 2012) in line with ILP (Maguire and John 2006, Maguire 2008, Akhgar and Yates 2011a, Fijnaut 2012). However, there should be more emphasis on a holistic epistemological approach to strategic intelligence management rather than a limited ontological approach (Akhgar and Yates 2011a, Ronn and Hoffding 2012). This was seen as of importance in the design of the Odyssey prototype IT system for the management of EU transnational firearms intelligence. Questions of 'why', 'what if' and 'what next' were asked to add value to the process and produce strategic intelligence, which leads to a strategic proactive policing approach (Akhgar and Yates 2011a).

Law enforcement strategy can vary, it is dependent on the level at which it is drawn up. There is no agreed academic definition of strategy (Ratcliffe 2004, Akhgar et al 2013). Strategy tends to have a long term aim that combines a series of actions and objectives to be achieved at set times towards reaching the aim. It is subject to regular review, evaluation and management of resources (Johnson and Scholes 1993). Strategic intelligence also depends on

the level at which it is drawn up. It is intelligence that informs the formulation of strategy (Ratcliffe 2004).

UK national strategies link the local to the global as they act as a *'bridge between governmental policy or high order goals for maintaining and preserving national interests on the one hand and concrete actions on the other'* (Akhgar et al 2013, p2). The police deliver policing on a national basis to a national strategy within the context of a recognised policing philosophy. In doing so, they also operate on a glocal basis. As an organisation, they have a local impact but what they do is influenced by global and transnational issues (Bowling and Sheptycki 2012) of a *'world risk society'* (Beck 2002, p1) where some issues present risks that are difficult to control.

The risk is managed in the UK by a national philosophy of community policing. It is delivered locally in the UK in the form of neighbourhood policing by 43 Home Office controlled police forces in England and Wales, one in Scotland, and one in Northern Ireland and by non-Home Office controlled Forces such as the British Transport Police (BTP) (Maguire and John 2006, Waddington 2007, Savage 2007, Baggott 2007, Tilley 2008). Although the IPC found that the structure of policing through 43 police forces in England and Wales is not fit for purpose (Stevens 2013), they found Neighbourhood Policing at BCU level in the UK works. The police, to a large extent, understand the policing needs of a particular neighbourhood or community. Police officers then work in partnership with neighbourhoods and communities and other agencies to solve crime and disorder problems (Harfield 2009). Some problems such as the drugs and firearms markets have a global influence (Hobbs 1998).

Intelligence is an important factor in minimising risk and identifying and solving policing problems. Therefore, the deployment of neighbourhood policing teams is intelligence led through the NIM process (Harfield 2009). The gathering and use of intelligence and working in partnership is just as compatible with neighbourhood policing (Maguire and John 2006) as it is with the investigation of serious and organised crime (Great Britain, Home Office 2011b – A15).

SOCA operated on a national basis within the UK and its priority was to police serious organised crime. It was introduced by the Government as an

intelligence-led organised crime disruption agency; a different type of LEA (Harfield 2006) and an example of what O'Reilly and Ellison (2006) would class as an agency using high policing covert tactics to manage risk. However, in reality, they operated as a police force bringing people to justice (Harfield 2006).

SOCA and some of those working in partnership with it were brought together under one organisation (the NCA) on 7th October 2013 (BBC 2013 - B10). The NCA has a national crime fighting culture working in partnership with *'International Forces'* (Great Britain, Home Office 2011b, p12 - A15) and it is expected to have an impact in local communities by working in partnership with local UK police forces. The international/local partnership suggests they will take the lead in delivering glocal policing in line with the UK Government's local to global organised crime strategy. They will also take the lead in co-ordinating ILP and *'co-ordinate the whole operational law enforcement effort against crime'* (Great Britain, Home Office 2011b, p12 - A15). SOCA facilitated access to the wider world of policing for other UK forces, to enable them to police the glocal organised crime threat in a glocal way (SOCA 2012b - A10) and the NCA has continued to enhance this.

ILP was introduced into the UK with the establishment of the Regional Crime Squads (RCS), from 1965 onwards. RCS targeted the criminal rather than the crime with the aim of reducing serious organised crime. In the 1990s, the Audit Commission further promoted ILP and the policy of targeting the criminal rather than the crime (Harfield 2010). However, ILP came to the fore for all police forces targeting all levels and types of crime in the UK and other nation states in the early 2000s. Police forces, in partnership with other agencies, began to act proactively in response to perceived risks. They assessed those risks using intelligence and took action to catch criminals in the act of committing crime or preparing to commit crime. They also used intelligence to prevent crime by target hardening and high visibility policing. The emphasis was on proactive identification, analysis and management of recurring and developing risks rather than reactive detection work. It underlined Ericson and Haggerty's (1997) assessment of police forces as a *'risk business'* (Maguire and John 2006, p68).

The findings for this thesis will confirm that transnational policing is intelligence led. Despite different understandings of intelligence by the police, who still (at

times) act in silos and fail to fully engage with partners (Sheptycki 2004), the literature confirms ILP now operates at all levels in the UK through NIM (Maguire and John 2006, Maguire 2008). However, according to the literature ILP and the community policing philosophy that it supports, does not always run smoothly. It results in conflicting demands on police resources between high policing functions of preserving national security and low policing functions of law enforcement to prevent and detect crime and disorder. Both high and low policing exist in the UK just as much as in other nation states (Brodeur 1999, Brodeur and Leman-Langlois 2003).

The competing demands between high and low policing could be brought into sharper focus with the introduction of the NCA as they have the power to direct local police forces to take action based on intelligence, which they assess. Currently, they are making demands in favour of low policing functions but, in the future, they may also be given responsibility for the high policing function of CT policing. There are proposals for re-locating CT Command from the Metropolitan Police to the NCA and the NCA taking over the lead on terrorism from ACPO TAM (Terrorism and Allied Matters) and MI5 (Great Britain, Home Office 2011b - A15, Pearson 2012 - A10, ACPO 2014 - A10, Casciani 2014 – B30). Such proposals are taking place amid talk that the police counter-terrorism capability needs to increase to manage the intelligence flow from MI5 (Gregory 2008).

High policing and low policing are clearly separated in some nation states (Brodeur and Leman-Langlois 2003). However, the pluralisation of MI5 into policing in the UK (Andrew 2009) has meant that high and low policing in the UK and the intelligence gathering tactics employed in both cases, are closely aligned. They are even sometimes blurred, as policing the community impact of a terrorist attack is viewed as low policing (Innes and Thiel 2008). Brodeur accepts cross overs between high and low policing but he tries to maintain a renewed distinction that high policing is about the absorption of intelligence rather than making use of it to build a criminal case to bring offenders to justice (Brodeur 2007). However, the fact remains that in the UK the police and MI5 work closely together. MI5 agents now attend court to give evidence from their covert activities in order to bring suspects to justice (Andrew 2009).

The distinction that can be made is that low policing is '*intelligence led*' and high policing, in the guise of MI5 as the lead, is *'intelligence leading'* (Brodeur and Leman-Langlois 2003, p15). Since 9/11 the investigation of terrorism has become a high policing function (Brodeur and Leman-Langlois 2003, Brodeur 2007). If the NCA take over the responsibility for counter terrorism then high and low policing in the UK would be fused together in some areas not just blurred. A blurring that O'Reilly and Ellison (2006) advocate as the current direction.

The gathering of intelligence for ILP, particularly for high policing reasons, can also lead to communities being estranged. The Muslim Community in the UK saw the gathering of community intelligence to prevent extremism as spying on their community and resulted in them being suspicious and reluctant to engage in prevention of terrorism initiatives (Great Britain, Home Office 2011a - A15). In addition they have become the new *'suspect community'* in the UK (Pantazis and Pemberton 2009, p646) . This was a label held by the UK Irish community during the height of terrorist activity emanating from Northern Ireland during the 1970s, 80s and 90s and led, in a large number of cases, to people being stopped, checked and detained by police just because they were Irish (Hillyard 2005, Pantazis and Pemberton 2009).

Despite potential negative outcomes from introducing policies that lead to suspect and suspicious communities (Hillyard 2005, Pantazis and Pemberton 2006), community policing prevails in the UK (Baggot 2007). ILP is an important part of community policing and all other levels of policing including the transnational level. The impact of ILP should always be considered, particularly when the legitimacy of policing is brought into question by the actions of the police.

There are a number of tests of police legitimacy and legitimate policing, including the adherence to a recognised democratic rule of law. It is possible for the police to be legitimate, even if those they police do not communicate with them or agree with their policing methods. Similarly, it is possible for the police not to be legitimate even if the majority of those they police agree with and communicate with them (Bottoms 2014). Bottoms and Tankebe (2012) cite Tyler (1990) to say that, *'procedural fairness, if present, is more likely to lead to*

(1) immediate decision acceptance, and (2) an initial ascription of legitimacy to the law enforcement authority' (p121).

However, the willingness of the community to freely engage with the police and provide them with information is a main test of legitimacy. Legitimacy should be part of a two way conversation between those who police and those who are being policed and it should be based on shared beliefs (Bottoms and Tankebe 2012 and Bottoms 2014). Therefore, in analysing the research evidence for this thesis, the impact of ILP on the willingness of the community to engage and the two way conversation has been considered. It has been considered from the point of view of the police who Bottoms and Tankebe (2012) consider to be junior frontline power holders. They act on behalf of the government who are the power holding ruling elite. The police do, however, remain operationally independent in the way in which they use the power (Deflem 2002).

As intelligence informs decision making it also influences priorities. Therefore, dependent on the intelligence, national priorities could be placed higher than local priorities and in favour of high policing. The tipping of the balance towards the national and high policing can also be influenced by the Home Secretary who works at the national level, is responsible for national priorities and holds a key position that influences all other areas of policing. The Home Secretary is one part of the tripartite system of governance of the Police Forces in England and Wales together with individual force Chief Constables and Police and Crime Commissioners (PCCs). In addition, SOCA were only accountable to the Home Secretary (Harfield 2006) and the Home Secretary also appoints the Director General of MI5 (MI5 2013a - A10). Therefore, intelligence and the Home Secretary's interpretation of that intelligence and any resulting knowledge, shapes UK policing from the national to the BCU level (Waddington 2007, Maguire 2008, Harfield 2009).

Intelligence inevitably leads to the police in the UK taking part in transnational policing in order to deal pragmatically with transnational threats (Walker 2008). The Weberian theory of bureaucratization is used to explain the development of transnational policing (Deflem 2002). Bureaucracy was presented by Max Weber as the favoured and dominant theoretical model of organisation. It has had an impact on social sciences since Weber's work was translated into

English in 1947 even though it has since been found, by some, to be inefficient (Gajduscheck 2003).

Weber identifies a division of labour, specialization, rules that adhere to the one best way, subordination and a lack of personal influences as the elements of the existence of a bureaucracy. These elements are still seen as the basis for a strong organisation (Kelly 2008), however, in order to adapt to differing needs they have been later refined by different schools of thought. The lack of personal influences was challenged as it was proved that cultures evolved amongst the participants in any bureaucratic organisation and they influenced the direction of the organisation (Lipsky 1983, Gajduscheck 2003). As already explained, such cultures exist in policing that have both positive and negative impacts (Chan 1996, Waddington 1999, Glosmeth, Gottschalk and Soli-Saether 2007).

The one best way was also challenged in that it did not allow for flexibility in a changing environment (Gajduscheck 2003) and the police, as a bureaucracy need flexibility in dealing with any criminal threat by way of problem solving (Paterson and Pollock 2011). Political scientists favour public bureaucracy that acts in the public interest but they separate it from the government stating that a public bureaucracy is an executive organisation that carries out the will of the government. Therefore Weber's theory of bureaucracy only offers a starting point for various interpretations of bureaucratization (Gajduscheck 2003).

Deflem (2002) adopts the political scientist model of bureaucratization in that he sees the police as a public bureaucracy that acts independently of the government. As highlighted by Osborne (1993), Bayley and Shearing (2001) and Shearing and Johnston (2010) the government steer policing and police bureaucrats row. Deflem (2002), as with other social science schools and organisational theorists, has evidenced a different interpretation of Weber's theory of bureaucratization. He compares the development of policing in Germany and the US and shows that the police are a bureaucracy as they have most of the elements drawn out by Weber. The police are a bureaucratic organisation with the specialist function of maintaining order and controlling crime within a legal system that gives them the monopoly on the use of force. They have a hierarchy, disciplined structures, formal training with a division of

labour that includes specialist training. They operate under a system of rules and aim to be efficient in delivering their function. Deflem (2002) then shows that the police in democratic countries like the UK operate in an environment that allows them to work beyond the nation state as they have a degree of operational independence from the government. The police then engage in knowledge exchange and co-operation with similarly independent police bureaucracies in other nation states.

The police who are able to take part in transnational activity have achieved the '*policeization of the state*' (Deflem 2002, p228). They are not dictated to by the nation state and neither are they separate from the state. They tend to be within nation states with democratically elected governments. They have a level of bureaucratic independence from the politicians that enables them to create networks that allow for co-operation beyond political allegiance. That co-operation relies on knowledge networks designed to prevent and detect transnational crime (Deflem 2002); it is driven by globalisation through increased interconnectedness facilitated by the use of the tools from late modernity, such as improved travel and technology identified by Levi (2007).

Policeization exists within the transnational aspect of UK policing (Deflem 2002). While the police are accountable to elected officials in various guises, they maintain operational independence (Harfield 2006, Jones 2008). As such, UK police officers, have practical aims in relation to preventing and detecting crime. They have solidarity and engage with police officers seeking similar outcomes in other nation states. That engagement is on a professional rather than a political basis and involves one or more states. Sometimes, when it involves more than one nation state, regional collaborations are formed.

Europol is evidence of a regional collaboration and, in its early stages, so was the International Criminal Police Organisation (Interpol). Interpol developed beyond regional collaboration from its beginnings in Vienna in 1923 to become a truly international professional exchange with 190 nation state members (Walker 2008, Interpol 2013 - A10). However, Interpol is, at best, a professional club and an information exchange that does not dominate the shape of policing (Walker 2008).

Interpol is supranational and independent of nation states. However, it is not a supranational police force. Even though there are some within Interpol and at the UN who have ambitions for the creation of a global police force, such a move is problematic (Bowling and Sheptycki 2012), particularly with nation state politicians who see global policing as a loss of sovereignty (Westmarland 2010). However, those ambitions and the perceived loss of sovereignty can be allayed by the fact that territory is needed to impose jurisdictional law within a defined boundary and territory re-inforces sovereignty. Interpol does not have any territory in which to deploy a global police force, whereas politicians do have territory in which they can bring their police to account (Bronitt 2012). The research analysis will show that to be the case with the *Network*.

Like Interpol, Europol is not a supranational police force even though it operates within the EU, which is a *'self-standing security community'* and a *'state-like entity'* (Walker 2008, p131 and 133). It operates against a backdrop of differences among member states on a number of policies. This includes the apparent Europol sceptic views of the former Metropolitan Police Deputy Assistant Commissioner John Yates. He was filmed live, on behalf of Parliament, by the BBC (2009a – B10) answering questions before the Home Affairs Select Committee about terrorism investigations and the use of Europol. In response to a question about the use of Europol, Commander Yates gave a dismissive answer of, *"Oh we use them"*.

Commander Yates then emphasised that bilateral agreements[38] arranged by the UK with other countries are the best way forward to investigate terrorism (BBC 2009a - B10). The research evidence for this thesis provides evidence that the emphasis is on a mix of a bilateral policy and pragmatic networked nodes that operate outside Europol and Interpol.

The EU does, however, have a common approach to a series of common criminal threats and it supports the operation of Europol as a permanent agency

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[38] Deflem (2010, p131) gives an example of bilateral agreements where, *'In matters of police co-operation, the EU framework decisions call for an improvement of co-operation among the counterterrorism units of the EU member-states. To this end, joint investigation teams can be set up by the security forces of two or more EU member states for a specific purpose and for a limited period. Among the requirements, the leader of the team operating in any one EU country must be from that country, and the team must always abide by the laws of the member state in which it operates'* (Deflem 2010, p131). According to Commander Yates it appears the UK police follow this procedure but make their own arrangements, rather than seeking the assistance of Europol (BBC 2009a – B10) (Also see footnote 39 on JITs).

within the established Justice and Home Affairs bureaucracy of the EU. Whilst the EU and its police agency Europol does not have a monopoly over the legitimate use of force across its membership, (that remains firmly within the nation state police forces of the individual members) it does take increasing collaborative police action, particularly in relation to EU wide initiatives. When the majority of EU member states adopted the Euro it became a Europol function to take the lead in co-ordinating activity in dealing with counterfeiting of the Euro (Walker 2008). In addition, Europol promotes the use of Joint Investigation Teams (JIT). Despite the difficulties of operating 29 different legal systems (3 in the UK) in various member states speaking 23 official languages (Horvatits and de Buck 2007), joint investigations are set up between two or more member states to investigate transnational crime operating across the member states concerned (de Buck 2007, Europol 2010 – A10). They can be staffed by representatives of LEAs and other organisations such as Eurojust (Block 2012).

Europol is therefore an agency, which supports the internal security bureaucracy of the EU, provides a facility to carry out EU policy related policing functions and is a symbol of a fully established European State. The EU is becoming an autonomous force that contributes to Europol becoming a more autonomous police agency (Walker 2008). However, Europol still only provides support rather than action. This is confirmed in the analysis for this thesis and is highlighted in the latest amendments to the JIT protocol, which state that Europol can provide support to JITs but cannot take part in coercive action. That support amounts to facilitating access to information, providing a picture of international crime, arranging operational meetings, providing analytical and technical support, search advice and assisting in the administration of JITs (de Buck 2007)[39].

According to Deflem (2002), after the 9/11 terrorist attacks the police were drawn more to their political centres. Their respective governments had greater

[39] The popularity of JITs is not advanced by the support only function of Europol. JITs were a promising political ambition but in practice, they are difficult to establish due to the different nation state laws, practices and procedures. At best they have improved information sharing. However, there is little UK involvement and none have been set up to investigate the illicit firearms market. They can be efficient and practical but other well-established bi-lateral agreements such as International Letters of Request (ILORs) which establish real time co-operation and simultaneous targeting of the same crime problem with police operating in their own nation states (Block 2012) support John Yates bilateral transnational policing policy.

influence on anti-terrorist police co-operation. In some circumstances, international criminal justice and police co-operation was replaced by military tactics and a real war on terror. Despite this, the police in democratic countries such as the UK sought to resist such '*politicization*' and continued with policeization (p228). The police continued to engage in transnational co-operation to police terrorism and other crime. They liaised with their counterparts in other nation states to establish systems and processes that they brought back to their nation state for formalisation in law and policy by the political centre (Walker 2008, Deflem 2010). The findings for this thesis show that UK policing of the *firearms threat* continues to be a bureaucratic criminal justice process rather than militaristic.

Such a policing process does, however, need to be subject of good governance (Findlay 2008). Writing on the subject of accountability and governance Westmarland (2010) agrees that policeization exists. She states that there is every day interaction between police organisations of different nation states in response to increased organised crime and terrorism. However, as already stated in respect of ambitions to create a global police force (Bowling and Sheptycki 2012), people within the nation states see the increased transnational policing co-operation as a loss of sovereignty (Bayley and Shearing 2001, Westmarland 2010). There is therefore, a call, as well as a need, for good governance of transnational police networks.

Despite the existence of territorial legal jurisdiction that underpins the sovereign nation state (Bronitt 2012), policeization is viewed by some politicians as an increased global police state where police operating outside the nation state determine the policing needs of the state (Westmarland 2010). There is an indication of this happening amongst a subculture of police officers and staff who have used evidence obtained under other nation state laws to control crime in their own nation state, as previously shown by Belgium's use of intercept evidence (Bowling and Sheptycki 2012, p19). Others argue this subculture is an extension of the nation state's power and influence (Fijnaut 2012). However, there is an increasing amount of law that can be applied extra-nationally. As well as international treaties and conventions that shape law and policy in nation states (Bronitt 2012) such as the UN PoA on SALW (Jojarth 2009).

Therefore, Bowling and Sheptycki (2012) call for a global social contract to prevent breaches of sovereignty and legitimise the actions of transnational police actors. They prefer a global social contract, based on the democratic *'constabulary ethic'* (p136), to the creation of a global police force. They evidence that the transnational police actors classed within their subcultures as diplomats, field operators and problem solvers should be brought to the fore rather than the enforcers. The findings in this thesis confirm this already happens in the *Network* and transnational UK police operating in the *Network* are clear that they are always accountable to their own nation state.

Kenny (2008) adopts a differing view to Bowling and Sheptyki (2012). He suggests in his explanation of competitive adaptation that the police are restricted in their ability to use the law to their own benefit and act beyond the nation state. He explains organised crime and terrorism policing as a process of learning. The police and criminal groups around the world learn from one another and drive each other's actions through competitive adaptation (Kenny 2008).

What exists is a constant game of competitive adaptation between the OCGs or the terrorists and the police. The traffickers (who are representative of OCGs) and the terrorists are free to operate beyond territorial boundaries whilst the police are *'sovereignty-bound'* (Kenny 2008, p103). Drug trafficking and terrorist networks have flat structures that enable them to make quick decisions. Those involved in the criminal networks are compartmentalised by way of family, friendship or geographical connections. Facilitators bring groups together or pass information or commodities between loosely connected groups as and when necessary to meet the goals of the network. If one group in the network is disrupted by the police the network adapts and switches action via another group in the network. They also gather their own intelligence. They analyse information on police activity to learn how the police operate and make adjustments to avoid detection based on the knowledge they gain from that intelligence (Kenny 2008).

According to Kenny (2008), criminals make sense of what has disrupted their activity. They share stories among themselves and develop different practices and routines. For example, increased surveillance and disruption of a particular

smuggling route by LEAs will cause them to change routes, methods of transportation and seek ways of corrupting LEAs. They develop their organisational learning and a broad range of skills to adapt to ever changing circumstances. Such learning and development of flexible skills is known as *'metis'* (Kenny 2008, p52); a concept devised by ancient Greek philosophers. Metis is then spread through criminal networks and collectively criminals adapt their methods. Terrorists are particularly adept at developing metis in relation to firearms as they test them out in real life conflicts[40] (Kenny 2008). Metis is a part of Bourdieu's broader concept of Habitus where society as a whole acts in a particular way as a result of collective learning over time. Habitus is also used as a theoretical basis for the development of organisational cultures, which includes police culture (Chan 1996, Powercube 2014) therefore, metis, culture and organisational theory are closely aligned.

The metis of the police and policing in relation to intelligence has developed and is underpinned by ethics and proportionality. Whilst the metis of intelligence has continued to develop, it has been as a result of learning from mistakes made by the police into specific enquiries. Examples are the Stephen Lawrence murder investigation and the death of Victoria Climbie. Both enquiries added to the learning and stressed the importance of intelligence; its sharing and the decisions made as a result. Such enquiries also highlight the difference between police metis and criminal metis. The police are bound by ethics and proportionality and are expected to get it right all the time. Criminals only have to get it right once and are not bound by any code other than those that they invent and twist to justify criminal activity, particularly terrorism (Grieve 2008).

It is important for the police to be a *'learning organisation'* (Bowers 2008, p271) to develop metis by gaining knowledge on crime and criminals as well as knowledge on how to respond to the criminal threat. Generally, the police have more efficient but lengthy bureaucratic ways of storing and analysing

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[40] *Like drug traffickers, terrorists learn metis by doing: building bombs and detonators, discharging rifles and handguns, engaging in actual armed combat, infiltrating "enemy" lands...Unlike law enforcers who go undercover for short periods of time to arrange drug deals, professional terrorists must convincingly play their roles for ...months at a stretch, sometimes while living in foreign countries. Such deep undercover assignments require talents not readily imparted in training programs, including mental alertness, prudence and emotional stamina. Clandestine militants must be able to interact repeatedly with a variety of individuals, neighbours, fellow workers, mosque acquaintances, family members-as they gather intelligence and otherwise prepare for terrorist operations, all without raising suspicion regarding their true intentions and activities* (Kenny 2008, p144).

information to produce intelligence and knowledge and to train their staff in skills for flexible deployment (Kenny 2008). For example, they will adapt and use more sophisticated covert electronic surveillance techniques and innovative undercover deployments to gather information.

Not all metis that is developed by the police is considered legitimate, some leads to a negative police culture and poor policing outcomes. The policing agencies representing high policing, usually in the form of intelligence agencies such as the CIA, have also pushed the boundaries in some nation states. They have used their skills to take part in secret renditions of terrorist suspects for interrogation (Kenny 2008). Renditions are, according to Bowling and Sheptyki (2012), limited by nation state laws and policy, although there are many examples where that is not the case and depending on the type of rendition some, particularly secret or extraordinary renditions, are outside the law[41]. Laws and policies also limit the deployment of covert surveillance and undercover deployments in the UK where they are subject to strict authorisation processes, as discussed by Billingsley (2009).

Kenny's (2008) theory is that criminals and police develop metis, which is the embedded organisational learning of new flexible skills alongside established older skills. This enables the police and criminal groups to improve their knowledge and to adapt to try and exploit an advantage over each other. The OCGs and terrorists have an information advantage, in that they know what they are going to do, whilst the police have a monopoly on force. The police try to exploit their advantage of force into an information advantage. The OCGs and terrorist organisations have flatter structures. Those structures are not subject to hierarchical governance and accountability systems that are imposed on the police, meaning the police are not as free to operate beyond nation state

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[41] Extradition is included in the definition of rendition (Great Britain, Parliament, House of Commons 2007 – A25) and the case of Chinoy v UK is an example of a case, which was apparently not fully compliant with the law. It involved the extradition of Mr. Chinoy to the US where the UK Courts were prepared to allow the extradition despite the fact that the request by the US was based on illegal recordings (van Hoek and Luchtman (2005, p16). The Intelligence and Security Committee used various different terms of rendition when it investigated the involvement of UK intelligence and security agencies in rendition. However, they were more concerned with, *'Extraordinary Rendition* (which is) *the extra-judicial transfer of persons from one jurisdiction or State to another, for the purposes of detention and interrogation outside the normal legal system, where there is a real risk of torture or cruel, inhuman or degrading treatment'* (Great Britain, Parliament, House of Commons 2007 – A25, p6). The committee found no evidence that any UK agencies were complicit in extraordinary rendition (Great Britain, Parliament, House of Commons 2007 – A25, p64).

law (as suggested by O'Reilly and Ellison 2006 and Bowling and Sheptycki 2012). As such, the police are more reactive than proactive with the emphasis being on reacting to crime within the nation state. This gives an advantage to the OCGs and the terrorists (Kenny 2008) boosted by the assertion that they are, '*more in tune with globalisation*' (Lilley 2009, p137).

OCGs and terrorists move about more freely and acquire up to date technology without budget constraints and the need to seek authorisation for deployment. They operate complex flat networks that continually adapt. If one link is removed another will appear in its place. The police need to study the complexity of those criminal networks and adapt and re-organise their own networks accordingly to avoid operating in hierarchical silos, which is a *'competency trap'* (Kenny 2008, p24) that the police keep falling in to. Globalisation should provide opportunities for more efficient network policing by transnational police actors (Bowling and Sheptycki 2012), provided it is accountable, governed and not rushed into. Above all, liberal democratic states must prevail and work together, subject to due process (Sheptycki 2004, Findlay 2008, Kenny 2008, Leary and Thomas 2011, Bowling and Sheptyki 2012).

As stated, Bowling and Sheptycki (2012) favour a transnational social contract based on a democratic constabulary ethic. That ethic should transcend the global policing networks and all nation states need to ensure such a constabulary ethic exists within nation state policing. As indicated earlier, Harfield (2006) analysed the 2006 establishment of SOCA, which was only accountable to the Home Secretary and its own Board. In fact, the Home Secretary appointed, and was able to dismiss, the Chair and the Director General of SOCA (Great Britain, Parliament, House of Commons 2012 – A10). This was a move away from the UK constabulary tri-partite system of

governance[42], *'a corner stone of traditional policing legitimacy in the UK'* (Harfield 2006, p749). It took away local accountability to individual Chief Constables and Police Authorities and weighted SOCA's agenda in favour of national interests and control by the Home Secretary.

Therefore, policing in the UK moved away from the traditional constabulary ethic and it has continued to do so with the merging of SOCA into the NCA. The Home Affairs Select Committee on the New Landscape in Policing found, in 2012, that despite the lack of tri-partite governance, SOCA had been subject to oversight from a number of regulatory and other bodies. Rather than pushing for tri-partite governance, the Committee called for assurances from the Home Office that the governance and accountability arrangements for the NCA should be *'at least'* the level of those that were in place for SOCA (Great Britain, Parliament, House of Commons 2012 – A10).

To understand the knowledge, capability and accountability of global policing networks there is a need to study '*nodal networks*' (Shearing and Johnston 2010, p496). A competition exists between organisations, which can be nodes in networks or networks themselves. Organisations stretch beyond nation states and undermine the competition between those nation states. Nation states have also reorganised themselves into transnational networks to make them more effective and this is evident in transnational policing. The hierarchical LEAs mentioned by Kenny (2008) are crisscrossed by transnational communications that bind them together and drive power away from the centre (Bowling and Sheptycki 2012). Therefore, there is a need to guard against a threat to civil liberties from nodal network policing (Shearing and Johnston 2010, Burris 2005). Poor policing techniques transposed through transnational networks can lead to insecurity, meaning there is a need for strong governance of the policing networks (Bowling and Sheptycki 2012).

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[42] *'The system of holding the 43 forces of England and Wales accountable has been characterised as the tripartite structure of police accountability. Established under the 1964 Police Act, following the deliberations of the 1962 Royal Commission on the Police, it remains the fundamental basis of police governance. The tripartite system distributes responsibilities between the Home Office, the local police authority, and the chief constable of the force'* (Mawby and Wright 2005, p4).

Since 2012, as a result of the Police Reform and Social Responsibility Act 2011, police authorities within the tripartite system have been replaced by directly elected Police and Crime Commissioners as representatives of the local population (Reiner 2013).

As stated by Bayley and Shearing (2002) there is also a need to understand what factors are shaping the reconstructing of policing within those networks; how policing is delivered and by whom. It will show where the auspices of security lie and confirm whether there is a move away from the nation state government being responsible for both authorising and providing policing, to steering policing. Also, whether policing has become pluralistically '*multilateralized and denationalized*' (p5) and weighted towards *'militarisation and securitisation of policing intelligence'* (Bowling and Sheptycki 2012, p52).

Shearing and Johnston (2010) examined three models of global security governance and it's delivery. This followed critical analysis by Loader and Walker (2004) and Lea and Stenson (2007) on the importance of the role of the nation state in the governance of security within and outside the nation state. Shearing and Johnston (2010) claimed that nation states who steer global security governance from a distance overlap with nation states that retain a strong sense of governance by the state and global security governance delivered by networks. They concluded that the way global security governance is delivered is overlapping, therefore, it should be examined in terms of a nodal network to see how the networking affects sovereignty.

Nodes are individuals, groups, organisations or states. Establishing the knowledge and capacity of each node provides a true picture of how global security governance operates and where the operating power (Castells 2004) lies within the network. The concept of nodal networks promoted by Shearing and Johnston (2010) does not prescribe how such networks should themselves be governed and held to account (Loader and Walker 2004). Such governance and accountability is important to politicians representing nation states, dependent on their view of globalisation (Held and McGrew 2003) and how it impacts on policing. As already stated, some object to what they perceive as the formation of a global police state (Westmarland 2011). Whatever their viewpoint they need to understand the network and where the power lies (Castells 2004, Shearing and Johnston 2010). Therefore, as stated previously, this thesis includes a nodal analysis of the *Network* to see how the nodes are linked and how each node influences the rest of the *Network*.

The theoretical framework for this thesis is a *'theory of global policing'* (Bowling and Sheptycki 2012, p3). Transnational policing is predominant within global policing and a subculture of police actors push policing towards policing beyond the nation state. They do that in the belief that they have a mission to prevent and detect crime using all available methods (Bowling and Sheptycki 2012) based on intelligence and the knowledge that results from it (Akhgar and Yates 2011). Their mission is delivered by using policeization to develop links with like-minded police, in different nation states, who subsequently develop policy with their political centres (Deflem 2002). They adapt to the intelligence on criminal threats by forming nodal networks. Those networks are restricted by hierarchical nodes but those hierarchies do not always retain the power and control over the network that is formed. Other nodes within the network can influence where the power lies. This includes private providers of policing and police technology (Bayley and Shearing 2001) and private high policing contractors protecting the interests of corporations. They overlap with the interests of nation states, supranational organisations and NGOs making for a symbiotic relationship between the public and the private (O'Reilly and Ellison 2006).

The UK works within the global policing framework. The UK police work to national strategies and adopt a model of community policing, led by intelligence that accentuates the pull between high and low policing, influenced by transnational and glocal threats. This leads to the UK working on a transnational basis, which includes both public and some private police actors, to gather intelligence to mitigate and deal with various threats such as the *firearms threat*. Intelligence is well embedded into policing and shapes the way it is delivered. Despite some dissenters, the literature appears to emphasise the weight is in favour of the existence of global policing facilitated by privatisation (Appendix 11.1). However, this thesis is on the side of the dissenters. It evidences the weight of the *Network* to be in the favour of the UK nation state, glocal policing and it has control of which privatised support products it uses (Appendix 11.4).

2.5 Conclusion on the Current Literature

The *firearms threat* is identified in the literature but this thesis articulates the threat by showing how it is viewed by the UK police working at the national and

transnational level. The UK police respond to the *firearms threat*, by taking a proactive intelligence led approach. However, according to the literature, the response to the *firearms threat* and organised crime in general, particularly at the transnational level, requires further organisation (Harfield 2008). This thesis will show that policing in the *Network* is becoming more organised and the formation of the NCA could be a catalyst to even greater organisation of national and transnational policing.

Theoretically, the literature paints a picture of a global networked police world, instigated by Deflem's (2002) policeization, but where the control of policing is moving away from the nation state. The analysis of the development of transnational policing is influenced by globalisation and the global network society, which adapts in line with increased knowledge drawn from intelligence (Castells 2004) (Appendix 11.1). This perspective is concluded by O'Reilly and Ellison (2006) who refer to the contemporary literature on global security and policing. They point out that sovereign states no longer have the monopoly on the legitimate use of force and are no longer at the centre of public authority. Private non-state nodes, alone or in partnership with one or more nation states, in numerous forms and at all levels of policing, take the power away from the nation state through nodal networks.

However, more empirical research is required within a global policing theoretical framework to understand how policing networks operate and how they might lead to a reconstruction of policing. The reconstruction of policing at the transnational level and its organisation is not clearly understood. This thesis provides a clearer understanding of the reconstruction through an examination of the *Network,* which is clearly driven by the *firearms threat*. The UK transnational police work to national strategies and are steered by the nation state. Their mission is to work for the best interests of the nation state. This is a development of nation state policing and evidence of a glocal reorganisation of policing. It is contrary to the global police state view.

Hufnagal et al's (2012) book on cross border law enforcement, brought together the views of practitioners, policy makers and academics, in the hope that evidence based policy making could be advanced by the three communities coming together. In addition, the introduction to the book states that:

> *'The borders that those engaged in law enforcement must transverse are not merely geographical and jurisdictional but are also the fault lines between research, policy and practice. Our hope is that this volume may assist in bridging that gap'* (Hufnagal et al 2012)

Heeres (2012) is one such practitioner who contributed to Hufnagal et al (2012). Based on his experiences, Heeres (2012) calls for glocal policing to take place based on a culture of police who are *'willing and able'* (p118). The police at all levels should target the local impact of the transnational threat whilst fully understanding any global influences. Bowling and Sheptyki (2012) argue that glocal policing already exists but only as part of a theoretical mechanism through which to view aspects of global policing rather than a dominant police model. Glocal policing needs further articulation. This thesis combines my experiences as a police practitioner with qualitative research focused on a specific area of transnational policing, the *Network*, to start to bridge the gap between research, policy and practice on glocal policing.

Although further evidence is required to establish whether glocal policing is general across all areas of policing, there is evidence within the *Network* that such policing is being practised by people who are willing and able, which is what Heeres (2012) experience states should be happening. The evidence has been drawn out by including my experiences as part of the research and it is presented in the following chapters by way of an adaptive grounded theory methodological approach (Chamaz 2006).

A theory of glocal policing is grounded in this thesis. Glocal policing exists within the *Network* and the indication is that it is more prominent than global policing. This leads to a conclusion that the *Network* has contributed towards a glocal reconstruction of policing and hypothetically, other areas of policing are more glocal than global.

Chapter 3 - Methodology

3.1 Introduction to the Methodology

This thesis will explain how and where the *Network* contributes to a theory of glocal policing. It examines where the power lies within the *Network* and what impact it has on the reconstruction of policing. Interview data has been gathered from people who contribute to the *Network*. The data has then been triangulated by using OSINT and my own experiences as a former insider, occupying the space between the inside and the outside. The data has also been subjected to nodal network analysis and as a result, a challenge to the existing theory of global policing has been ground out (Sugden and Tomlinson 1999, Chamaz 2006, Corbyn-Dwyer and Buckle 2009, Westmarland 2011).

New evidence has been identified which impacts on the literature, theory and practice relating to transnational policing and answers calls for more theoretical research into policing and the reconstruction of policing (Phillips 1992, Reiner 1992, Bayley and Shearing 2001). Policing in the UK continues to be plagued by controversy, particularly in relation to recurrent revelations about the integrity of investigations and the use of covert intelligence gathering methods (IPCC 2013 - A10, Laville 2013 - B30). Therefore, Reiner's (1992) call for theoretical research is just as important today as it was in 1992. The same issues keep arising and the *Network* needs to take into account integrity issues; especially when the police in the UK promote ethical values and seek legitimacy (Bottoms and Tankebe 2012, ACPO 2013 - A10).

3.2 Methodological Considerations

The research data provides an answer to the CRQ and brings new evidence to bear on the literature on transnational policing from a global criminological point of view (Phillips 1992). It is relevant to the UK as the research was based in the UK and only UK participants were accessible for face-to-face interviews. Therefore, the findings from the research must be viewed as findings from a UK perspective. Similarly, the research focuses on one area of transnational policing (the intelligence gathering network) and one crime problem (the *firearms threat*).

As well as adding to the academic literature, the findings could be used to develop further comparative research with other areas of transnational policing or the structure of policing networks from the perspective of other nation states (Pakes 2004, Bryman 2008, Nelken 2012). For example, Hufnagal et al (2012) have compared cross border LEA co-operation in Europe with that in the Australian and the Asia-Pacific regions. They accept that their account is not definitive and to avoid over generalisation they call for further regional and micro level comparative research on cross border policing. This thesis could contribute to that research, especially in developing practitioner views to include them as part of the research, as this thesis does.

There are good reasons for researching the *firearms threat* and it should be researched from a number of perspectives. This includes the need to understand the market in order to prevent the illicit trade in firearms for criminal use, which can result in death and serious injury. This was evident in the gang related use of a Mac 10 sub-machine gun in the murder of two innocent bystanders at a new year party in Birmingham in 2003 (Herrington 2011), the firearms murder of unarmed police officers in Greater Manchester in 2012, by a suspected organised criminal, (BBC 2012b – B30) and the possession of a firearm in the course of the terrorist murder of a soldier in Woolwich in 2013 (Malik and Walker 2013 - B30).

Researching those involved in the operation of the illicit market was considered but access to those individuals is limited. Similarly, access to current intelligence on the market is limited (Cornish and Clarke 2002). Therefore, it was decided to use adaptive grounded theory methods to research those involved in gathering intelligence on the *firearms threat*. Grounded theory corresponds with my professional background as a former police detective skilled in gathering information to be used as evidence or intelligence. I have kept an open mind in gathering and analysing the research evidence, however, I did have prior knowledge of the workings of the *Network* and associated theory[43] and that prior knowledge makes the grounded theory adaptive (Chamaz 2006).

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[43] See policy decision 9 in Appendix 11.6

Qualitative evidence was preferred to quantitative evidence as it provides a rich picture of the dynamics (who, what, where, when, why and how) of the *Network*, which according to Shearing and Johnston (2010) is an important aspect of network analysis. Xu and Hsinchun (2005) confirm that reliable evidence is required in order to visualise criminal networks and disrupt them. They promote network analysis by gathering and analysing information to highlight *'regular patterns about the structure, organization, operation and information flow in criminal networks'* (Xu and Hsinchun 2005, p102). In order to disrupt criminal networks the police also need to understand the best way to form their own networks (Kenny 2008). Therefore, this research is subject to grounded theory and network analysis; two methods which complement each other (Xu and Hsinchun 2005, Shearing and Johnston 2010).

Purposive sampling was used to identify participants for semi-structured interviews to gather qualitative data on how the *Network* operates (Bryman 2008). The participants are credible, reliable and knowledgeable sources; however, they are limited in number. Therefore, to saturate grounded theory categories, to build a rich picture and ensure the validity and reliability of the research, there was a need to gather further qualitative data from other sources (Chamaz 2006).

It is accepted by academics, who research organised crime and those who research intelligence gathering methods, that access to those who police and gather intelligence on organised crime is difficult and limited (Cornish and Clarke 2002, Rollins 2010). Even though there has been a reluctance to use open source evidence for academic research, (particularly web based evidence) (Education for Change 2012) OSINT research was proposed as a solution to the limited access (Best and Cumming 2007, Robert 2008, Bean 2007 and 2011, Tekir 2009, Rollins 2010).

OSINT research was used in the research to gather further qualitative data on the *Network*. Intelligence is an important aspect of decision making in a number of domains (Ronn and Hoffding 2012) and OSINT can be embraced as an important tool for academic researchers provided the product is valid and reliable (Cornish and Clarke 2002, Bryman 2008).

My critical investigative epistemology also provides supporting evidence. That epistemology emerged out of a knowledge and experience of investigating the *firearms threat* and working with other professionals in that field of investigation. I was '*part of the scene*' and can relate to their experiences of the *Network*. However, as I am no longer a police officer, I have been able to take a more critical investigative standpoint (Sugden and Tomlinson 1999).

That critical investigative standpoint brings personal experiences to bear as evidence for the research. It is also part of the practical gathering and analysing of the evidence about the *Network* and to do that I used two methods I learnt as a detective. First, I used the Home Office Large Major Enquiry System (HOLMES) to action the gathering of evidence and to record and analyse that evidence (Unysis 2010 - A10). Second, I used my knowledge of interviewing suspects and witnesses to prepare semi-structured interviews and my knowledge of gathering and analysing information from various overt and covert sources to gather and grade OSINT (College of Policing 2013 - A10).

3.3 Epistemology/Research Philosophy

Research into policing in the UK increased from the 1980s. This followed a cut back in social sciences research in favour of a focus on criminal justice and the police, in paricular, were put under the research microscope[44]. This was as a result of a crisis in police legitimacy brought about by reports such as Lord Scarman's report on the 1981 Brixton riots. The number of police officers with degrees, especially among Chief Officer Ranks, increased[45] and they facilitated police research, particularly by police officers on the inside. The majority of that research focused on management issues and was based on quantitative data, which resulted in target setting around performance and costs. It needed to be balanced with a greater degree of qualitative research to enhance the understanding of policing and the sharing of best practice (Reiner 1992).

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[44] According to Reiner (1992), a register of research being undertaken by UK universities, polytechnics and other institutions in 1987 listed, *'184 separate projects being being carried out in sixty-nine different institutions'* against, *'ten essays representing all important research'* in 1979 (p438).

[45] According to Reiner (1992, p438), *'in 1981, there were 2,610 college graduates in the police, but by 1988 this number had risen to 7,409'*. In addition, by 1988, forty percent of Chief Officers were graduates.

Current research is now focused on best practice and evidence based policing (College of Policing 2014 – A15).

I viewed the increase in police research from the inside as I spent 30 years as a police officer, mostly in a detective role. I did not carry out any academic research whilst I was on the inside. I retired as a Detective Inspector in 2009 to become an academic researcher and I can still recall my experiences. As argued by the barrister Harry Potter (BBC 2015 – A10), it has to be accepted that even the most honest witness can be mistaken in their recollections. However, all incidents I have dealt with are recorded in pocket notebooks, policy books and papers used in court, such as the R v Greenwood case papers (Severns 2001 – A15).

Some experiences increased my determination to bring firearms offenders to justice. For example, attending a double post-mortem of a victim of a shooting and the offender (who took his own life) and dealing with their families, whilst working non-stop for 24 hours. You do not forget such experiences and they will inevitably influence how you police. However, you have to control the personal impact of such experiences. I worked to do the best to achieve justice for victims and their families because of my experiences. I ensured an ethical and impartial investigation took place by making sure the human rights of suspects and the accused were given the same priority as the victim. The rights of suspects and the accused must be preserved to prevent any miscarriages of justice (Kennedy 2004). If you do not do that, and you take short cuts in favour of the victim, then you are failing the victim, especially if an innocent person is convicted.

The fundamental basis of detective work is to keep an open mind (Newburn, Williamson and Wright 2007, Milne and Powell 2010) and I have kept that philosophy whilst researching the *Network*. Whilst I had knowledge of policing, intelligence and of investigating the *firearms threat*, I kept an open mind on the results of the research[46] and as stated by Corbyn-Dwyer and Buckle (2009, p56):

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[46] As promoted by Chamaz (2006) in line with grounded theory and evidenced in my research policy entries (see policy decision 9 and 19 in Appendix 11.6).

'I leave it up to the reader to decide if my insider status would improve or impede my ability to carry out the study'.

Unlike Corbyn-Dwyer and Buckle (2009), though, I do offer an explanation as to how being an insider, still gravitating towards the inside, assisted the research. As well as guiding the research, my insider epistemological standpoint provides supporting evidence and assessment skills. The epistemology includes my own motivations and experiences as an investigator, as well as experiences gained from observing the actions and motivations of others during my career, in particular being motivated by wanting to do the best for victims.

I have been '*part of the scene*' (Sugden and Tomlinson 1999, p390) as a police officer and I can relate my own experiences of the *Network* and empathise with the professional ethics and integrity[47] of those taking part in it. However, as I am no longer a police officer or part of the scene, I can step back and take a more critical investigative standpoint (Sugden and Tomlinson 1999), whilst being aware of failings in police investigations and flawed governance of the police in the UK, articulated by Rowe (2014). I can look at the wider implications of what is happening to policing, be investigative in my approach and follow a philosophy of investigative epistemology (Sugden and Tomlinson 1999).

I was an insider who moved towards the outside as an academic researcher. As a retired police officer and a fully paid up member of the National Association of Retired Police Officers (NARPO) I still consider myself a member of the police family. I am in the space between the inside and the outside; still gravitating towards the inside. It is an interesting space in which to dwell. I have a deeper knowledge of the *Network*, however, prior to completing this thesis I did not fully understand it (Corbyn-Dwyer and Buckle 2009).

Gravitating to the inside suggests that the research will result in an insider police research biased conclusion that the *Network* is working well, as opposed

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[47] The police in England and Wales have recently (2014) been given a new code of ethics to follow as part of the professionalization of policing promoted by the college of policing. The code is based on the Nolan principles of accountability, integrity, openness, leadership, honesty, objectivity and selflessness and includes extra principles of fairness and respect. The intention is that it should be more than a set of words and all policing decisions and activity should be based on the code (College of Policing 2014b – A15), it should not serve a narrow public relations purpose, which Kleinig (1990, p14) argues is a problem with police codes of ethics. The code articulates professionalisation of decision making which, although not universal, has existed and developed within the police throughout late modernity (see chapter 8).

to the general independent police research bias conclusion that nothing works (Reiner 1992). However, operating in the space between the inside and outside assists in producing a balanced conclusion (Corbyn-Dwyer and Buckle 2009) on what can be learnt from how police organisations operate (Reiner 1992). In particular, I have been able to draw out the existence of positive aspects of police culture within the *Network*. Police culture is often portrayed as negative within the current literature (Heidenshon 2008). However, there is evidence emerging of some police cultures having a positive impact on investigation. This is especially so with an investigative police team culture, which leads to the sharing of knowledge and results in offences being detected, offenders being brought to justice and victims being supported (Glomseth, Gottschalk and Solli-Saether 2007).

The research has gathered qualitative rather than quantitative data on the *Network*. It is set in the context of wider global policing issues, which enables a greater understanding of transnational policing. In line with Reiner's (1992) call to sort the policing wood from the trees it examines not just the tree but also where its sits in the forest.

I have knowledge of the *firearms threat* and the developing police responses to it. I can evidence earlier competitive adaptation (Kenny 2008) that has taken place within the UK police service, which led to the establishment of NABIS and its subsequent involvement in the *Network* (Severns 2001). I supported the establishment of NABIS and provided evidence to support the rational for establishing such a police agency. Therefore, I am complicit in a desire for NABIS, ACPO CUF and the *Network* to be successful. However, as I have never been a member of those or any of the key nodal organisations in the *Network*, I have been able to look at the progress that has been made by such organisations and critically analyse how the *Network* operates and what the outcomes are.

3.4 Research Design

The research design is cross sectional, which is a snap shot of what is happening at a specific point or small period in time (King and Wincup 2008). The research interviews, which led to the gathering of evidence from OSINT

and the application of my experiences, were carried out in 2012. The evidence gathered from the interviews highlighted the development and implementation of NABIS, which, as will be shown, is a key node in the *Network*. That development and implementation covers the years 1998 when I became involved in Operation Barker (Severns 2001 - A15) to 2012 when the research interviews were carried out. Overall the analysis dates back to 1990, which is the extent of the Operation Barker criminal activity (Severns 2001 - A15). It is brought up to date (2015) with the inclusion of relevant OSINT and updates from research participants who were asked to feedback on a full draft of the thesis.

Cross sectional design was the most feasible research design due to the limited resources available. It would have been desirable to extend the design and carry out comparative research by comparing the *Network* from the UK point of view with the point of view of the network from one or more other countries (Pakes 2004). That comparative research would have been enhanced by following Nelken's (2012) methodology to avoid ethnocentrism and relativism; that the UK view of the *Network* is shared by other nations or that it is not possible to understand the view of other nations. It would have been done by comparing the understanding of what the actors involved in the network are trying to do. Such understanding has been highlighted in this thesis by interviewing UK personnel who are part of the *Network*. Therefore, the research results for this thesis could still be compared with research of the *Network* from the point of view of other countries, provided the same overall methodology is followed (Nelken 2012). Also, provided it is carried out in those countries by a similarly positioned researcher in the space between the inside and the outside (Corbyn-Dwyer and Buckle 2009)

3.5 Sampling

Random sampling of police officers and staff on their knowledge and potential involvement in the *Network* would have produced limited results as the *Network* is a niche area, with limited UK participants. Therefore, my knowledge and experience was used to provide access to UK participants in the *Network*. Securing a sample from the police depends a lot on who you know and being a former insider (Noakes and Wincup 2004); I knew who to approach and where

to go to obtain the sample. This was purposive sampling and it identified participants for semi-structured interviews to gather qualitative evidence that builds a clear picture of how the *Network* operates (Bryman 2008).

Purposive sampling is a non-probability form of sampling and is determined by the needs of the research (Waters 2009). The use of knowledge of the subject and the range of people involved who can supply the best information is a useful aid to purposive sampling (Denscombe 2009). Bryman (2008) describes purposive sampling as the interviewing of people chosen for their relevance to the research question. Therefore, two UK based police employees who were known to take part in transnational liaison with police in other countries were approached. As a result of interviewing them, it became apparent that other persons were important to the operation and initial development of the *Network*. Therefore, other persons were approached to participate in the semi-structured interviews. Some agreed to take part and were interviewed whilst others did not reply to requests.

Based on the results of the interviews, purposive sampling was used to gather other research evidence by way of OSINT research and from my experience of policing and the *Network*. This followed a grounded theory strategy of populating the themes drawn from the interviews with triangulated evidence from elsewhere (Chamaz 2006). For example, the interviewees talked about the importance of the group of European Firearms Experts (EFE); therefore, further evidence of that group's importance as a key node in the *Network* was obtained from the House of Lords Select Committee. This was available as open source information on the internet (See Great Britain, Parliament, House of Lords 2011-A15). This evidence contributed to populating the theme on the 'Transnational Nodes in the *Network* that Develop Nation State Policing'.

3.6 Method of Data Collection

Data was gathered by way of semi-structured interviews (Remenyi 2011) with persons connected with the operation of the *Network.* Their views of the *Network* were captured as qualitative evidence with a view to analysing it to draw out grounded themes (Chamaz 2006). Some interviews were recorded by way of a digital recorder direct to an encrypted computer. Others, at the request

of the interviewees, were recorded in the form of notes made at the time of the interview, although to enable the interview to flow freely, they were not a contemporaneous record. Finally, due to the restrictive cost of travel to carry out the interview, one was carried out on the phone and by email. Although that interview was largely in the form of a questionnaire using the semi-structured interview questions, additional probing questions were asked by email and phone to seek clarification and ensure there was no confusion (Remenyi 2011).

The UK participants in the *Network* are small in number and it has not been possible to gain access to them all. Six agreed to be interviewed and provided good evidence towards answering the CRQ. Those six included key nodal participants in the *Network* and some who were involved in the setting up of key nodes and initial transnational links[48].

The questions for the semi-structured interviews were formulated based on a knowledge of the relevant literature on the *Network* and my own experience (Milne and Powell 2010). Open questions were used to draw out the fullest possible answers that could then be probed by further open questions (Remenyi 2011). In line with the overall philosophy of the research all the questions were asked with an open mind unless a closed question was needed to seek clarification (Milne and Powell 2010).

Prior to the interviews taking place a set of questions were prepared based on my knowledge and an initial literature review (Appendix 11.2). They were designed to elicit the dynamics (who, what, where, when, why and how) of the *Network* operation with a focus on answering the CRQ and filling the gaps in the literature. However, at the same time, they allowed the interviewees to speak freely of their experiences of the *Network* and to allow new ideas to emerge that could possibly be grounded into theory. Therefore, whilst the interviews were semi-structured their direction was not controlled, other than to keep the interviewees within the parameters of talking about the *Network* (Milne and Powell 2010, Remenyi 2011).

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[48] One law enforcement organisation did not allow access to its employees by outside researchers. Attempts were made to gain access to the organisation, however, letters and phone calls were not returned. Therefore, research evidence on that organisation was obtained from other participants and OSINT. The organisation is not named herein as it adds to preserving anonymity of the research participants as discussed by Remenyi (2011).

To enhance the evidence and draw out grounded themes, the themes drawn from analysis of the interviews were populated with evidence (Chamaz 2006) from OSINT research on the *Network*. OSINT research is research of evidence from publicly available information (USA Congress 2007)[49]. Access to the participants in the illicit firearms market and those who police it and gather intelligence on it is difficult and limited. This is accepted by academics who specialise in researching organised crime (Cornish and Clarke 2002) and those who specialise in researching intelligence gathering methods (Best and Cumming 2007, Robert 2008, Bean 2007 and 2011, Tekir 2009, Rollins 2010). They propose OSINT as a solution, where evidence is gathered and analysed from a variety of open sources, including the media, social networks and police and government documents published on the internet.

Intelligence used to be confined to national security. However, intelligence, including OSINT, has also become an important aspect of law enforcement and it is increasingly an important decision making tool in other spheres (Ronn and Hoffding 2012). In addition, OSINT is gradually being accepted as research data for use by doctoral students, despite the fact it is *'discouraged'* on the basis of *'citation-based assessment and authenticity criteria'* (Education for Change 2012, p6 - A10, O'Dochartaigh 2007).

For this thesis, OSINT has been drawn, predominantly, from recognised UK Government, law enforcement and academic websites and it includes some factual commentary from the media. I have also taken part in academic conferences by attending in person or taking part in internet webinars (CEPOL 2013 - A10). I asked impromptu questions of speakers at the conferences and made a written record of the answers (Remenyi 2011). In addition, some of the question and answers have been published on the internet (CEPOL 2013 - A10). Those written records and the internet publications have been used as evidence for the formulation of OSINT. As already stated, intelligence is

[49] OSINT has also been deemed by Juett et al (2008), when discussing consilient thinking between partner agencies, to include *'any source of information that is readily available'*. This then could include intelligence that is extracted from information that is readily available to me as an insider with a particular set of contacts. Not information that is passed with any expectation of privacy but information that I pick up because I move in a particular circle of academic and police contacts and attend a particular set of conferences and events. It includes information on one discipline that might inform the work of another discipline.

information from various sources that has been subject to a rigorous evaluation and risk assessment process to assist with decision making (Harfield 2009).

OSINT research provides evidence that is already in the public domain. Any OSINT that has been used is graded in respect of provenance and the methods used to gather the original information. This enables anyone relying on the findings to judge the weight of the evidence before taking any decisions based on the findings. Such decision making and risk analysis takes place in any professional practice and the Professional Doctorate is designed to enhance such practice. This includes enhancing police practice (Lee 2009).

The grading system used is a combination of the NIM 5x5x5 system and the Maryland research evaluation scale. The A to E source evaluation code and the 1 to 4 intelligence evaluation code is used from the 5x5x5 system (ACPO NPIA 2010 - A10) and the dissemination code is replaced by the Maryland score (Civil Service 2010 - A10); with an addition of 0 where no research is involved or it cannot be ascertained. A Maryland score of 5 has also been awarded where the research evidence used has been the subject of a thorough police investigation that has been tested by the UK judicial system or where a thorough parliamentary or independent commission investigation has taken place based on evidence from a number of reliable sources.

Therefore, where the source is reliable, the evidence is known to be true without reservation and it has been subjected to the highest degree of analysis it is graded the highest grade A15; The lowest grade is D50, when the source is known to be unreliable, the information is suspected to be false or malicious and no research methods have been applied or they cannot be ascertained. Where the evidence is drawn from a previously untried source it is graded E. This suggests a lower grade than D sourced evidence but, E sources, over time, may turn out to be always reliable[50] (Civil Service 2010 - A10, ACPO NPIA 2010 -A10).

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[50] There is some subjectivity involved in the grading method used and the Maryland score tended to be either 0 or 5, apart from a score of 1 for research for a Home Office document based on public consultation as against 5 for one based on full analysis to produce a threat assessment. Nevertheless it does enable anyone relying on the findings to judge the weight of the evidence before taking any decisions based on the findings – please also see footnote 5 that reproduces the 5x5x5 and Maryland scale (Author's note).

HOLMES manual document reading and indexing methods were used to gather, store and categorise evidence drawn from the interviews, OSINT and my own experience (Unisys 2013 - A10). A record was made of any evidence relating to the *Network* and it was placed in a word searchable excel database which also contained evidence drawn from the literature review (Appendix 11.3). Research evidence was drawn from the interviews by transcribing them in full and identifying the answers, relevant to the operation of the *Network*, by way of line by line analysis with a view to identifying themes for further population and analysis (Chamaz 2006).

Shearing and Johnston (2010) also advocate using in-depth evidence from a range of qualitative research methods to map networks and evaluate the importance of nodes within those networks. Whilst it is important to visualise criminal networks, it is also important to visualise policing intelligence networks to see if they are structured in a way that is effective in gathering relevant intelligence on the criminal threat. Therefore, as the evidence was collected it was used to map out the *Network,* identify the nodes within the *Network* and analyse the effectiveness of the *Network* (Xu and Hsinchun 2005, Kenny 2008) (Appendix 11.4).

3.7 Data and Network Analysis

Analysis has been carried out based on the steps suggested by Bryman (2008) on the processes and outcomes of grounded theory and complemented by the guidance given on grounded theory research by Chamaz (2006). The way this analysis has been carried out, adds to the kudos of thematic analysis in general (Braun and Clarke's 2006). It shows how thematic analysis is enhanced by grounded theory methods and how such methods are put into practice in the workplace in the form of HOLMES. In summary:

- The evidence obtained was coded as it was collected.
- The results of the coding were reviewed to draw out categories and identify whether new evidence was required.
- Through constant comparison of the evidence, categories became sub categories of various master categories relating to the *Network.*

- Themes and hypotheses emerged from the relationships between the various categories.

- Hypotheses were drawn out as broader evidenced themes and saturated with my experience and further OSINT to prove or disprove the hypothesis.

- The saturation of the themes has, in line with grounded theory research, drawn out new evidence to challenge existing theory and fully answer the CRQ (Chamaz 2006, Bryman 2008).

- Analysis continued during the writing up of the thesis. The evidence drawn from the research was compared with the existing literature to provide a critical explanation for the challenge to existing theory and the answer to the CRQ (Chamaz 2006).

- In addition, a map of the *Network* confirming the strength of the individual nodes and their connection was developed. This enables the reader to visualise the *Network* to see where the power lies and whether it is structured to deal with the UK firearms threat. It is nodal network analysis in action (Xu and Hsinchun 2005, Kenny 2008, Shearing and Johnston 2010). It also acts as a useful guide to practitioners embarking on transnational policing activity (Appendix 11.4).

This method of combined data and nodal network analysis has enhanced the evidence on the *Network* to theoretically and practically answer the CRQ. To understand how the themes were drawn out and saturated with further evidence to answer the CRQ, it is necessary to understand the actual detailed analytical process that has taken place (Chamaz 2006).

I brought my detective experience of investigation to bear on the analysis of the evidence gathered on the *Network* (Sugden and Tomlinson 1999). The work of a researcher is very similar to that of a police detective. Detectives are trained to keep an open mind when gathering evidence and to follow lines of enquiry. They gather the evidence in a methodical way and analyse it as they go along. As a result, new lines of enquiry are identified, prioritised and followed and existing lines of enquiry are evidenced as much as possible to establish the

facts of the case. The facts are based on witness testimony (whether that witness is an evaluated confidential source or someone who is willing to give open evidence of what their senses tell them or what forensic analysis they have carried out).

As well as using practical experience of HOLMES to gather and store data in a searchable form, I also used my experience as a former HOLMES indexer, document reader and action allocator/receiver, to analyse the research evidence (Unisys 2013 - A10). I set out a number of actions (Appendix 11.5), based on developing grounded theory research policy (Appendix 11.6), to prioritise the gathering of research evidence.

Actions were regularly reviewed in line with the research policy to see what further actions were required. Where an action was completed a decision was made on whether any product, from carrying out the action, was relevant to the research subject, whether it required indexing on to the database and whether further action was required (Appendix 11.3).

To ensure evidence is readily available for research and analysis and to keep track of evidence gathering in a HOLMES incident room, a systematic process is in place. All actions and documentation are read by the action allocator/receiver and the document reader who mark them up for further actions and categorisation. The categories and linked evidence are recorded on the HOLMES database by indexers and the series of categories build to form master categories and themes.

For example, licensed premises may feature as a theme in a murder investigation. This would be shown as a master category on the HOLMES made up of individual categories of 'named premises', 'types of premises' 'premises frequented by a suspect' and 'premises visited by the victim'. There may then be a thread connecting the victim and the suspect within those licensed premises that is not immediately obvious. However, with further gathering of evidence around the categories it may become apparent that both victim and suspect were dealing controlled drugs at the same licensed premises and were in conflict with each other. This could form a motive for the murder that needs further investigation.

Similarly, in gathering evidence on the *Network* in line with grounded theory methods (Chamaz 2006) I indexed the product of my actions on to my database. This followed a systematic process of breaking down the primary evidence from the research interviews into manageable extracts that identified a specific issue. These were then coded by labelling them with a specific category (Appendix 11.3). For example, *"NABIS staff can search the Interpol server without reference to originating country"* from the interview with *Alex*, was labelled with three categories potentially relevant to the CRQ i.e. 'Interpol', 'Function' and 'IT'. These categories and coded extracts were also considered, along with other categories and coded extracts, to identify master categories that they were all relevant to. In this case, 'NABIS' was added as a master category as that was the subject of the discussion in the extract and one function of NABIS staff is to research the Interpol database. In addition NABIS became a key feature of the analysis and in effect a powerful node (Castells 2004).

Thereafter, when the coded extract was further analysed, with other categories and master categories, it became apparent that 'NABIS', 'IT' and the 'functional link with Interpol' was part of more than one theme in that they were a 'Driver' of the *Network* and they might have an impact on the 'Reconstruction of Policing'. Therefore, 'Driver' and 'Reconstruction of Policing' were added as cross cutting themes.

Then, in order to ground hypothetical themes for discussion and further analysis for connecting threads that would answer the CRQ, further reading and analysis of all the evidence was carried out. Who, what, where, when, why and how questions (Shearing and Johnston 2010), based on the literature research, were asked of the evidence and it became apparent that a number of hypothetical overarching grounded themes could be drawn from the evidence. In this case, the extract, *"NABIS staff can search the Interpol server without reference to originating country"* went towards evidencing the grounded hypothesis that 'It is the people and the *"Tools of Late Modernity"* that facilitate the *Network*'.

Other open source extracts providing evidence to prove or disprove the hypothetical overarching themes were linked to the relevant overarching themes on the database. In addition, they were drawn from the database and placed on

a separate word document to show which were the strongest overarching hypothetical themes and what the key messages were, that supported the theme (Appendix 11.7).

Once this process was completed in respect of the primary evidence, other evidence was sought from OSINT and my experience to populate and prove or disprove the identified grounded hypothetical overarching themes (Chamaz 2006). For example, OSINT evidence stating, "*INTERPOL Ballistic Information Network (IBIN) provides a global platform for collecting, storing, and comparing ballistic data….*" (Interpol 2012 - A10); supports the grounded hypothesis that, 'It is the people and the *"Tools of Late Modernity"* that facilitate the *Network*'. My experiences of observing (throughout my career) police officers wanting to do the best for victims, also added to the wider motivation behind the people facilitating the *Network*.

Each hypothetical theme was saturated with other evidence to prove or disprove whether they existed. Then, when analysed together, grounded theory was drawn out, which suggests a glocal reconstruction of policing is taking place.

The evidence in the database was also used to identify the nodes in the *Network* and how they were connected. The *Network* was drawn up using power point software and a node and a connection were not added unless it was evidenced in the database (Appendix 11.4).

3.8 Limitations, Validity and Reliability

The evidence drawn from the interviews is the primary evidence in this research and the participants have their own standpoint on the subject. Therefore, as well as cross checking interviews and analysing them using grounded theory thematic analysis (Chamaz 2006), the reliability and the validity of the evidence is corroborated by my experiences and supported by OSINT research (Sugden and Tomlinson 1999, Tekir 2009). This provides evidence towards answering the CRQ and a reliability and validity audit of the primary evidence (Bryman 2008).

There are limitations in using my experiences, which are part of my epistemology and are detailed in chapter 3.3. In summary, personal experiences rely on my memory, which is fallible (BBC 2015 – A10). However, the experiences I have used can be corroborated by police documents, such as the Operation Barker case papers (recorded in Severns 2001 – A15). They are also corroborated by the experiences of the interview participants and OSINT.

OSINT in itself is also limited. In a number of cases OSINT is not primary evidence and it relies on a 5x5x5 evaluation system, which is subjective and does not *'evaluate the information per se'* (Joseph and Corkill 2011, p100). The 5x5x5 system does, however, put a value on the strength of the intelligence, which assists in decision making and it is still the accepted form of grading of police intelligence in the UK (ACPO NPIA 2010, Joseph and Corkill 2011). What the decision maker and the researcher needs to ask before using and evaluating intelligence is how and why it was assembled (Ronn and Hoffding 2012). In making my subjective 5x5x5 evaluation and determining what OSINT to use I have asked that question. If the answer cannot be fully ascertained it is reflected in the grading (see also chapters 1.1, 1.3.5 and 3.6).

The research could have been complemented by further qualitative empirical research with terrorists, organised criminals and other police practiced in gathering information and producing intelligence for the *Network* in countries outside the UK. However, tracing, arranging access to, and interviewing subjects would have been time consuming, costly and in need of significant risk assessment. In weighing this against the potential of the evidence obtained for analysis, the time was best spent assessing the available evidence. In fact, the results serve as a basis for future fieldwork research with offenders and practitioners. In particular, this thesis will provide evidence for comparative research with a view of the *Network* by *Network* participants based in countries other than the UK. Consideration should also be given to comparing the *Network* to the workings of other transnational intelligence gathering networks focused on other crime types.

Reliability has been ensured by having a consistent methodical approach to the evidence gathering and analysis (Appendix 11.5). Validity is ensured by showing there is a good match between the evidence extracted from the

research and the theory applied (Bryman 2008). This was achieved by following the grounded theory analysis model (Chamaz 2006, Bryman 2008).

> According to Bryman (2008, p153), *"Validity presumes reliability….reliability refers to the method of measurement that is used; if the measure is not stable over time then it cannot be reliable"*.

In using the word *'measurement'* Bryman (2008, p153) tends to suggest validity is more akin to quantitative realist research than the qualitative interpretivist research undertaken for this thesis. However, some quantitative evidence has been used as a measure to corroborate the research evidence. In addition, a numerical value has been used as a measurement to grade the qualitative evidence that has been found. The way this research has been undertaken can also be tested against confidential research and internal audits held by UK law enforcement and intelligence agencies (Lewis 2011 - B30). This will show that the research has been carried out with a high degree of integrity so that the product from it can be used for practical or academic application and further research (ESRC 2012).

3.9 Access, Ethics and Politics

As already stated, the UK participants in the *Network* are small in number and it has not been possible to gain access to them all. Six agreed to be interviewed and provided good evidence towards answering the CRQ. Those six included key nodal participants in the *Network* and some involved in the setting up of key nodes and initial transnational links. Two others, who were directly accessible, did not reply to requests to take part in the research.

In addition, one agency, which is a key node in the *Network,* did not reply to written or phone requests to interview their staff. They emphasised their reluctance to take part in research with an automatic telephone answer message stating they would not disclose information about their organisation. Direct access was gained, by way of inside connections, to a person from that agency. However, they were adamant that the only way to obtain interviews with staff was to write and receive a positive response. That response was never received and it is evidence of the difficulties of accessing some UK police

agencies even for former insiders with experience of working closely with the organisation (Cornish and Clarke 2002, Noakes and Wincup 2004).

OSINT is part of the solution to limited access; alongside my own knowledge and experience (Sugden and Tomlinson 1999, Cornish and Clarke 2002, Best and Cumming 2007, Robert 2008, Bean 2007 and 2011, Tekir 2009, Rollins 2010). OSINT is a source of evidence to corroborate and add to evidence obtained from those who took part in the interviews. It has been collected openly and recorded accurately. It includes what is posted and has been transmitted on the internet rather than the internet being used as a tool to collect data. Evidence has only been used if it is already in the public domain (Bryman 2008). All the OSINT has been graded using the 5x5x5 system and the Maryland scale (ACPO NPIA 2010 and Civil Service 2010).

The use of the internet is criticised by some researchers as over used, particularly when it is used as a means to answer questionnaires (Bryman 2008). However, as already stated this research has focused on knowledge that is already posted. The internet does provide a wealth of evidence that has already been collected and collecting it again, for the subject of this thesis, would have resulted in a number of researchers travelling at great expense to various parts of the world (Smith and Leigh 1997, p496). In addition, in line with Askitass and Zimmermann's (2015) assertion that internet data *'can be restudied'* (p2), a fresh question has been asked to fill a gap in the literature. Therefore, the use of internet evidence does not plagiarise what someone else has already done; asking a fresh question of the knowledge that is already available makes good use of that knowledge.

As well as considering the reliability of internet sources through the use of the 5x5x5 system, consideration has also been given in the research to whether anyone displaying anything on the internet did so in the reasonable expectation of some privacy. If so, consent would be required to use it as evidence in this thesis (Bryman 2008). A similar process was applied in relation to evidence gathered from people speaking at public events or conferences. As is customary at conferences, in the age of social networking, the issue of privacy is clarified to allow tweeting and in many instances, the conference speeches are filmed and posted on line and reported on in the media. All of the evidence

used was from conferences where it was clear that anything said would be placed in the public domain. Therefore no consent was required. Where relevant information was picked up by me in the course of day to day conversations with persons directly or indirectly connected to the *Network* that has only been included in this thesis with their consent (see Thurman 2014).

In addition to the ethics of OSINT, ethical issues have also been considered and managed in relation to the wider research. Mitigation of the issues was agreed with the Sheffield Hallam University (SHU) Ethics Committee. The wider research ethical issues concerned interview participants and as with all ethical decisions and actions, people should be respected (Kleinig 1990, p3). In this thesis, there is a risk in disclosing the participants identity and damaging their professional reputation. Their participation was, therefore, based on a judgement as to whether it is morally right or wrong and what is reasonable or unreasonable (MacVean and Neyroud 2012, p2). People are at the centre of ESRC *'principles, procedures and minimum requirements'* (ESRC 2012, p2), which include informing participants of the research methods, how the research will be used, how their information and identity would be protected, the voluntary nature of their participation and the risks or harm from taking part in the research. There are those who suggest ethics stifle freedom of research (Noakes and Wincup 2004, p38), however, that has not been the case with the research for this thesis. Adhering to a code of ethics has increased the trust between the researcher and the participants in what has already been identified by Cornish and Clarke (2002) as a difficult area to research.

Confidentiality of interview material has been managed on a university supplied encrypted lap top computer. In addition, none of those interviewed were questioned about operational tactics. Consent was obtained from the interviewees using the SHU consent form. They were supplied with questions in advance of the interview and they were invited to review the questions and to eradicate those questions that could have led to them disclosing operational tactics or sensitive sources. This resulted in the eradication of the same questions by some of the interviewees (Appendix 11.2) (ESRC 2012).

The anonymity of the interviewees is being managed by not disclosing their personal details or their roles in this thesis or any subsequent publications

(Remenyi 2011). The participants have been provided with non-gender specific pseudonyms[51] within the text of this thesis and have been provided with advanced extracts of the thesis where evidence from their interviews has been used. They were invited to confirm that they were happy that it did not disclose their identity and that it will not lead to professional embarrassment or disruption of the *Network*.

The fact that I am a former insider who remains in contact with the participants and other serving police officers and staff has meant that the participants have trusted me with the data they have supplied. Nevertheless, there is limited access to UK participants within the *Network* and six have been interviewed who are, or have been in the past, directly or indirectly involved in the *Network*. Therefore, the small number of participants interviewed was discussed at a presentation, to the doctorate supervision team and rapporteurs, in respect of whether this would provide sufficient evidence for the research.

Grounded theory scholars do support obtaining data from only a small number of participants provided it is well analysed by the researcher (Chamaz 2006). Those present at the presentation also accepted that six interviews would provide sufficient evidence, especially with the inclusion of OSINT evidence and my experiences, but the consensus was that the supervision team, rapporteurs and Research Committee, should be given some indication as to the status of those interviewed to show the quality and validity of the interview evidence. Therefore, in the knowledge that three of the interviewees stated they had no problem with being named, even though they were aware of the blanket anonymity policy and the risk of damage to personal reputation, their roles were disclosed for the information of the supervision team, rapporteurs and Research Committee only and their details have not been disseminated further. This disclosure led to further agreement that the evidence from the interviews was valid and reliable.

Some of the interviewees are senior and perform a niche role. Therefore, to ensure continued anonymity no interview quotes have been used that are role

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[51] They are known as *Jordan, Alex, Geri, Billy,* Chris and *Jean*. Gender spellings of the names are mixed and do not necessarily relate to the gender of the participant.

specific and could lead to the identity of the participant. Where it has been necessary to talk about roles, the evidence has been sanitised in such a way that it could have come from any number of sources (Remenyi 2011).

With a view to potential future publication, a practical recommendation has been made in respect of a missing link between the police in the UK to wider global networks to reduce the illicit supply of firearms. The recommendation has been carefully explained to ensure it does not embarrass those involved or sour relationships between the police and the Foreign and Commonwealth Office (FCO), where the link should exist. The interviewees were made aware that an objective of the research was to enhance professional practice, by evidencing good practice and potential areas for development. The participants welcomed this objective as they seek to provide an excellent service and would welcome any recommendations to improve the *Network*; even though it could mean asking difficult questions as to why improvements have not been made earlier.

As evidenced, contact has been maintained with the participants to debrief them and provide them with regular updates. They were informed on the interview debrief that the research is a developing process and they have been updated on the progress including the development of the central research question and of the aim and objectives. No participants have withdrawn from the research. However, they were informed that they could withdraw at any stage and if so, action would be taken in favour of the participant and their data destroyed, even though EU legislation allows for retention (Macaskill 2013 - A10). Access to such participants is rare (Cornish and Clarke 2002); therefore the research should be carried out with the balance in their favour.

Finally, in evaluating the theme on the 'firearms threat to the UK' it is possible to name a known terrorist suspect. That suspect is well named in the literature (Andrew 2009). However; as they have never been convicted as a terrorist they have not been named in this thesis and will not be named in any subsequent publications.

PART II - THE NETWORK

Chapter 4 - Presentation of the Research Findings

Part II of this thesis presents the grounded theory research findings, which critically analyse the workings of the *Network*, from the UK standpoint. It examines the *firearms threat* (which is the policing problem the *Network* deals with), which nodes make up the *Network* to respond to the threat and what the motivation is that facilitates the operation of the *Network*. Four main themes emerge from the data, which explain how the *Network* operates from the local to the global and vice versa:

- The first theme presented in chapter 5 is the *firearms threat*. It is necessary to clearly state what the threat is, in order to understand what the *Network* is dealing with and to assist in suggesting ideas to mitigate the threat. The findings show that the *firearms threat* shapes and drives the operation of the *Network*. The threat is clearly articulated within the findings and the *Network* participants demonstrate that they understand the threat. They are using the *Network* to enhance that understanding .

- The second theme, in chapter 6, explains the key UK nation state nodes within the *Network*. The existing literature touches on the existence of these nodes. However, the findings on the UK nodes are more detailed and clearly articulate their existence, their influence on the *Network* and the fact that they anchor the UK's participation within the *Network* in the UK.

- The third theme, in chapter 7, explains the transnational nodes in the Network. Again, such nodes are not clearly articulated in the existing literature. However, the findings explain the key UK nodes, which foster the transnational aspect of the Network, and the nodes from outside the UK nation state that join the *Network*. The findings also demonstrate that

the *Network* operates in such a way that it develops UK nation state policing rather than controlling it from the outside. Themes two and three amount to a nodal network analysis (Shearing and Johnston 2010).

- The fourth theme to emerge in chapter 8 is that the *Network* and, as a consequence, the development of nation state policing is facilitated by people and the tools from late modernity. The literature overlooks how networks are developed and tends to demonstrate that policing is slowed down by a negative police culture. However, the presentation of this theme evidences the existence of positive aspects of police culture, which embrace change and facilitate the development of the *Network* and the development of UK nation state policing.

Analysis has continued during the writing of this thesis. This is in line with grounded theory analysis as proposed by Chamaz (2006). Any further relevant evidence or literature pertinent to proving or disproving a finding was recorded in the HOLMES style actions and data bases and included in the text of the thesis. As the findings are presented their contribution to the thesis are reviewed in the text. The evidence drawn from the research has been compared with the existing literature to provide a critical explanation, which answers the CRQ and challenges the literature and theory (Chamaz 2006). When analysed together in chapter 9 of part III of the thesis, the *firearms threat* causes the police to adapt. Through a process of policeization, late modern cops using the tools from late modernity and wanting to do their best for the victims, facilitate the development and operation of the *Network*. As such, the *Network* contributes to a development of nation state policing rather than a reconstruction of policing from the outside in the form of a global police state. Theoretically, this suggests a glocal reconstruction of policing is taking place. It includes transnational policing led by the UK public police, in a pluralised partnership with other UK public organisations, and steered by the UK Government.

5.1 Introduction to findings on the UK Firearms Threat

When they are used firearms have a serious impact on victims, their families and the fear of crime (Golding and McClory 2008). Therefore, it is necessary to clearly state what the *firearms threat* is and, to date, that threat has not been clearly articulated in the literature. However, this thesis shows the UK participants in the *Network* do have a clear understanding of the threat as a problem that needs to be dealt with. The data collected for this thesis enhances, rather than challenges, what is already in the literature. It articulates the fact that the biggest threat comes from deactivated and converted handguns.

Understanding the threat leads to opportunities to manage it by ILP, both locally and transnationally, using access to globally available resources. The data also shows that the *Network* participants have a mission (self-appointed and in line with various nodal plans) to deal with the threat and they are determined to carry out that mission. Such cultural missions are identified as an element of transnational policing subcultures (Bowling and Sheptycki 2012). Subcultures are discussed and analysed at various points in this thesis and it will be shown that the *firearms threat* is driving the *Network*. The *Network* is facilitated and developed by people and is an example of competitive adaptation in action (Kenny 2008) where the police adapt to be one step ahead of the criminals in dealing with the *firearms threat*.

5.2 The Threat to the UK from Converted and Reactivated Firearms

One research interview participant[52], *Jordan*, summarised the importance of the *firearms threat* when discussing their function:

> *"We have to provide reassurance into the Home Office that the threats to the UK from the criminal use of firearms have been identified and tackled…"*.

[52] As per the previous footnote the research interview participants are known as *Jordan, Alex, Geri, Billy,* Chris and *Jean*.

Jordan then went on to say they were held accountable for dealing with the threat by a Home Office Threat Reduction Board (TRB). TRBs are included as part of the process in the UK strategy for dealing with organised crime. The strategy involves the government, academics, police and other agencies coming together at various organised crime TRBs to clearly state the threat and identify priorities and gaps in the knowledge on organised crime. The threat is then managed by the TRBs (Great Britain, Home Office 2011 –A11).

The *firearms threat* is dealt with under the *'Gun Crime, kidnapping, violent crime and gangs'* TRB category (Great Britain, Home Office 2011d, p10 - A11). TRB categories mirror the UK Threat Assessment (UKTA) and former SOCA[53] activity was linked to TRBs, which support the partnership working between SOCA, NABIS, other UK police forces and other partner agencies (SOCA 2012d - A15). The significance of TRBs is expanded, later in this analysis, as the TRB that generates activity[54] to deal with the *firearms threat* is a key UK node that helps anchor UK transnational policing firmly within the UK nation state.

Jordan also summarised the nature of the firearms circulating in the illicit UK market, that present a threat, confirming the main threat comes from UK centric reactivated and converted handguns. The strict UK legislation on possession and use of firearms reduces their availability to criminals. Therefore, they resort to using whatever they can obtain. Clarke (1997) uses the reduction of firearm availability to reinforce his point about taking situational preventative action against criminals. By knowing what tools they use in crime, action can be taken to make it harder for criminals making rational choices to access those tools.

However, what *Jordan* says also shows that criminals will adapt, as demonstrated by Kenny (2008), to find new sources. Criminal markets can be displaced to include such new sources and they need to be monitored to prevent displacement. Such displacement towards new methods or new geographical areas of operation call for partnership responses (Clarke 1997, Sutton, Schneider and Hetherington 2001). This is something which the

[53] Incorporated into NCA in October 2013.

[54] The type of activity generated by the TRB and its forunner are discussed at chapter 6.2.

Network participants appear to be aware of in relation to criminals looking beyond the UK centric illicit firearms market. *Jordan* states:

> *"I have to be honest …. Because of the unique nature of the criminal use of firearms in the UK, our very strong licensing laws and the type of weapons that are available here it is very different to most of Europe and certainly to America. …a lot of the stuff … is naturally very UK centric ….things like reactivated weapons, converted weapons …you don't have access to the number of good quality original firearms that you would get elsewhere…*(but) *we've had a major problem with the …. supply chain in from Lithuania with a gun called a Bikel handgun, we still have a problem with conversion with more conventional things like starting pistols …and we have seen a couple….of importations from the States of good quality Glocks ….but if you had to say where is the major thrust; it's still on converted and reactivated weapons and broadly pistols."*

When referring to *'the unique nature of the criminal use of firearms in the UK'*, *Jordan* is referring to the type of firearm used. *Jordan* gave a specific example of the Olympic .380 BBM blank firer (BBM)[55] as a problem firearm in the converted category (unique to the UK). *Jordan* describes the impact the BBM had and the support given by the *"pro-gun lobby"* in dealing effectively with the BBM problem. The pro-gun lobby[56] support was a result of the police being able to evidence the BBM as a specific threat. What *Jordan* says confirms the use of partnership problem solving by the police (Paterson and Pollock 2011) and the involvement of the pro-gun lobby is an example of the pluralisation of other UK public organisations in policing (Bayley and Shearing 2001, Jones and Newburn 2006):

> *"We had an instance before Christmas with a gun called ….an Olympic bbm ….basically it was a gun that was being used by a load of people for shootings in London. …It was a starting pistol that was being converted. It was a really easy weapon to convert and people had latched on to this*

[55] The BBM is also discussed (in chapter 6) in relation to other UK nation state nodes in the *Network*.

[56] Organisations such as the Gun Trade Association (GTA), the British Shooting Sporting Council (BSSC) and the British Association of Shooting and Conservation (BASC), which are non-profit making bodies funded by member's subscriptions (Great Britain, Parliament, House of Commons 2010b – A10).

and what we had to do is look at the legislation. ...Actually it fitted in existing legislation as a weapon which was readily convertible but it had previously been judged by forensic scientists as not being readily convertible. So we did a new test using the (fact) *...that ten years on you can buy* (conversion) *stuff much more readily ...we got it independently tested by the forensic science service who said yes in our opinion its readily convertible."*

As the gun was classed as readily convertible the BBM was banned (CPS 2013 - A15). The gun trade and other partners supported an amnesty, which led to a positive outcome. Most BBMs, that were known to have been imported from Bruni, the legitimate manufacturers in Italy, and sold legally in the UK before they were banned, were handed in to the police. This prevented the criminalisation of lawful firearms users and reduced the illicit supply of firearms, whilst at the same time increasing the risk to the criminals by confirming the BBM was illegal per se (NABIS 2010 - A15). This was Clarke's (1997) SCP and Sutton, Schneider and Hetherington's (2001) criminal market reduction in action.

Before the ban, BBMs could be bought from legal dealers for up to £90 and when they were illegally converted they could fetch up to £750 on the illicit UK firearms market (NABIS 2010 - A15). Prior to the amnesty, the police had recovered a significant number of illegally converted BBMs, mainly in the London area, where they had been used in various offences including attempted murder and grievous bodily harm (GBH) (NABIS 2010 - A15).

The same threat from converted and reactivated firearms is supported with evidence from other participants. *Alex* gave more evidence about the BBM and compared how cheap it was on the illicit UK market (even at a £750 high) compared with fully working original firearms:

"We knew when we ran Olympic BBM that they were going for between three and five hundred pounds. Now, Olympic BBMs were held together with mobile phone sim cards and they had a tendency to explode. (They) *were hugely inaccurate and we had one case of a woman who was shot three times in the head and still survived. But, they were trading for five*

hundred quid and we knew the purchase price was about ninety or less in a registered firearms dealer so there was a substantial mark-up…And, without going into too much detail, for a really good handgun in the UK you are looking at several thousand pounds…."

Billy stated:

"The bulk of weapons that are available are converted and reactivated weapons and also now the pre-ninety five standard is hugely convertible and they are really sought after now[57]*."*

The evidence from the data on the threat from converted and reactivated firearms is supported by evidence given by ACPO, NABIS and other experts to the Home Affairs Select Committee in 2011. The Select Committee highlight the threat from replica firearms (that look real and can be used by criminals to threaten victims), blank firers and air pistols that can be converted to fire live bullets and deactivated firearms that can be reactivated to their original live state. They quote ACPO and NABIS leading sources who state:

"The picture that is emerging is very much that there are a small number of weapons out there; handguns are the major problem—blank firing, converted or deactivated weapons. They are being used on four, five or six different occasions, and the guns move around the country." (Great Britain, Parliament, House of Commons 2011a, p45 - A15).

The lack of firearms available for criminal use is confirmed by one of the participants. *Alex* compares the current picture with the time of the Operation Barker investigation (to which I contributed in my role as a police detective with Derbyshire Police) :

"One of the things we have probably done ….is we have driven down the availability of converted weapons and more of the (dangerous) junk that you certainly would have remembered from your old jobs. We've taken a huge amount of that out of the system."

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[57] In 1995 the standards of deactivation of firearms were tightened to try to prevent reactivation. However, even though standards were tightened nothing was done about pre-1995 deactivations already in circulation and a large amount of pre-1995 deactivated firearms remain lawfully on the collectors' market. They were and still are sought after for criminal reactivation (Severns 2001 - A15).

Although referred to as *"junk"*, the Operation Barker firearms were still dangerous lethal barrelled weapons that needed taking off the street to reduce the threat. Operation Barker is mentioned in the literature review, but, it is worth examining in more detail how the Operation Barker market worked and where it fitted within the overall illicit UK firearms market between 1990 and 2004. However, before moving ahead with that discussion it should be emphasised that the threat from converted and reactivated firearms is clearly understood by the *Network* participants and that SCP has led to the reduction of the availability of such firearms. Even though the situational prevention has led to displacement in the form of potential competitive adaptation to new sources, the *Network* participants appear to be aware of that displacement and are taking proactive action through the *Network* to deal with emerging trends. There is also evidence in this section of pluralisation of policing in active support from the gun trade associations for public police action.

5.3 Operation Barker, The Glocal Threat and the Blurring of the Licit and the Illicit Firearms Market.

Operation Barker dealt with the organised criminal supply of firearms which ended up in the hands of various criminals including terrorists, drug dealers and murderers. It is an example of a glocal criminal network (Hobbs 2008, Xu and Hsinchun 2005) (Appendix 11.8). There is a continuum of organised crime activity dependent on the type and seriousness of crime, the amount of violence, corruption or economic damage caused and whether it is glocal or transnational in nature. That continuum also extends into the involvement of organised criminals in terrorist activity and/or working in partnership with terrorists as a nexus (Makarenko 2004, Clarke and Lee 2008, Rollins 2010, Severns 2012). Both organised crime and terrorism featured in Operation Barker which proved to represent an OCG/terrorist nexus.

The main subjects of the Operation Barker investigation were a father and son, Bill and Mitchell Greenwood, who worked together over a number of years supplying firearms from premises in Derbyshire. They were organised criminals who dealt with other organised criminals and terrorists. In the first instance, their business was legal and over the years it became criminal and resulted in them both profiting from their criminal enterprise. Bill Greenwood could be affable,

particularly towards fellow gun enthusiasts and that extended to police officers who were interested in shooting; however there is no evidence to show he ever corrupted any police officer.

Bill was also not averse to using violence and in 1981 he received a police caution for shooting a burglar entering premises near to his. As a result of the shooting he was struck off, as a Registered Firearms Dealer (RFD), from the then Section 1 Firearms Dealer Register. Up to that point he had been running a legitimate business selling various firearms, which at the time included hand guns and rifles which have since been prohibited by law. They are now classed as prohibited firearms under section 5 of the 1968 Firearms Act (Sampson 2006, BASC 2006, UK Government 2013). The legitimate firearms business was family run and was allowed to continue with Bill's son Mitchell being the RFD (Severns 2001 and 2008 - A15).

However, in 1994, in a joint operation between the Ministry of Defence (MOD) Police and Derbyshire Constabulary, Bill and Mitchell Greenwood, together with others were arrested and convicted for possession of a prohibited weapon after they became involved in an illicit firearms deal with an MOD employee. The sentencing court chose not to impose a custodial sentence but Mitchell was struck off as a RFD. This meant that all the live firing stock he held had to be disposed of (Severns 2001 and 2008 - A15).

As he held a large quantity of firearms Mitchell was given time to dispose of the stock under the supervision of Derbyshire Police Firearms Licensing Officers and the serial numbers of all the firearms held by Mitchell were recorded by those officers. Mitchell, with the assistance of Bill and his contacts, disposed of the firearms to other RFDs. However, they also had a large amount of the stock deactivated so that they could carry on a business of trading in deactivated firearms (Severns 2001 and 2008 - A15).

Despite many calls for changes in the law on deactivated firearms (in line with Clarke's (1997) SCP), the trade in them is lawful in most parts of the UK and it is not licensed. With the exception of persons in Northern Ireland, anyone can hold a deactivated firearm of any type without a licence provided it has proof house markings confirming it is deactivated and incapable of firing. The trade is

aimed at collectors, particularly those involved in the collection of military equipment, many of whom are involved in battle re-enactment (Severns 2001 and 2008 - A15, Great Britain, Home Office 2002 - A15, BBC 2008 – B30, Barrett 2009 – B30, Great Britain, Parliament, House of Commons 2010 - A15, CPS 2013 - A15).

Generally the trade in deactivated firearms and the collection and use of deactivated firearms in battle re-enactment is carried out lawfully. However, it is possible, with minimal engineering knowledge and the correct tools and equipment, to reactivate a deactivated firearm. This is usually carried out illegally and the reactivated firearms are then used in crime. In 1995 the standards of deactivation of firearms were tightened to try to prevent such reactivation. However, even though standards were tightened nothing was done about pre-1995 deactivations already in circulation and a large amount of pre-1995 deactivated firearms remain lawfully on the collectors' market. (Severns 2001 and 2008 - A15, Great Britain, Home Office 2002 - A15, BBC 2008 – B30, Barrett 2009 – B30, Great Britain, Parliament, House of Commons 2011a - A15, CPS 2013 - A15). They were and still are sought after for criminal reactivation; hence the earlier comment, by *Billy,* a *Network* participant, in relation to the bulk of available firearms being converted and reactivated:

> *"....the pre ninety five standard is hugely convertible and they are really sought after."*

Professor Peter Squires a criminologist at Brighton University also gave evidence to the Home Affairs Select Committee on Firearms Control in 2010. He promoted further restriction on the stock of firearms available for criminal use in line with Clarke's (1997) RCT and SCP. The intention being to reduce the availability of illicit firearms and increase the risks for the criminal. Professor Squires stated that:

> *"The market in deactivated and reactivated weapons ... is a glaring gap in the system of gun controls in this country".* The subsequent report on firearms control goes on to state, *"The previous government published a consultation paper in 2009 which proposed a number of options for further control of deactivated firearms, including treating deactivated*

guns as realistic imitation firearms; making deactivation standards a mandatory requirement; requiring pre-1995 deactivations to be modified to the 1995 standard; selling deactivated guns only through Registered Firearms Dealers; and prohibiting people convicted of serious criminal offences from possessing de-activated firearms. No action has since been taken. NABIS and ACPO have recommended that consideration be given to ensuring that pre-1995 deactivated firearms are aligned with the post-1995 standard of deactivation 'in order to prevent exploitation by criminally minded individuals'" (Great Britain, Parliament, House of Commons 2011a, p46 - A15).

Bill and Mitchell Greenwood concentrated on trading in pre-1995 deactivated firearms. They traded in the live firearms that they had deactivated through a RFD and other pre-1995 stock that they purchased. They tended to deal with one UK based international firearms dealer who bought up ex-military and ex-police firearms from around the world and lawfully imported them into the UK for deactivation and sale, usually through firearms auctions, to lawful collectors and dealers. Bill and Mitchell built up a large and varied collection of deactivated firearms that included AK-47 assault rifles, Uzi sub machine guns, Stirling sub-machine guns, VZ25 sub-machine guns, Mab pistols, Smith and Wesson revolvers, Makarov pistols, Browning automatic pistols and Walther pistols; to name but a few. They sold the deactivated firearms direct to the public from their premises and by way of mail order; advertising in sporting gun magazines (Severns 2001 and 2008 - A15, BBC 2004 – B30).

Shortly after they started trading in deactivated firearms a number of the Greenwoods' stock began appearing as illegally reactivated firearms, used in crime. The recovered illegal firearms were traced back to the Greenwoods' stock through the record of serial numbers collected by Derbyshire Firearms Licensing Officers at the time of the MOD Police/Derbyshire Constabulary joint investigation. Initially Bill and Mitchell were questioned as witnesses to see if they could identify who had purchased the deactivated firearms that had been illegally reactivated. However, they stated they could not and, as the trade in deactivated firearms is unlicensed, there was no obligation on their part to

record who they had sold deactivated firearms to (Severns 2001 and 2008 - A15).

As well as police suspicions being raised by the number of Greenwood deactivated firearms that were turning up reactivated, suspicions were also raised by the fact the Greenwoods were advertising barrel blanks and chamber reamers together with deactivated firearms. Both barrel blanks and chamber reamers could be sold lawfully without a licence however; they are key components for reactivating. Therefore, there was a suspicion that the Greenwoods had made some rational choices about their business becoming criminal. They were encouraging and potentially conspiring in the illegal reactivation of deactivated firearms in the belief the rewards were greater than the risks (Severns 2001 and 2008 - A15). In addition, by making a rational choice to make their business a criminal enterprise the Greenwoods were embedding the criminogenic and glocal criminal nature of the firearms industry identified by Rothe and Collins (2010) by making legal purchases of deactivated firearms (legally purchased and deactivated from a global market in used firearms) and facilitating their criminal reactivation. In other words the legal fuels the illegal.

A police test purchase operation was set up by Derbyshire Constabulary and it was found that Bill and Mitchell Greenwood were giving verbal instructions, backed up with diagrams, on how to reactivate deactivated firearms. They were therefore arrested in 1999 and charged with firearms offences based on the police test purchase evidence. At the time of their arrest 722 firearms deactivated to pre-1995 standards were recovered by Derbyshire Constabulary (Severns 2001 and 2008 - A15).

Bill and Mitchell pleaded not guilty, but as their case was about to go to trial it was withdrawn by the CPS because of a European Court of Human Rights (ECHR) decision, in *Teixeira de Castro v Portugal* (1998) and decisions made in the UK case *R v Smurthwaite; Gill* (1994). The decisions in those cases meant that the Greenwoods could not be prosecuted solely on the evidence of police test purchase. There had to be evidence of predisposition on their part to carry out an unlawful deal. Test purchase rules and regulations have since been reviewed to ensure clear evidence of predisposition is gathered. However, in

1999, Derbyshire Constabulary were left in the position that, by law, they should return the deactivated stock to the Greenwoods knowing that there was a risk that the firearms could all be reactivated and used in crime which could lead to death or serious injury (Severns 2001 and 2008 - A15).

Following consultation with George Carman QC, it was decided that further investigations would be carried out by the Derbyshire Constabulary to gather evidence of predisposition. In addition, evidence was sought to show the danger that the stock of deactivated firearms posed to the UK public if they were released back to the Greenwoods by the Derbyshire Constabulary. The aim of the investigation was to seek lawful destruction of the deactivated stock through the civil courts and if sufficient evidence of predisposition was found to seek a reinstatement of a criminal case against Bill and Mitchell Greenwood (Severns 2001 and 2008 - A15).

As a result of a detailed investigation, evidence of predisposition to illegal dealing in firearms by Bill and Mitchell was gathered from a number of criminals involved in the illicit UK firearms market. In addition, the instructions given by the Greenwoods to one of the police test purchase officers together with the barrel blank, reamer and deactivated Mab pistol, purchased by the officer from the Greenwoods, were used by a forensic scientist to carry out a successful reactivation. The evidence was used in a new criminal case and on 25th January 2004, following a trial; Bill and Mitchell were convicted at Nottingham Crown Court of conspiracy to convert deactivated firearms into live firearms. They were sentenced to 7 years imprisonment, which was reduced on appeal to five[58] (Severns 2001 and 2008 - A15, BBC 2004 – B30).

Not only did the Operation Barker investigation show how the Greenwoods became involved and operated in the illicit UK firearms market with the reactivation of deactivated firearms, it also showed the type of firearms involved and that many originated from outside the UK. They were imported into the country legally by someone trading in the international firearms market then legally deactivated and sold onto the lawful unlicensed collectors' market before

[58] The appeal on sentencing was successful due to a change in sentencing powers within the period of the conspiracy; from a maximum of 5 at the beginning of the conspiracy to a maximum of 7 years imprisonment at the end. Bill died whilst in prison and Mitchell was released on licence in September 2005 (Severns 2008).

being diverted onto the illicit market as illegally reactivated firearms. This is clear evidence of a glocal criminal market; a local market in illicit firearms fuelled by the availability of firearms on the international market (Hobbs 1998). It therefore shows the criminogenic nature of the firearms trade in that the legal trade facilitates the illegal trade from the white market through a grey market and onto a black market. As a consequence the whole firearms industry from the local to the global should be more accountable through '*system criminality*' (Rothe and Collins 2010, p2).

In addition, this example demonstrates how the Greenwoods attracted likeminded individuals with a keen interest in firearms and a collective contempt for the UK firearms laws. This contributed to their criminalisation and attracted the attention of those wishing to make use of firearms for criminal activity, beyond flaunting the firearms laws. There were two main criminal re-activators who purchased stock from and discussed reactivation with the Greenwoods. One was an engineer who liked to tinker with firearms in his Manchester based workshop. The other was an ex Special Constable from Brighton who had travelled the world taking part in police firearms competitions and who cornered the criminal market by producing his own illegal Mac 10 sub machine guns.

The Greenwoods also dealt directly with a number of criminal end users who visited them in person, carried out their own reactivations and used their end product to commit murder, robbery and enforce or protect drug dealing. The two re-activators, who were associates of the Greenwoods, also had similar criminal contacts that purchased illegally reactivated firearms from them; including two Liverpool drug dealers[59] who used illicit firearms stashes to dupe the Home Secretary into granting them a pardon from a heavy sentence of imprisonment for drug trafficking. In all, the Greenwoods were connected to 96 criminal cases involving 700 firearms (The Guardian 1999 – B30, The Independent 1999 – B30, Severns 2001 and 2008 - A15, BBC 2004, 2008a,2008b – B30).

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[59] Hasse and Bennett stashed a large number of firearms then gave false information to customs officers purporting the firearms had been stashed by others for terrorist purposes (BBC 2008b – B30). Arthur Shaw gave evidence at the trial of the Greenwoods and then later gave evidence against Hasse and Bennet. His evidence in the Greenwood trial was accepted and corroborated. It has never been rebuffed and Shaw has never changed his evidence about the Greenwoods, even though he accused Derbyshire officers during the Hasse and Bennet trial of exerting pressure on him. It is believed he gave a fabricated story about the exertion of pressure because of fears of reprisals from the criminal underworld. Despite Arthur Shaw changing his evidence enquiries confirmed the integrity of the original evidence provided by him to Derbyshire Officers and Hasse and Bennett were convicted. They were imprisoned for a total of 42 years (Author's note).

Some of the contacts of the Greenwoods also had terrorist connections, or moved reactivated firearms on to terrorists, making the Greenwoods part of an OCG/terrorist nexus. As such the terrorists had a need and the Greenwoods could meet that need in return for profit (Severns 2012)[60]. One contact with al-Qaeda sympathies from Stockport dealt directly with the Greenwoods and has since been arrested on suspicion of terrorist activity and dealing in illegal firearms in Bangladesh. Others, with connections to Loyalist terrorists in Northern Ireland and suspected of collusion with the UK security forces in Northern Ireland, were found in possession of reactivated firearms that originated from the Greenwoods. However, despite lengthy wider investigations, particularly about collusion between terrorists and the security forces, the way that the loyalist terrorists actually obtained the firearms from the Greenwoods has not been identified. All that exists is a suspicion that members of right wing groups that included former soldiers, such as Combat 18, purchased deactivated firearms from the Greenwoods, reactivated them and sold them to terrorists in Northern Ireland (Severns 2001 and 2008 - A15, Andrew 2009, Cobain 2010 – B40, Moorland 2011 - A15).

As well as conspiring to convert deactivated firearms into live firearms, evidence was found of fraudulent activity by the Greenwoods whilst they were RFDs. They forged entries in their firearms register, and covered them up with forged documentation, to divert live firearms onto the illicit UK market. Many of the live firearms that were diverted on to the illicit market were found to be hand guns and prohibited firearms that had been converted into smooth bore shotguns with 24" barrels enabling them to be possessed on less restrictive shotgun licences. The purchase of such firearms on a shotgun licence was legal up to 1989[61] and many of those diverted onto the criminal market were found to have had the barrel cut back to the hand gun length when used in crime (Severns 2001 and 2008 - A15, Great Britain, Parliament, House of Commons 2010a – A15).

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[60] The OCG/terrorist nexus appears to have featured on mainland Europe where terrorists involved in a firearms attack in Paris in January 2015 appear to have purchased firearms from an OCG (Moftah 2015 – E40). Although the Belgium police denied an OCG leader had admitted to the sale (BBC 2015b – B20) interestingly, two days later, they raided a terrorist cell in Brussels, killed two suspected terrorists and recovered another stash of firearms. The head of Europol, Rob Wainwright states this is evidence of increased sophistication in the acquisition and use of firearms by terrorists across Europe (Sky *News* 2015 – B20).

[61] Such firearms were eventually banned, first by the Firearms (Amendment) Act 1988, which banned semi-automatic and pump action rifles, short shotguns with magazines and self-loading rifles following the Hungerford shootings and second by the Firearms (Amendment) Act 1997, which banned all handguns following the Dunblane Shootings (Great Britain, Parliament, House of Commons 2010a – A15).

Operation Barker led to the arrest of 45 other people and the recovery of 435 illegally held firearms. Some of those arrested were also found to be involved in the illicit drugs market, the market in child pornography and the manufacture of explosives. They included a man from Wiltshire in illegal possession of 20 firearms, gunpowder, ammunition and mercury switches. A man from Gloucester was in possession of a .22 rifle and 50 cannabis plants. A man from Bristol was in possession of a reactivated hand gun as well as other home made firearms. Two men from Durham were in illegal possession of 19 firearms, explosives and chemicals. A man living near Torquay was in possession of 301 prohibited firearms and a large quantity of ammunition. Also, nine people, including teachers, engineers and a firefighter with connections to an Oldham gun club, were convicted of conspiracy to commit firearms offences. They were in possession of 21 prohibited firearms (Darlington and Stockton Times 2001 – B30, Askill 2002 – B30, Severns 2008 - A15).

In 2008, a follow up intelligence operation showed that some of the illicit Greenwood weapons and reactivation equipment (i.e. barrel blanks and reamers) had been retained by people who had dealt with the Greenwoods. Following a domestic violence investigation, a man in the UK Channel Islands, was found to be in illegal possession of Greenwood supplied firearms (Severns 2008 - A15). Also, as late as 2013 Derbyshire Constabulary were still receiving enquiries from other police forces following the recovery of suspected Greenwood supplied firearms (Thurman 2013 - A10). However, as indicated by the participants in the *Network,* the 2008 and 2013 information suggests that as a result of the police action there are not as many illegally held Greenwood firearms in the illicit market (Severns 2008 - A15).

Operation Barker is a clear example of how the UK firearms market operates and the threat it poses. It includes evidence of the criminogenic nature of the firearms market and the rational choices made by organised criminals which could be managed through SCP. However, despite a number of attempts to tighten the legislation to prevent reactivation of deactivated firearms and to reduce the stock available for reactivation such commodities continue to be a threat. That threat and the slow legislative response to it are clearly articulated

by the research participants and other OSINT (Great Britain, Parliament, House of Commons 2011a – A15).

5.4 Middlemen and Competitive Adaptation by the Criminals towards a Transnational Threat to the UK from Imported Live Firearms.

SCP and proactive police action can lead to displacement in the form of competitive adaptation in the favour of the organised criminals. Competitive adaptation is where criminals and police develop metis, which is the embedded organisational learning of new flexible skills alongside established older skills. This enables the police and criminal groups to improve their knowledge and adapt to try to exploit an advantage over each other (Kenny 2008). The type of firearms available in the illicit UK Market and the way they are being supplied is changing from the period when Operation Barker was running. According to the participants in the *Network* the market has been displaced "*a little bit*" and there is more emphasis on converted blank firers. In addition and as already alluded to in the evidence given to the Home Affairs Select Committee (Great Britain, Parliament, House of Commons 2011a), criminals are adapting the market so that firearms are being recycled by middlemen, *Alex* said:

> *"...we've identified ...middlemen within the criminal market place, people who are suppliers of firearms to others....you know facilitators of crime; ...We have seen, in the past....opposing crime groups shooting each other with the same gun."*

The identification of middlemen in the illicit UK firearms market as the key facilitators of the criminal use of firearms (supplying the firearm to one group on hire then re issuing it to an opposing group), is an example of Cornish and Clarke's (2002) criminal actors within crime script analysis. It highlights the making of rational choices in line with RCT and identifies options for SCP of organised crime by way of market disruption (Clarke 1997, Sutton, Schneider and Hetherington 2001,Tierney 2009).

Cornish and Clarke (2002) explain that crime involves a series of choices where decisions need to be made on various aspects of a crime such as preparation and commission. Those aspects are then developed further by identifying what is required by way of criminal actors, equipment, location and activities which

makes up the crime script (Cornish and Clarke 2002). It also identifies where the power lies within the nodal network (Shearing and Johnston 2010) which is that the illicit UK firearms market supply is controlled by the middlemen. They are a key node.

The importance of middlemen is underlined by the fact that NABIS gave evidence to the Home Affairs Select Committee in 2010 that a new crime should be introduced to ensure the seriousness of the activity of middlemen is captured in law. NABIS suggested there should be a new criminal offence of, 'possession with intent to supply firearms' that would carry a life sentence. They presented their evidence with a view to deterring middlemen and others who traffic firearms into and around the UK (Great Britain, Parliament, House of Commons 2011a - A15). Classification of the offence they sought, together with the proposed life sentence, was included as part of the UK Government's Serious and Organised Crime Strategy (Great Britain, Home Office 2013 - A15)[62]. It increases the risk for the criminal (Clarke 1997); in this case the middlemen and firearms traffickers.

The crime script for the illicit UK firearms market during the period of Operation Barker involved criminals supplying the raw materials and instructions to turn the legal into the illegal. They worked with the legal and the illegal dealers in firearms and distributed goods directly from shop premises or by way of mail order. The raw materials and instructions were used by re-activators who produced illegal firearms and sold them direct to criminal end users or to criminal armourers who would in turn sell or hire out illegal firearms to criminal end users. The individual roles sometimes overlapped in a continuum of obtaining raw materials, to re-activating, to using a re-activated firearm in the commission of a crime. The script developed to include air weapons and blank firers that could be imported legally into the UK and then illegally converted into live firearms. At the same time, the middlemen or criminal armourers became more prominent, within the script, recycling firearms to make up for the lack of

[62] It has since been incorporated into law under provisions 108-111 of the Anti Social Behaviour, Crime and Policing Act 2014. The offence carries life imprisonment under the Act, which also imposes life imprisonment, as the maximum, for improper importation of firearms (Great Britain 2014 – A15).

availability of good quality firearms on the illicit UK firearms market (Severns 2001 and 2008 - A15).

The criminal script (Cornish and Clarke 2002) has now been subjected to further competitive adaptation (Kenny 2008) to include transnational criminal actors posting or carrying firearms into the UK. The displacement in the market has seen some UK criminals turn to US criminals as a source of illicit firearms. A number of the participants talk about a transnational operation where firearms were purchased by way of a *'straw purchase'* (Ridgeway et al, p.xiii)[63] in the US and then transferred to UK criminals. The operation is talked of in glowing terms as a joint operation between UK and US law enforcement agencies by *Alex*:

> "*We ran a proactive investigation for about three months, again with support of ATF, massive support from the ATF, where we were delivering parcels to that crime group from the US to the UK for a period of about three months.*[64]"

The partnership with the ATF will be explored further in chapter 7 and 8. However, in relation to the illicit UK firearms market, the US connection is further evidence of competitive adaptation (Kenny 2008) on the part of the UK criminals making rational choices (Clarke 1997). As a result of UK police activity there was a lack of quality firearms on the illicit UK market. Therefore, a small group of UK criminals adapted, based on knowledge of the market and the police disruption and made a rational choice to go transnational and transfer firearms purchased illegally in the US onto the illicit market in the UK. As evidenced by *Alex*:

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[63] *'Under current* (US) *federal law, a straw purchase occurs when the actual buyer of a firearm uses another person, a straw purchaser, to execute paperwork necessary to purchase a firearm from a licensed dealer. The straw purchase violates the Gun Control Act 1968 (P.L. 90-618) by making a false statement with respect to information required to be kept in the licensed dealer's records (Bureau of Alcohol, Tobacco and Firearms, 2000b, p.1)'* (cited in Ridgeway et al, p.xiii).

[64] In *Alex's* enthusiasm for telling the story, it does appear as if the police are taking part in the crime. However, they were not. Alex confirms, elsewhere in interview, that correctly authorised controlled deliveries were taking place, where LEAs become aware of the delivery of an illicit goods and observe the delivery to recover the goods, gather further evidence and make and arrest of suspects in possession of the goods. *Alex* confirms, *"...we did some controlled deliveries arrested some individuals and moved along quite nicely to prosecution"*. (Please see EMCDDA (2015) for further explanation on controlled delivery legislation).

"*Operation Lapworth …was a joint West Yorkshire, NABIS and ATF investigation into the supply of Glock pistols into the Leeds and Bradford area by a group of Asian men using Fast Parcel.*"

Mohamed Tariq and Artique Arif were the main UK subjects of Operation Lapworth. They were convicted of smuggling 13 firearms in 27 parcels into the UK from the US over a 12-month period starting in July 2010. A man based in Texas used two women to make illegal straw purchases of the firearms in the US. He then broke the firearms down into parts and sent them, in various parcels, to different addresses in Bradford (Yorkshire Post 2011- B30, Barthorpe 2011 - A15, Public Service 2012 – B30).

Network participants also talk of another case (briefly referred to in the current literature by Harrington 2011 when he talked about operation Newhaven), where US firearms were transferred on to the illicit UK market by someone assessing the risks and making a rational choice from outside the UK to go transnational. Again, *Alex* evidences the point:

"*A guy called Stephen Greenoe … used to travel across to the UK on a regular basis, he had dual nationality, …he could keep as many firearms as he wanted in the states. …he was breaking them down and putting them in his stored luggage, taking an internal flight in the States first, whereby you just go on and you can move firearms around in your stored luggage as a matter of fact over there. So he'd fly from you know Newark to Boston* (for) *the connecting flight from Boston to London* (and) *nobody checked the luggage they'd be just moved on.*"

Such a scenario appears impossible and the transfer was probably not as straight forward as made out by *Alex*. However, Greenoe did transfer firearms from the US to the UK in his luggage. *Billy* stated the Greenoe case was complex and:

"*The Americans … were beside themselves … it was nearly an international diplomatic incident.*"

Factual reporting on Greenoe's arrest and conviction provides some of the detail:

"... according to papers filed in the US courts, the spotlight fell on Greenoe and he was arrested when his cases were searched at Raleigh-Durham airport, in North Carolina. Officers found 16 pistols broken down into parts and 32 magazine clips.

...The documents posted in the US Eastern District Court revealed the suspected gun runner was stopped by airport security staff in North Carolina last May but still talked his way onto a flight.

He claimed to be an arms salesman returning from a gun show and said the broken-down weapons parts were harmless dummy samples.

Investigators have linked him to 10 flights that flew into Manchester via Raleigh-Durham International Airport and Atlanta last year.

It is thought he put the guns, broken up into parts, in luggage that was checked in at Raleigh-Durham and then whisked through automatically for his connecting flight from Atlanta to Manchester" (Rossington 2011 – B30)

According to a US Department of Justice (2014, p49 – E35) summary, Greenoe was sentenced to 10 years imprisonment on 10th January 2012 at a court in Carolina (US) for the illegal export of firearms from the US to the UK:

"Greenoe, and at least two other individuals he recruited obtained pistol purchase permits, completed the necessary ATF forms and purchased firearms. Greenoe then took the firearms apart and concealed them in his checked luggage. On nine occasions, from February 22, 2010, to July 25, 2010, he allegedly concealed a total of 63 pistols in his checked luggage and travelled from Raleigh, N.C., to the United Kingdom. In total, Greenoe smuggled at least 79 firearms to co-conspirators in the United Kingdom. According to court documents in the case, firearms purchased by Greenoe in the United States and illegally smuggled to the United Kingdom were used in a shooting in Manchester, England, in October 2010; as well as in the murder of Ian Langford, a father of four children,

in Scotland on April 29, 2011; and in an attempted shooting of a cab driver near Liverpool. The investigation was conducted by ICE (US Immigration and Customs Enforcement) *and ATF, with assistance from the Northwest Regional Organized Crime Unit from Liverpool".*

Other reports stated that the US and UK were in *'crisis talks over serious flaws in transatlantic aviation security'* exposed by the Greenoe case, because he was able to break down the guns among his cases that were checked on to US domestic flights then transferred on to a flight to Manchester (OneIndia – B30). Greenoe reassembled and sold the firearms on to the illicit UK market. Some were used in the course of criminal activity, including an attempted murder in Manchester. During the Manchester investigation an Operation Lapworth firearm was recovered which indicated illicit UK armourers were obtaining firearms from different sources, as there was no direct connection between Greenoe and the Lapworth offenders (Carter 2012 – B30, Public Service 2012 – B30).

The Greenoe and Operation Lapworth cases show that the illicit UK Market has adapted to make use of transnational connections with the US and, in furtherance of competitive adaptation (Kenny 2008) the police have moved to close that transnational source. However, UK criminals operating in the illicit firearms market will not rest on their laurels. They have already adapted over the years to make use of reactivated firearms and then converted firearms, first converting air weapons to fire .22 bullets and more recently converting blank firing firearms into live firearms. Finally, they made use of transnational parcel deliveries and loopholes in luggage transfers between domestic and international flights and history shows that they will continue to adapt to meet their needs. Indeed, the 2013 Serious and Organised Crime Strategy (which was compiled after the 2012 research interviews, with more up to date intelligence) suggests criminals have moved on, and although reactivated and converted firearms are still common, organised criminals now have ready

access to original firearms from the US and Europe (Great Britain, Home Office 2013 - A15)[65].

Terrorist plots that threaten the UK do not, as yet, include the significant use of firearms like the attacks in Mumbai and France. Mumbai involved heavily armed terrorists (Police News 2010a – B30) and the attacks in France included an armed assault on the offices of Charlie Hebdo in Paris, where three suspected terrorists believed to be armed with a rocket launcher and Kalashnikov automatic firearms shot dead 10 journalists and 2 police officers (BBC *News* 2015 – B30)[66]. The terrorists arrested for the murder of a soldier at Woolwich were in possession of a firearm (Malik and Walker 2013 - B30). However, it was a rusty old weapon and it is believed the terrorists were using it as a tool to provoke the police into shooting them dead rather than being capable of out gunning any opposition (BBC 2013a – B30). One of the terrorists in the Woolwich case also had a previous conviction, in 2007, for possession of a prohibited weapon (a CS spray) (Great Britain, Parliament, House of Commons (2014 - A15). In addition, on 13th October 2013 four men were arrested in London on suspicion of terrorist offences believed to centre on a plot to use firearms for an attack in the UK (Kelly 2013 - B30).

One *Network* participant, *Jean,* commented that:

> *"In the past, organised rational terrorists have always sought to achieve equal or more fire power than the police or armed forces that they are likely to engage during an attack in order to do maximum damage."*

This was also reinforced by Dr Andrew Staniforth a researcher for the Centre of Excellence in Terrorism Resilience, Intelligence and Organised Crime Research (CENTRIC) who in a recent commentary stated:

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[65] In addition, there is a recent suggestion of increased internal thefts from UK military and US soldiers smuggling firearms into the UK. US soldiers purchase the firearms legally in the US then break them down into parts to bring them into the UK via military transport. Once in the UK they sell them to UK criminals (Thurman 2014 – A40). Clear evidence of the importation of live firearms from Europe did not become known until August 2015 when the NCA arrested and charged 7 persons in connection with the illegal importation of automatic firearms and ammunition, which are believed to have arrived in the UK on a boat from France (NCA 2015 – A20).

[66] The Charlie Hebdo attack was followed up by the shooting dead of a policewoman in the street and 4 persons at a supermarket in Paris and preceded by the shooting of 4 persons at a Jewish School and 3 French Paratroopers in 2012 (Mullin et al 2015 – B20, Fox News 2012 – B20).

"Armed assaults are predominantly conducted in areas where terrorists have ready access to firearms and ammunition which initially exceeds the capacity and capability of security forces first responding to the incident[67]*."*

In acknowledgement of Clarke's (1997) SCP Dr Staniforth continued:

"The restriction and regulation of firearms in the UK therefore remains a vital deterrent to prevent equipping terrorists to conduct an armed assault" (Staniforth 2013 - A30).

The trial of the two men arrested at Woolwich and any subsequent trial of the four arrested in London on 13th October 2013 will add to the intelligence and knowledge (Ronn and Hoffding 2012) on how terrorists are adapting in relation to the criminal use of firearms and whether they sought to obtain more firepower. This is something that the *Network* participants are aware of. Although reluctant to talk in detail about terrorist matters, so as not to breach any confidential relationship with the UK intelligence agencies, *Alex* did feel able to comment:

"I pick up quite a bit of the CT (Counter Terrorism) *stuff and its probably something that has become much more relevant since Mumbai."*

The operational response to any such intelligence is also being treated seriously. In response to questions about the readiness of police in the UK to deal effectively with a terrorist attack, using firearms (similar to Mumbai and a 2013 attack in Kenya) the ACPO lead for the police use of firearms stated that an attack by terrorists armed with assault rifles was unlikely in the UK. However, police firearms teams are trained and able to deal with such events and it was more likely that the UK police firearms officers would have to deal with individuals such as Derrick Bird[68] in Cumbria (Caswell 2013 – B30).

Therefore, in response to the current high impact terrorist and other mass shooting threats, the police have adapted their methods to be one step ahead of

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[67] Clearly evidenced by the shooting of a police officer responding to the Charlie Hebdo attack (Mullin et al 2015 – B20).

[68] Bird was armed with limited firearm capability but still shot and killed 12 people in addition to wounding 11 others (Wainwright 2011 – B30).

the criminals in respect of the force available for use (Kenny 2008). Where the threat is not likely to have an immediate impact such as the threat from reactivated and converted firearms the police and government take longer to adapt. To some extent that is because it was not possible to draw out a full intelligence picture on the *firearms threat* and act on it until NABIS was established.

In recent years the UK Government appear to have reacted with legislation when a perceived threat is likely to be more newsworthy. A terrorist attack, like Woolwich is instant news and lasts as headlines for days. This spreads the fear of crime far and wide, whereas other criminal shootings do not grab the headlines and the fear of such crimes appears to be localised. Currently, the UK Government are quite rightly examining their policy on steering the counter terrorism response in light of the Charlie Hebdo attack. However, some members of the Government are using the Charlie Hebdo incident, which has received global media attention, to introduce their favoured policy on access to communications data. This results in the introduction of policy on the back of a media frenzy without taking the longer view and considering other issues; particularly about access to firearms for terrorists (BBC 2015a – B30)[69].

5.5 A Summary Discussion on the UK Firearms Threat

As the operational lead for Operation Barker, I had to re-start the operation in 1999 by obtaining a full intelligence assessment of where reactivated firearms had been used or recovered in criminal cases. I then had to establish how many of those firearms originated from the Greenwoods. However, at that time there was no formal UK network or central point to go to in order to pull that intelligence together, let alone a transnational network or a central database of firearm recoveries.

Gathering the required intelligence for Operation Barker required the formation of a nodal network. Every UK Chief Constable was contacted in writing and relationships were formed with, among others, the then National Crime Squad

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[69] Indications are that the firearms used by terrorists in the attacks in France were purchased from an OCG in Brussels who had access to ex eastern bloc firearms. This suggests that a nexus between OCGs and terrorists occurred because the terrorists had a need and the OCGs sort to make a profit from crime (Papirblat 2015 – E40, Moftah 2015 – E40 and Waterfield 2015 – B30).

(NCS), the then National Criminal Intelligence Service (NCIS[70]), the customs service known at the time as Her Majesty's Customs and Excise (HMCE[71]), various Crown Courts, the then FSS[72], Her Majesty's Prison Service (HMPS), the Royal Armouries, the armed forces and the proof houses[73] in London and Birmingham. The process was lengthy and delayed disruption of the illicit firearms market and bringing offenders to justice. It did however highlight the need for the UK police to adapt their processes. Particularly the gathering of various types of intelligence on criminal use and supply of firearms, in order to understand the problem and establish an articulated policy of ILP (Maguire and John 2006) and SCP (Clarke 1997) to be able to adapt to be one step ahead of the criminals (Kenny 2008).

From my experience, in 1999 the UK police did not understand the details of the *firearm threat* or what the illicit firearms market looked like. The findings from the research confirm that was the case. The following chapters show that the UK police are organised in such a way that they are now one step ahead of the criminals in dealing with the *firearms threat*. They now clearly understand the threat and SCP methods for dealing with the threat. They are also proactive in seeking out new trends that police activity, SCP and competitive adaptation lead to. There is no evidence to indicate that those in the *Network* are justifying their own existence and spreading the notion of securitisation through insecurity, which Bigo (2000) evidences in Europe as the *'Europeanisation of (in)security'* (p81) by some transnational police agents and government representatives. The evidence in this chapter shows that the *firearms threat* exists and the *firearms threat* drives the *Network*.

By drawing out what the police understand of the *firearms threat* and how the illicit market in firearms operates, this thesis provides a critical analysis of both. The threat comes from criminals being able to access a stock of deactivated

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[70] The NCS and NCIS later merged to become the major part of SOCA.

[71] *'Creation of HM Revenue and Customs* (HMRC) - *On 17th March 2004 the Chancellor of the Exchequer announced the creation of a new department to bring together the functions of HM Customs and Excise* (HMCE) *and the Inland Revenue, and the transfer of some policy work to HM Treasury'* (HMRC 2005, p23 – A10). (Some organised crime functions of HMCE were incorporated into SOCA.)

[72] The service has now been privatised and a number of private forensic services exist.

[73] Responsible for checking and recording the deactivation of firearms by those authorised, by licence, to do so.

and blank firearms, which they are able to reactivate and convert to live firing. Currently, it is converted firearms that are the main problem as there is easy, cheap access to blank firing firearms that are imported lawfully from other nation states and then converted unlawfully by criminals in the UK, who buy them lawfully from UK retailers. This makes converted firearms a high risk. There is also a smaller, but significant, risk from the illicit supply of brand new firearms shipped from other nation states. This is either by way of bypassing custom checks, by exploiting a loophole in the system of luggage transfer from the US to the UK or by way of illicit smuggling into the UK; usually with other illicit commodities[74].

The *Network* participants were of the opinion that the nature of the illicit market in firearms in the UK is, as *Jordan* put it, *"very UK centric"*. They put the nature of the market down to the fact that the UK has very strict licensing laws and strict border controls in place. As a result, the stock of firearms that can be criminalised and made available for use in crime is limited. As a consequence, competitive adaptation takes place and the market is displaced. The criminal metis is developed and they adapt to the restrictions and learn new ways of obtaining the firearms they need (Sutton, Schneider and Hetherington 2001, Kenny 2008).

Hypothetically, those involved in the criminal use and supply of firearms quickly learn that the strict UK controls limit their access to firearms and that smuggling of live firearms is risky and costly. Therefore, they make rational choices (Cornish and Clarke 1987, Clarke 1997 and 2002, Tierney 2009). Over the years, they discuss their problems with like-minded people and learn that it is easy and less of a risk to legitimately purchase deactivated firearms and then use someone with basic engineering skills to illegally reactivate the firearm. Metis or changing organisational learning of practical and deviant skills is then developed further. When it becomes apparent that the police are focusing on the reactivation of deactivated firearms criminals move on to conversion of

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[74] Even though Papirblat (2015 – E40), Moftah (2015 – E40 and Waterfield (2015 – B30) state recent murderous attacks on Charlie Hebdo, the police and the Hyper Cacher supermarket in Paris suggest terrorists had a supply to military style firearms via OCGs, there is no suggestion that particular market, originating from former Eastern bloc war zones (Moftah 2015 – E40), has encroached on the UK.

easily accessible blank firers and make a profit first, by selling such unlawful conversions and later, by hiring out such firearms.

The development of such metis by UK criminals using and supplying firearms has, as the research findings show, highlighted the criminogenic nature of the firearms industry identified by Rothe and Collins (2010). The industry is criminogenic because it is a simple process for the criminal to turn the lawful firearm into the unlawful. The Greenwoods appeared to make a rational choice to move from the lawful to the unlawful. They had committed previous offences preventing them carrying out a lawful business as a RFD and they exploited weaknesses in the law to minimise the risk of being caught whilst at the same time making a profit. At the time of their criminal enterprise there was also minimal risk of receiving a lengthy custodial sentence. They assessed the risks and made a rational choice to engage in crime.

There is a need for a whole system approach to dealing with firearms to include those involved in policing the issue and the industry themselves. The government should carry out a detailed impact assessment on any new legislation that they bring in to restrict the availability of firearms. In addition, the police should risk assess when someone is brought to justice whether their offence is a precursor to them engaging in further crime. RCT and SCP is about looking at all the elements of criminal activity and implementing action to prevent or minimise further crime (Clarke 1997).

The whole system approach needs to permeate the trade from the global to the local because the criminalisation of the firearms can take part at any point. In the case of the threat to the UK, the criminalisation in respect of conversions and reactivations has taken place in the UK itself. The firearms being criminalised were originally sourced from other nation states, either from specific lawful manufacturers in the case of blank firers or from armed forces and police forces in other nation states in respect of deactivated firearms sold for lawful collection. In the case of the smuggling of firearms from the US the criminalisation first took place in the US with the straw purchase of firearms not available to the general public in the UK.

Examining where the criminalisation took place and the original source of the firearms also highlights what Hobbs (1998, p407) would term the *'glocal'* nature of crime where local crime depends on global influences. In the case of firearms the trade is global and within that global trade some firearms can be legally purchased in one country that cannot be purchased in others. In addition, when armed conflicts end or when police and armed forces in different nation states acquire new stock, their old stock is traded globally either into new conflict zones or onto the criminal market by fraudulent dealing, theft or, as highlighted by the Operation Barker Case, by way of a legitimate collectors market exploited by criminal reactivators. However it is done, it is a global trade that has a local impact. It is criminals from the UK, making rational choices about risk, who seek out the product available in the global market to enable their criminal enterprise to continue. No one from the global trade is flooding the UK market with illicit firearms.

The research data indicates that the UK police and in particular the *Network*, from the UK standpoint, have increased their knowledge of the *firearms threat* and the illicit UK firearms market that contributes to the threat. That is also now articulated in this thesis through theoretical explanation. The illicit market is glocal, it is facilitated by the criminogenic global firearms industry and the criminals in the market adapt through acquisition of metis.

The knowledge of the market has been acquired through organised gathering and dissemination of intelligence which is underpinned by the introduction of new privately developed IT. That is all part of the *Network*'s metis where the police adapt to be one step ahead of the criminals. The police are ahead as there is no OSINT to suggest the use or supply of firearms in the UK operates in any other way than how the market has been analysed. Although there was an indication of the use of 3D printers to produce firearms for criminal use in the UK; further investigation showed that to be a false alarm (Fox 2013 – B30). If it had not been a false alarm, the fact that information on such potential use of IT by criminals is thoroughly examined, by nodes in the *Network*, indicates the *Network* would correctly assess the intelligence on the subject. It would then form the metis to adapt to any such threat from a change in the market dynamics.

While the illicit UK firearms market is driven by UK criminals and their needs and restricted by a UK policy of strict gun control it does rely on transnational connections. Those connections are obvious in the case of Greenoe and Operation Lapworth as the transnational aspect of the operation involved illegal activity. Whereas, in the case of reactivated firearms and converted firearms, the transnational connection is not so obvious. All the illegal activity takes place in the UK with the reactivation and conversion and the transnational aspect of it tends to be the legal acquisition of the firearm in its non-lethal state; either imported and deactivated or imported as a blank firer.

The *Network* increased its knowledge on the criminogenic transnational threats and the following chapters will show how the *Network* is adapting to respond to that threat, beyond the headline hitting responses to the terrorist firearms threat (Caswell 2013 – B30). In the meantime, the threat remains and the criminals continue to develop their metis and adapt their actions and skills in an attempt to be one step ahead of the police (Kenny 2008).

Criminals adapted to the lack of available firearms for criminal use caused by strict UK firearms control and developed skills to first divert firearms from the legal market by way of forgery of transfer documents. When documentation was tightened, they used their knowledge of firearms and formed allegiances with those interested in firearms who had engineering skills to reactivate deactivated firearms to be supplied to the illicit UK market. When the police targeted illegal reactivation operations the criminal firearms suppliers switched to blank firearms as a source for conversion to illegal use. Now that loophole is being well policed, criminals are looking to those with knowledge of air transport methods and requisition of fully working firearms from other nation states as a source. Middlemen or facilitators who store firearms are also adapting to the lack of available weapons, caused by police activity, by hiring out firearms to different groups and individuals rather than making a straight sale.

This chapter has shown that glocal competitive adaptation continues apace as criminals look evermore to sources outside the UK for firearms. That shift in focus will have an impact on crime in the UK. At the same time the police and in particular the *Network* understands the threat. They gather intelligence to understand the threat and improve their knowledge in order to adapt. The threat

to the UK drives them to adapt and so it drives the *Network* (Appendix 11.4), although in some cases that adaptation takes time.

The threat and what the illicit firearms market consists of, is clearly articulated within the findings; more so than in the existing literature. The *Network* participants demonstrate that they understand the threat and they are using the *Network* to enhance that understanding. The following chapters will show how the UK police in the *Network* adapt to make use of transnational policing in order to develop UK nation state policing to gather intelligence to deal with the *firearms threat* more effectively.

Chapter 6 - The Key UK Nation State Nodes in the *Network*

6.1 Introduction to Key UK Nation State Nodes

This chapter identifies and analyses the key UK nation state nodes within the *Network*. It is a nodal network analysis of the *Network* showing where the power and the governance lies (Castells 2004, Shearing and Johnston 2010). The chapter demonstrates whether politicians are right to perceive that a global police state exists (Westmarland 2010). Also, the chapter assesses whether policing in and by the UK is determined by nodes outside the nation state or a network that criss-crosses and undermines the sovereignty of the UK nation state[75].

The current literature touches on the existence of UK policing organisations and groups as nodes and makes some links to show the existence of a police transnational firearms intelligence network. However, the thesis findings clearly articulate the existence of the UK nodes as part of the *Network* and the fact that they moor the UK's participation within the *Network*, in the nation state. The development of the *Network* is a response to the *firearms threat*, which is glocal.

Central to the response is the Organised Crime (Firearms) TRB which makes a strategic intelligence assessment of the threat and then co-ordinates action by way of the *Network*, which expands out into the wider world (Appendix 11.4). The *Network* is set up to provide an intelligence led response to deal with the threat. In dealing with the threat, nodes and lines of communication within the *Network* tend to have dual roles of intelligence and police response at both an operational and a strategic level.

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[75] As previously defined, a network is an *'arrangement with intersecting lines, a complex system or a group of interconnected people or things'* (Hawker 1996, p416) and, more specifically to this thesis, it is an interconnected group of people who come together to obtain information (*Oxford English Dictionary* 2003). A node is an individual, group, organisation or state that is part of the network (Shearing and Johnston 2010). The nodal network analysis continues in chapter 7 with an analysis of the transnational nodes.

6.2 The Organised Crime (Firearms) TRB, the Programme 5 Review Board and ACPO CUF

The importance of the Organised Crime (Firearms) TRB was emphasised in chapter 5, when *Jordan* talked about having to reassure the Home Office TRB that the *firearms threat* was being:

> *"....identified and tackled."*

Another participant, *Billy*, describes how the Organised Crime (Firearms) TRB pulls together different partners to assess what the threat is, in order to be able to provide a strategic governed response to it:

> *"It's part of the Government's strategy from global to local……the Government sees their responsibility around crime in two ways: firstly about counter terrorism, secondly about organised crime……The threat reduction board concept was born out of the new Government's current strategy and it's a multi-agency group that in essence defines what the threat is, so in terms of bringing together the intelligence…*(there are) *representatives there from* (the) *police service* (and) *from SOCA, ...*(The TRB) *also work obviously with Scotland and Northern Ireland so it's not just about England and Wales …….it's about understanding properly the threat so… we have a community representation……..the chair of* (the) *IAG* (Independent Advisory Group) (and) *the national armouries …..So it's a very inclusive group……it's about understanding and agreeing the threat which is then reflected in the UK threat assessment. It's setting the national intelligence requirement for firearms against that known and unknown threat and it's about defining an action plan, that is strategic. It's not about saying this is what we're going to do about Fred Bloggs and his organised crime group who are involved in say the supply of weaponry but it's about understanding, it's about defining what strategically we can do which there is a considerable amount."*

Billy's response draws out evidence of other agencies being pluralised into taking responsibility for delivering policing strategy and operational activity. Such pluralised policing is evidenced in the literature by Bayley and Shearing (2001), Jones and Newburn (2006) and Bowling and Sheptycki (2012).

However, it is important to note that those who are partners at the TRB table are UK public organisations not private.

When asked about the accountability of the Organised Crime (Firearms) TRB and the accountability of the chair (who is an Assistant Chief Constable from a provincial force in England and Wales representing ACPO) participants evidence how the TRB is currently being grounded in UK policing. *Billy* stated it is a willing partnership rather than a chain of command that is hierarchically above Chief Constables:

> "(The Chair) *is held accountable by senior officials at the Home Office as to ...delivery against that action plan to reduce the threat, harm and risk that firearms cause and to make sure that we have an improving position. So if you like that's sort of the accountability....Colleagues from....ACPO forces would perhaps take a slightly different view about accountability because as you will be aware* (the Chair) *does not have any direct command and control ... it is a partnership and we all know the strengths and weaknesses of those. So* (the Chair's) *compellability even though it sits as part of a government strategy....can't direct what any resourcing a police force is going to do. At best* (they can task their) *own but not others, that's why that bit about threat and risk is really good. But you'll remember for example in those Barker days when we tried to pull people together it was about coalitions of the willing, I have to say constitutionally we are still in the same place.."*

Therefore, the Organised Crime (Firearms) TRB generates activity to deal with the *firearms threat*. The influence that TRB can have, its *Network* links and its positioning within the *Network* can be established by, first, examining what it has recently replaced within the *Network.* This is followed by an examination of other key UK nation state nodes in the *Network* and a case study on how they worked together to reduce the supply of the BBM which was shown to be a threat to the UK. That action was co-ordinated by ACPO CUF under UK Law Enforcement Programme 5 reporting to the Programme 5 Review Board[76] . The Review Board was the forerunner of the Organised Crime (Firearms) TRB,

[76] Replicated within SOCA's programme of activity as 'SOCA programme 5' (Author's note).

which sits under the *'Gun Crime, kidnapping, violent crime and gangs'* TRB category (Great Britain, Home Office 2011d, p10 - A11).

Alex explains the changing structure of the Programme 5 Review Board and ACPO CUF in detail:

> *"ACPO CUF and the TRB are in reality one and the same thing…..ACPO Criminal use of firearms forms part of the Violence and Public Protection portfolio* (led by a Chief Constable) *and that portfolio includes child exploitation, sexual offences, adult sex offences, violence against the person etc., domestic violence, all those kinds of things and CUF* (Criminal use of Firearms) *forms part of that…"*

Therefore, the *firearms threat* is dealt with in the Violence and Public Protection portfolio under the National Policing Crime business area (ACPO 2014 – A10). The current national lead for the Crime business area is the Chief Constable of Merseyside, the Violence and Public Protection portfolio lead is the Chief Constable of Cheshire and the national lead for CUF is the Deputy Chief Constable of the West Midlands Police (ACPO 2014 – A10, Cheshire Constabulary 2014 – A10).These areas of national policing are subject to co-ordinated activity between various UK LEAs shaped by the threat to the UK, including the *firearms threat* (NCA 2013 – A10). It appears that the police take the lead and a steer from government in pluralisation of the policing responsibilities in dealing with the threat.

Alex continues:

> "……*there is a level of accountability that* (NABIS) *have to that portfolio…in terms of what activity* (NABIS) *are doing, how* (they) *are doing it as well as commissioning pieces of work that are of national importance …. those commissioning pieces of work often go from ACPO CUF to NABIS."*

Therefore, the ACPO lead for CUF works in partnership with NABIS, who are accountable to all UK police forces and other LEAs in the UK who are signed up to the NABIS Memorandum of Understanding (MOU). The CUF lead also

worked in close partnership with SOCA and will do the same with the NCA (NABIS 2012 – A10, ACPO 2014 - A10).

Alex explains the existence of an ACPO CUF steering group and how its lead was also the lead for the LEA programme of activity on firearms known as programme 5, which is where SOCA took their programmes of activity from:

> "*There has always traditionally been an ACPO CUF steering group. Now because* (the chair of that group) *is also the lead of the programme of activity which is the law enforcement programme of activity…. Those programmes of activity are replicated in SOCA so where people would talk about SOCA programme five i.e. the criminal use of firearms, those programmes of activity aren't actually SOCA programmes of activity they are UK law enforcement programmes of activity…"*

In terms of accountability *Alex* explains that the ACPO CUF lead:

> *"… is accountable for all activity, be that NABIS, ACPO CUF, UK policing, Borders etc.,"* and in maintaining and discharging that accountability they have, *"…. a dual role ... an ACPO lead and … a programme lead as well."* As such they run the, *"ACPO CUF Steering Group* (as the) *Programme Board .., a strategic board made up of ACCs* (Assistant Chief Constables) *and DCCs* (Deputy Chief Constables) *from across the country* (together with representatives of) *the top five gun crime forces* (and the) *UK Border Agency .., Crown Prosecution Service…, military and various other organisations ...*
>
> *That group would meet on a quarterly basis and...discuss the strategic issues and national issues at hand that required either: activity, action, support, direction etc. Again can't tell a Force what to do but it was designed in a way to provide a nexus for communication and discussion as well as tasking but in a 'I will go away and do that, we will go away and do that' type of situation.*
>
> *… what would happen is that things would be discussed in that group and ACPO CUF would say right ok we'll take this forward and we will do this and we will do that. …*(i.e.) *ACPO CUF will task NABIS into doing*

pieces of work…..because it's an issue that has been raised at this group or its come from a different source and we need to be able to take this forward….. So that will lead on to other areas of activity and joint working…."

Alex then explains that recently the programmes of activity including the one relating to the criminal use of firearms have been replaced by TRBs:

"*……. what's happened in the last kind of five months is that those law enforcement programmes of activity have been replaced by the Home Office with what are called Threat Reduction Boards (TRBs).*

… Threat Reduction Boards … deal with three elements which are stem, strengthen and safeguard. Now the boards operate almost exactly the same way….as the Programme Board did. So we fundamentally replaced the Programme Board with a Threat Reduction Board, but the Threat Reduction Boards have a slightly different terms of reference in that the lead of the Threat Reduction Board is required to go to something called the Threat Reduction Assurance Forum (TRAF)

…At that Threat Reduction Assurance Forum the lead has to, as it says on the tin, provide assurance. Now in doing that as you can imagine that is slightly more into the realms of accountability and tasking, because in providing reassurance you are in effect basically saying (for example) *'I am confident TRAF that Merseyside are dealing with these offenders' because* (what) *plays into TRAF is …organised crime group mapping and … the people who are mapped to your TRB, in effect, are effectively being managed and you need to be able to provide reassurance* (you are managing them).*"*

Finally *Alex* provides a subtle critique of the ACPO CUF/Programme of Activity steering group, suggesting the level of accountability and responsibility may be more rigorous with the introduction of TRBs. *Alex* states:

"*Its very similar but its also very different. So I wouldn't previously describe the steering group as a talking shop… it was a group of people that came together to discuss issues at a strategic level. They were not*

there to provide some form of accountability and assurance…They were in effect doing their job, delivering operations that fitted the key principles of stem, strengthen and safeguard or that they were effectively managing their organised crime groups. So (accountability and reassurance) *is a key change that is something we will transition into over the next 12 months."*

In essence, in replacing the Programme 5 Review Board, the Organised Crime (Firearms) TRB, and in particular its ACPO lead, have become more accountable. They have partnership links with various organisations, some of which are mentioned by *Alex*. In addition, they have partnership links to all UK police forces and may well be a conduit for the tasking of Chief Constables by the NCA (Great Britain, Home Office 2011b- A15, Home Affairs 2012 - A15).

NCA tasking may impinge on the independence of UK Chief Constables as alluded to by one of the *Network* participants but which the Director General (DG) of the NCA, (a former ACPO CUF lead), Keith Bristow, insists will only take place in *'exceptional circumstances'* . He would rather work in partnership with police forces and *'help make best use of dwindling resources'* (Caswell 2011 – B30, Home Affairs 2012 - A15).

The establishment of TRBs and the TRAFs at the Home Office does suggest greater control from central government. However, that appears only to be in relation to holding the UK police to account and to steer rather than to direct operational policing. All the evidence suggests the police still make decisions on what the specific problems are and how to deal with them in liaison with the public, as well as on intelligence and developed knowledge. The Government consults with the police and the public to decide on and steer the general priorities for policing.

6.3 The National Crime Agency

The impact of the NCA on the TRB process is still developing but it appears that they are likely to support the process[77]. Evidence from the NCA DG supports this. The NCA DG is a Chief Constable rather than a former intelligence agency

[77] In fact recent enquiries by the author to the Home Office about TRBs have been directed to the NCA (Etarat 2015).

professional. He is seeking to legitimise the NCA by entering into Bottoms and Tankebe's (2012) two way conversation with those who are being policed, by grounding the NCA in a policing philosophy of bringing offenders to justice rather than a philosophy of disruption. He purports to be a crime fighter as well as advocating the community policing philosophy (Home Affairs 2012 - A15, Bristow 2012 and 2013 - A10). Community policing is what the UK public want and like and it persists as the philosophy of UK policing (Baggot 2007). In my experience the majority of the general public who like community policing also like crime fighting enforcers to solve some of their problems. As such, enforcers, as will be argued in the theoretical discussion, do have their place in the continuum of transnational policing subcultures identified by the research data and Bowling and Sheptyki (2012).

Prior to the establishment of the NCA one former *Network* participant, *Jean*, who perceived SOCA not to be effective, stated that we should have a national LEA responsible for gathering and taking action on intelligence on the *firearms threat*:

> *"National collecting and collating is needed, a kind of FBI* (Federal Bureau of Investigation)*, a robust group with a charter, who can look within and outside the country. It needs to be structured right ... so that people are indoctrinated in a certain way to protect the source whilst at the same time have the clout to act on the sanitised version of the information ...The people involved need to have the right knowledge and the organisation should not include any dead wood."*

Jean's perception that SOCA was not very effective does not take into account SOCA management having to prioritise other crimes, based on intelligence, competing demands and allocation of finite resources. *Jean* is talking from the point of view of someone who has spent a career dealing with the criminal use of firearms and arguing that firearms should be a LEA priority. However, *Jean* does make a valid strategic point about the investigation of the firearms threat by a national agency who can influence policing inside and outside the UK.

Whilst still not solely responsible for firearms, the NCA, described by some as a British FBI, began operations on 7th October 2013. The launch of the NCA came

amid the usual tug of war between politicians over the best way forward for the policing of the threat from organised crime to the UK (BBC 2013 – B30). It was launched as a crime fighting agency, (Great Britain, Home Office 2011b - A15, Home Affairs 2012 - A15) that would be more overt than its predecessor SOCA (BBC 2013 – B30).

When SOCA was launched in 2006 it claimed to be a different crime fighting organisation based along the lines of MI5 (rather than a LEA) and only accountable to the SOCA board and the Home Secretary (Harfield 2006). The NCA appears to champion the fact it is a LEA. It is still only responsible to the Home Secretary but the DG of the NCA (who dislikes the FBI label) states he wants to work in partnership with Chief Constables and with similar organisations overseas to fight organised crime (Home Affairs 2012 - A15, BBC 2013 – B30).

The NCA has absorbed all the functions of SOCA (BBC 2013 – B30). Those functions include TRB attendance, the SLN and a responsibility for disrupting the use of firearms by OCGs (NCA 2013 – A10). The SLN is a network of 140 staff (now employed by the NCA) stationed in various countries around the world (Europol 2011a - A15). This will be discussed further in the continued nodal analysis in chapter 7 as the SLN is a key transnational node in the *Network*. The NCA in itself is a key nation state node and is already part of the *Network* by way of SOCA's existing strong partnership links with the Organised Crime (Firearms) TRB, ACPO CUF, the UK Border Agency (UKBA) and NABIS. It is accountable to the Home Secretary and its DG is also regularly held to account by the cross party Home Affairs Select Committee; as is the Home Secretary and various members of her department (Home Affairs 2012 - A15). This adds to the NCA's legitimacy as a police organisation.

As stated in the literature by Bottoms and Tankebe (2012) legitimacy should be part of a two way conversation between those who police and those who are being policed. It should be based on shared beliefs between the police and the policed. In this case those who are being policed are represented by the Home Affairs Select Committee, although perhaps not as well as they are through the tripartite system of governance. This point was emphasised by Harfield (2006)

in relation to the governance and accountability of SOCA not being in line with the rest of policing.

The participants believed NABIS would eventually become part of the NCA. Although SOCA already worked closely with NABIS, if NABIS became part of the NCA they would have more access to NCA operational capabilities. However, they too will only be accountable to the Home Secretary and the NCA board as opposed to the 43 Forces of England and Wales and the tripartite system of governance that holds them to account. That said, the fact that NABIS has entered into a MOU with the 43 forces means there will be some tripartite influence on them and the NCA. In fact, incorporating NABIS into the NCA would, by way of the *Network,* embed the actions of the NCA into mainstream UK policing[78].

The NCA, which is governed by the UK nation state, also helps to secure the *Network* in the nation state. The *Network* is an *'informal network'*, like those identified by Bigo (2000) and Harfield (2006, p757). It is set up by ILOs and has no formal accountability to any particular nation state. However, this thesis demonstrates that the nodes in the *Network* can make the *Network* accountable to the nation state and at the same time nodes such as the NCA (as well as the *Network* itself) can be subjected to a constabulary ethic of governance and accountability similar to the tri-partite system. Bowling and Sheptycki (2012, p136) identify such a constabulary ethic as the way forward in global policing governance and accountability.

Jordan emphasises the current accountability of NABIS and the potential for change to be part of the NCA:

> *".....governance* (of NABIS) *is through ACPO and to the forty three forces....* (NABIS) *are answerable to them basically but this will change*

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[78]Despite it being the belief of *Jordan, Billy* and others that NABIS would become part of the NCA, that has not happened yet. They should, however, as they did with SOCA, continue to work closely with the NCA who should still keep staff embedded with NABIS to gather and share intelligence. NABIS could have benefited further from inclusion as part of the NCA in the same way as CEOP. CEOP has become part of the NCA and, as stated by the DG:

> *"CEOP are in safe hands with the NCA and they have access to the extra resources that the NCA can provide"* (Bristow 2013 - A10).

because err undoubtedly (NABIS) *will be incorporated within the new National Crime Agency and will work within their structures then but at the moment its definitely through ACPO CUF."*

Jordan also emphasised how SOCA worked closely with NABIS. However, SOCA had more of a focus on transnational issues than NABIS who were more UK centric:

"…. (NABIS) *is naturally very UK centric and its looking at ….things like reactivated weapons (and) converted weapons* …. (NABIS) *work closely with SOCA programme five team…..which is a huge help because it means that you're not having to exchange with another agency you're directly interlinked to that agency."*

Although the DG of the NCA states they are not a British FBI and will be different to SOCA, he will continue to direct overseas activities where SOCA left off. However, he intends the NCA node to better organise the response to serious and organised crime through close liaison with all UK forces and the ability to task, where necessary, local Chief Constables in England and Wales (Caswell 2011 – B20, Great Britain, Home Office 2011b - A15, Bristow 2012 - A15). In talking to a National Detectives Forum in the UK he said:

"Any talk that we are picking up from SOCA is wrong – this is a new agency. We have a challenge and we will make sure we have the best people in it… We need the power in extreme circumstances to task police forces, but it must also follow that this will work the other way as well" (quoted in Caswell 2011 – B20).

Therefore, the NCA is likely to become a larger more powerful node that will have a big impact on the *Network*. It may even, at some point, (as with SOCA and agencies such the Child Exploitation and Online Protection Centre (CEOP)) take over other national agencies that are part of the *Network* including all or part of the UKBA and NABIS (Great Britain, Home Office 2011b - A15, Bristow 2012 - A15).

In addition the debate about the NCA being more involved in CT has not gone away and they have recently advertised for a Head of Counter Terrorism and

Organised Crime Collaboration (Civil Service 2014 - A10). This is a key role that will further fuse high and low policing whether it leads to the NCA being the CT lead or not. It will increasingly blur the line between high and low policing as indicated by O'Reilly and Ellison (2006). Part of the job role will be:

> *"...driving joint work with police and other partners to develop closer collaboration and the sharing of capabilities and approaches to improve the overall response to national security threats of terrorism and organised crime. They will ensure that the NCA plays a full role in assisting those reviewing the future of counter terrorism policing in the UK, ensuring that the UK has the optimal structures in place to offer the best protection for the public and make best use of public resources"* (Civil Service 2014 - A10).

The NCA is firmly anchored in the UK nation state. As well as the DG of the NCA being able to task Chief Constables, the Home Secretary can direct the NCA to assist local forces (Bristow 2012 - A15, NCA 2013a, p12 – A10, Great Britain 2013 - A150) and additionally as pointed out by *Alex*:

> *"The Threat Reduction Board will make the NCA more accountable for their action."*

According to *Billy,* some Chief Constables may see the power to direct by the NCA DG as a threat to their authority and such tasking of Chief Constables will be a challenging issue. *Billy* stated that:

> *"*(The) *National Crime Agency ...will have a power of direction or tasking to other police forces ...That is still seen in some Forces ...as quite challenging. I think in reality what that looks and feels like will inevitably present some issues that we'll need to work through. I don't find it a particular threat because providing the evidence base is there and understanding of your local context to your national context in your threats, that all seems doable to me. But there are some colleagues that will sit there constitutionally and say '...I am the Chief Constable of X shire and you will not tell me what to do, I have...a divine right about my operational control'. ...it will be interesting to see how that develops. That hasn't been an issue for me ...the place where it has been the most*

difficult to get leverage and to get real traction to do stuff is at the Home Office."

Therefore, the NCA will be the key nation state node in the *Network* and it will be moored there by the Organised Crime TRBs, the Home Secretary and the DG. In addition, the NCA DG states the NCA are NIM compliant and as such, partner agencies will hold the NCA to account for their actions through the NIM process of tasking and co-ordinating.

PCCs replaced Police Authorities in the tripartite structure of governance in 2012 and the PCC system has since been analysed as flawed due to serious mistakes and bad judgement on the part of individual PCCs (Stevens 2013 - A15, Gregg 2014 - A15). However, Mark Burns-Williamson, the PCC for West Yorkshire, has stated he will hold to account West Yorkshire Police and other LEAs who deal with organised crime impacting on West Yorkshire (Burns-Williamson 2014 – A10). He also stated the following when questioned recently about holding the NCA to account for operations in his area:

> *"As a PCC of a lead force in a Counter Terrorism Unit* (CTU) *policing collaborative….. I am responsible for holding the North East CTU to account. I am not yet in a position to hold SOCA, or any transnational police networks, to account for activity in my police area, but I will be seeking to do that through national PCC structures"* (Burns-Williamson 2013 - A10).

There does appear to be agreement between the NCA DG and PCCs that they can work together and manage the balance between local and national priorities. Following a Police Foundation conference, bringing the police, the NCA, PCCs and academia together to debate a way forward in detecting and preventing organised crime threats to the UK, the NCA DG stated:

> *"One of the challenges that people said that I might face was police and crime commissioners. My experience so far is that this has not been a problem"* (quoted in Caswell 2013a - A10).

At the same conference Alun Michael a PCC in South Wales stated:

> *"The issue of serious organised crime was an important country wide issue"* (quoted in Caswell 2013a - A10).

In addition, his colleague, Tim Passmore, a PCC in Sussex stated:

> *"Many police and crime commissioners were committed to engaging with national agencies to deal with serious criminals"* (quoted in Caswell 2013a - A10).

Time will tell whether the NCA will improve the co-ordination of organised crime policing (Harfield 2008). However, as evidenced here, those involved in setting up the NCA and those who hold them to account believe the NCA is the right way forward. They claim it will have a local impact on organised crime by taking into account national and transnational threats on that local impact and utilising transnational contacts where necessary to mitigate the threat to the UK from organised crime. The NCA is being promoted as a glocal policing organisation (Great Britain, Home Office 2011, p16 - A15, Bristow 2013 – A10, NCA 2013a – A10.

The DG of the NCA is consistent in making the case to the general public, police audiences and the Home Affairs Select Committee that the NCA is a glocal crime fighting agency that will provide support to UK Chief Constables and make good use of the overseas liaison network. The NCA is the embodiment of this thesis that the *Network* is contributing to an apparent glocal reconstruction of policing. It was established to improve the UK policing response to organised crime (including the *firearms threat*) and to complement the government steering a local to global approach to crime control (Great Britain, Home Office 2011 - A15).

Even though the NCA remains directly accountable to the Home Secretary it is more in tune with the UK policing philosophy than SOCA was and systems are in place to make it more accountable to the tripartite system of policing than SOCA (Burns-Williamson 2013 and 2014 - A15). In line with Deflem's (2002) policeization the NCA is a bureaucracy that is operationally independent from the government and able to co-operate and exchange knowledge with similar bureaucratic police organisations in other nation states. It is, however, anchored

in the UK state by UK laws, policy and procedure and the need to deal with the organised crime threat to the UK (Great Britain, Home Office 2011b - A10).

Like SOCA before, the NCA is a development of policing based on a need to manage the risk to society (identified by Ericson and Haggerty 1997 and Beck 2002). Although the NCA has a UK policing philosophy with closer ties to the UK police, it will also, like SOCA work with partners to examine other ways of disrupting criminal activity beyond criminal prosecution. Using a strategy similar to the UK counter terror strategy, the NCA manages the risk from organised crime under four areas of pursue, protect, prevent and prepare. Pursuit of criminals is the NCA priority (NCA 2013a – A10), whereas prevention by disruption was SOCA's priority (SOCA 2012d A15).

The prioritisation of pursuing criminals and bringing them to justice suggests a philosophy of crime control on the part of the NCA, but it will also continue to communicate knowledge through partnerships (including the *Network*). This will, as argued by Ericson and Haggerty (1997) in relation to policing in general, extend its surveillance of the criminal threat. The NCA will use the symbiotic relationship with its partners to identify, predict and manage the threat to pursue criminals and prevent crime. That symbiotic relationship allows the NCA and other nodes in the *Network* to transcend nation state boundaries to police the actual *firearms threat* and the risk of real harms. However, such policing through the *Network* does not appear as disorganised as Ericson and Haggerty (1997, p447) found to be the case in some police knowledge networks. The policing through the *Network* appears to be dealing with a real, rather than a perceived threat. As such, the NCA and the wider development of the *Network* is a further adaptation by the police to be one step ahead of the OCGs, which Kenny (2008) states the police in general always strive to do. The NCA also appears to be a further move towards the organisation of organised crime policing, identified in other areas of policing by Harfield (2008).

The NCA DG describes the overseas network as a valuable asset that the NCA has inherited from SOCA (Bristow 2013 – A10). By now, as *Billy* will later discuss, that liaison network should have completed work started by SOCA with the SLN and under the control of the TRB, on a firearms threat to various European nation states, including the UK. The threat involved a pistol

manufactured in another nation state and the solving of the problem involved SLN ILOs working in a subculture of diplomacy with the manufacturers and the government of the nation state concerned. As well as evidence of Bowling and Sheptycki's (2012) problem solving diplomats such overseas liaison is evidence of Deflem's (2002) police bureaucrats working operationally independent from the nation state politicians but not independently from their own UK nation state node or other connected policing nodes.

6.4 The National Ballistics Intelligence Service

Another key nation state node in the *Network* is NABIS. It is an ACPO sponsored national police unit (NABIS 2012 - A10) and even though the research participants expected it to become part of the NCA that has not yet happened. The core function of NABIS is the examination of ballistics material recovered at crime scenes and linking those results to other firearms intelligence (NABIS 2012 - A10). *Network* participants, particularly *Jordan*, believe it is firmly based within the nation state providing a service to UK police forces and, at the time of the research, was working closely with SOCA on the firearms threat to the UK:

> "…. (NABIS) *is naturally very UK centric and its looking at….things like reactivated weapons (and) converted weapons* …. (NABIS) *work closely with SOCA Programme 'five' Team."*

NABIS was set up between 2003 and 2008 as a result of an ACPO Strategic Review of Firearms. *Chris* stated:

> *"*(It was set up) *through the ACPO Criminal Use of Firearms Portfolio and the Senior Responsible Officers within ACPO CUF and the National Ballistic Intelligence Programme. The ACPO Strategic Review of Firearms* (included) *research in Germany and the US. Other individual contacts were established … through the Director of the Police and Crime Standard Directorate, Paul Evans, who was a former Police Commissioner in Boston* (US)*."*

Apart from being described as *'UK Centric'* by *Jordan,* another *Network* participant, *Chris,* states that there was little influence, in the setting up of NABIS, from other nation states, apart from the spreading of best practice:

> *"*(There was no) *direct influence because of the completely different levels of crime compared to the UK but much learning came from the US and South Africa relating to their use of IBIS* (Integrated Ballistics Identification System) *technology and their forensic and firearms intelligence processes. All of this fed into the ACPO CUF Strategic Review which in turn led to the development of NABIS."*

Chris also emphasises that NABIS was set up as a nation state node steered by the Government:

> *"UK Government Policy, Home Office Policy and ACPO Policy all influenced the work on gun crime but in turn by working in a government department and working closely with ACPO we were able to influence those very same policy areas".*

Another participant, *Geri*, stated:

> *"Anything that* (NABIS staff) *do on a transnational basis has to adhere to UK law, policy and procedure."*

NABIS is headed by a Detective Chief Superintendent seconded from one of the 43 police forces in England and Wales. The role of the head of NABIS, according to *Jordan* is:

> "*To oversee all elements of the service from the initial recovery of items from crime scenes, the way they are examined in forensic laboratories, the way the intelligence (from forensic examination) is developed, through to co-ordinating operational activity through organised co-ordination and tasking groups ….. It is a strategic overview of management of the whole service."*

The management of NABIS is split into three areas. They include Forensics, which is responsible for four ballistic laboratories, in London, Birmingham, Manchester and Glasgow, who process forensic examinations of firearms and

ballistic material from UK crime scenes using IBIS. Intelligence is the second area. NABIS staff analyse information and intelligence from forensic examination together with other information and intelligence on individuals, groups, premises and vehicles. As a result they produce intelligence products for operational and strategic action by UK police forces and, at the time of the research taking place, for SOCA.

The third NABIS area is Knowledge and Communications where the knowledge gained from NABIS intelligence and practice is turned into best practice guides and is used as evidence to drive change in firearms legislation. All three areas have links with other nation state nodes and international nodes such as Interpol (Interpol 2012a - A15, NABIS 2012 - A15).

NABIS is an influential node in that it has a core function of dealing with the *firearms threat* and it is an executive arm of the Organised Crime (Firearms) TRB, driving action and influencing policy and legislation change in the UK. The Home Affairs Select Committee made a point of calling key members of NABIS to give evidence on tackling the misuse of firearms, with a view to changing policy and implementing new legislation to tighten gun control in the UK even further (Great Britain, Parliament, House of Commons 2011a - A15). Without the existence of NABIS and their close liaison with the Organised Crime (firearms) TRB the UK police would not have a strong foot hold in the *Network*. According to *Alex* and then *Chris*:

> *"ACPO CUF would say right ok we'll take this forward and (NABIS) will do that…. ACPO CUF and the TRB are in reality one and the same thing because they have a joint lead."*

> " (In setting up NABIS) *as part of the ACPO Strategic Review of Firearms, the on-going work in collaboration with ACPO CUF and the Home Office Police and Crime Standards Directorate remit to seek out good practice, attention was focused on developing contacts within countries making significant use of IBIS technology or other major involvement with gun crime issues."*

NABIS is therefore very much UK based, it is responsible for pulling together the majority of the firearms intelligence in the UK and, as such, it is the node

that flavours the *Network* from the UK point of view. It was born out of a review by ACPO and was put together in its initial stages by staff seconded to the Home Office. Those staff had a predominantly, UK policing background. It did include a former senior police officer from the US but he was employed under contract to the Home Office working on UK problems and developing UK policing. He was not part of any outside node influencing UK nation state policing.

6.5 The Home Office

The Home Office are the link node between the UK Government and LEAs[79]. They steer policing on behalf of the government based on consultation with the police and the people they police. Steering takes place through the Home Office involvement with the TRB and other *Network* nodes. It is also communicated through policy and strategy documents. The Home Office, through the tri-partite system of police governance and the TRAF[80], are a key UK nation state node in the *Network.* As well as holding other UK nodes to account they also participate in the *Network*

Although one *Network* participant, *Billy*, refers to them as, *"Masters of procrastination",*[81] the Home Office did second staff from the UK police to a Home Office Police and Crime Standards Directorate to implement the ACPO Strategic Review of Firearms that led to the implementation of NABIS. The Home Office have also implemented an up to date Serious and Organised Crime Strategy (Great Britain, Home Office 2013 – A15), which refers to firearms as a cross cutting organised crime issue. The strategy includes the formation of the NCA under the Crime and Courts Act 2013 (Great Britain, Parliament, House of Commons 2013).

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[79] The devolved parliaments in Scotland and Northern Ireland control policing and LEAs in its areas and the Home office deal predominantly with England and Welsh LEAs. However, all are linked through the *Network*. NABIS have agreements and work closely with Scottish and Northern Irish LEAs (ACPO 2011 - A15) and so do the NCA (NCA 2014 – A10).

[80] Where the lead officer for each TRB gives reassurance that their particular risk is being managed.

[81] *Billy* did not evidence the exact nature of the procrastination however, such behaviour by the Home Office is evidenced on other occasions, suggesting it is an issue that requires further research. They replied to a research question on TRBs for this thesis by writing back to the author, sometime after the request, suggesting they contact the NCA for an answer rather than them (Etarat 2015 – A10). In addition allegations amounting to procrastination by the Home Office have been made in connection with the Rotherham sexual abuse scandal (BBC Radio *News* 2015 – B30).

According to *Jordan*:

> *"*(NABIS and UK police forces as a whole) *have a lot of interaction with the Home Office because at the end of the day clearly one of the things they have to provide ....through the Threat Reduction Board is ....reassurance ....They rely on NABIS intelligence to do the UK threat assessment. The section on firearms is* (based, in the main,) *on what NABIS tell them. On the flip side of the coin NABIS rely on them .... pushing quite hard to change the law in certain areas that type of stuff so* (there is) *a fair degree of interaction with the Home Office and they ... are represented at all levels really."*

To progress the implementation of NABIS the Home Office deployed seconded police staff to other nation states to harvest best practice on gathering and disseminating firearms intelligence. This was then circulated to all UK police forces. *Chris* stated:

> *"Knowledge and good practice was disseminated through ACPO CUF and publications such as the Home Office/ACPO CUF Gun Crime Investigative Guidance.*
>
> *From 2003 until 2008 ...I had contact with the Bundeskriminalamt, FBI, ATF, Boston Police and New York Police. In 2006/2007 I participated in a European Union Project relating to Firearms Class Classification and recording of information by Firearms Examiners."*

As well as spreading best practice through the UK part of the *Network*, the Home Office also link into other networks that have a relevance to the *Network* and the *firearms threat*. In particular, they operate the Home Office Strategic Centres for Organised Crime and Counter Terrorism (Great Britain, Home Office 2009 - A15), as evidenced by *Alex*:

> *"Information and intelligence on any organised crime terrorism nexus relating to firearms in the UK should be picked up by the Home Office Strategic Centre for Organised Crime (OC) and Counter Terrorism (CT) who have overlap meetings."*

The '*procrastination*' on firearms issues raised by *Billy* could be a symptom of two bureaucracies coming together as part of a network. The Home Office adhering to bureaucratic rules and implementing long-term government policies and the police exerting dynamic operational independence, which Deflem (2002) states is part of policeization. This could also be seen as good governance and holding the police to account for operational implementation. They are working at different paces, which will inevitably bring challenges, but it does emphasise that steering exists on the part of the government and operational independent rowing is undertaken by the police as identified by Osborne (1993) and Bayley and Shearing (2001).

It is left to Police and other LEAs within the *Network* (Deflem's (2002) police bureaucrats and Bowling and Sheptycki's (2012) policing sub cultures) to ensure strategy and operational plans are delivered on time. However, there is a suggestion that those who steer and the operationally independent police bureaucrats will start to work closer to understand each other's needs. This should be positive provided the police do not try to become politicians and Home Office ministers do not try to become operational police officers[82]. According to *Billy*:

> *"The place where it has been the most difficult to get leverage and to get real traction to do stuff is at the Home Office..... Certainly in terms of speed and accountability. Where you have got a coalition of the willing, that's all well and fine but when it gets tricky and ...really slow* (which) *is hugely frustrating and its an ability to task not just law enforcement but the Home Office. ...it will be* (a different person) *that goes in the autumn* (2012) *as the* (Firearms) *lead to ...a meeting chaired by the Home Secretary ... to say this is what's going well this is what's going badly."*

Therefore, the police firearms bureaucrats in the UK nodes in the *Network* will have direct access to the UK Government via the Home Office without any filters. That access in a democratic state like the UK, where the police have operational independence, has always been there (Deflem 2002 and 2010).

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[82] Former Met Commander Andy Hayman alleged in his book the Terrorist Hunters that police officers and politicians forgot what their role was when attending COBRA meetings. Police officers politicized and politicians gave operational orders to senior police officers (Davenport 2009 - B30).

However, it appears that the degree of access and subsequent action can vary. *Billy* makes the point above that there is a challenge in dealing with the Home Office and persuading them to operate in a dynamic fashion that corresponds with the speed of operational policing rather than at a pace that suits a political agenda. Whatever the case, the Home Office is a key node in the *Network* that facilitates change and the mooring of transnational policing in the UK nation state by way of governance and accountability through the TRB.

6.6 The Other UK Nation State Nodes in the *Network*

In addition to the Organised Crime (Firearms) TRB, the NCA, NABIS and the Home Office[83], the *Network* is comprised of other UK nation state nodes that secure the UK's involvement in the *Network* within the UK nation state. Some have already been mentioned due to their close links with TRBs, the NCA, NABIS and the Home Office. They include ACPO and its various business area nodes such as Crime and its sub areas such as Violence and Public Protection, CUF and Firearms and Explosives Licensing Working Group (FELWG). They also include the UK police[84], the CPS, IAG, the Royal Armouries, HMRC, HM Armed Forces and the UKBA, which is currently under a Home Office review that has led to the formation of the UK Border Force and the establishment of the Border Policing Command within the NCA (Great Britain, Home Office 2013a).

The UK part of the *Network* also includes HM Government, the FCO, MI5, the DTI and the Home Affairs Select Committee. All the nodes have varying degrees of influence on the *Network*. Some nodes facilitate the existence of other nodes which can be treated as separate entities as they comprise representatives from a number of other nodes coming together for a specific purpose. An example of such a node is the Organised Crime (Firearms) TRB which was set up by the Home Office to manage firearms crime. It was merged with ACPO CUF, replaced the Programme Five Review Board and comprised representatives from a number of different organisations (Appendix 11.4).

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[83] Which facilitates other nodes such as the Home Office Strategic Organised Crime Group, the Home Office Strategic Counter Terrorism Group, College of Policing (CoP) and the Home Office TRAF.

[84] The 43 police forces of England and Wales, the Police Service of Northern Ireland (PSNI), the Police Service of Scotland and other police forces (such as the BTP).

Nodes such as the CPS, the Royal Armouries, HMRC, HM Armed Forces, the FCO, MI5, the DTI and the cross party Home Affairs Select Committee are all part of the pluralisation of policing across all UK public and government organisations identified by Jones and Newburn (2006). The addition of the IAG and the Home Affairs Select Committee adds legitimacy to the pluralisation as they represent the UK public and facilitate Bottoms and Tankebe's (2012) two-way conversation between the police and the policed. The other nodes listed also have their own separate connections with the UK public. One example of this is UK Government ministers who are elected and lead nodes such as the DTI and the FCO which, as will be shown, have their own bureaucracies that take on responsibility for some aspects of policing the *firearms threat.*

Some of the nodes become involved in policing action on their own initiative or with others. An obvious example is the military police of HM Armed Forces who work with the Ministry of Defence (MOD) police to target firearms being smuggled into the UK by individual soldiers from war zones (Thurman 2014 – A30). The FCO also act on their own initiative to contribute to the policing of the illicit supply of firearms. The FCO will be discussed further in chapter 7. However, any pluralised policing action by or across the UK public nodes is usually led by the UK public police. The best way to explain how the different UK nodes contribute to the *Network* is to examine what part some of them played in dealing with the *firearms threat* posed by the BBM.

The BBM was a blank firing gun manufactured in Italy and imported into the UK for sale, mainly to athletics clubs for starting races. The manufacturing, importation and sale was legal. However, in 2009 the Metropolitan Police, a node in the *Network* (one of the 43 police forces in England and Wales), identified through intelligence that, *"the illegal conversion and criminal use of the Olympic .380 BBM blank firer* (BBM)*",* was a problem. It posed a particular threat to communities in London (NABIS 2010, p1 - A15) .

The intelligence on the BBM threat was taken by the Metropolitan Police Specialist Firearms Command (CO19) to a meeting of ACPO CUF. As a result, NABIS were tasked with producing a problem profile on the BBM based on information and intelligence gathered from UK police forces. The profile showed

that the problem was not just confined to London and the surrounding area. The BBM was a national problem (NABIS 2010 - A15)[85].

Following the identification of the BBM as a national problem, two BBMs were submitted for examination to the then FSS[86] for independent classification. The opinion of the FSS was the BBMs were readily convertible under section 1(6) of the 1982 Firearms Act. Legal advice was sought from the CPS and the Home Office Legal Advisory Branch (HOLAB) which showed that the BBM could be classed as a prohibited firearm under section 5 of the 1968 Firearms Act. Therefore, it was illegal for anyone to be in possession of a BBM without the appropriate authority (NABIS 2010 - A15).

Based on the NABIS problem profile, the FSS examination and the resulting legal advice, ACPO CUF in consultation with the Home Office, developed a plan of action to remove the BBM from the UK firearms market. It was another example of the criminogenic nature of the firearms trade (Rothe and Collins 2010) in that the BBM was traded as an imported legal blank firearm, however, it was easily converted into an illegal firearm by criminals in the UK. It could be purchased legally in its original state for around £80 and sold illegally converted to fire live ammunition for up to £750 (NABIS 2010 - A15). So, the BBM was criminalised, even though it was never intended by the manufacturers and UK suppliers to be used illegally or even to be subject to UK licensing laws.

A Joint Management Group (JMG), comprised of a partnership of a number of agencies forming individual nodes in the *Network,* was established under the strategic leadership of ACPO CUF. Their aim was to stop the supply and circulation of the BBM by ending its importation, removing it from sale in the UK and setting up an amnesty to recover all those that had already been sold. In the meantime, CO19 continued with proactive operations targeting illegal conversion operations and arresting those involved.

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[85] *'There were 179 recoveries of converted Olympic .380 BBM revolvers in 13 police forces in England and Wales, between January 2007 – March 2010. Olympic .380 BBM revolvers were used in crimes such as Grievous Bodily Harm (GBH) with intent, attempted murder and resisting arrest.'* (Unknown 2010 - E40).

[86] The FSS has since closed and their work is being picked up by private providers. NABIS have picked up the majority of forensic examination relating to ballistic materials (Rincon 2013 – B30, NABIS 2012 - A15). The removal of the FSS in favour of private providers has led to wider forensic discipline dangers of bias, fragmentation, unbalanced assessments, reduced defence checks, loss of expertise, reduction in research and development and a lack of archived results (Gallop and Wilson 2014).

Prior to presenting the problem to the ACPO CUF meeting, CO19 had also sought early consultation with NABIS, SOCA and HMRC to gather intelligence. In addition, they met with the Director of the UK Gun Trade Association (GTA) and travelled to meet with the manufacturers of the BBM to build intelligence on the numbers of BBMs imported and sold into the UK. The lawful manufacturers of the BBM were an Italian Company, Bruni, and they met with CO19 at a gun trade fair in Nuremburg, Germany (NABIS 2010 - A15).

The JMG consisted of representatives from NABIS, the Home Office, SOCA, UKBA, CPS, the Metropolitan Police, FELWG and ACPO (Violence and Public Protection and the Press Office). They liaised closely with the IAG, for independent advice on implementing their programme of action, and set up a close joint working partnership with the GTA, the British Shooting Sporting Council (BSSC) and the British Association of Shooting and Conservation (BASC) (all non-profit making organisations funded by member subscriptions (Great Britain, Parliament, House of Commons 2010b – A10)). Therefore, whilst the threat had a transnational element to it and there was some liaison with representatives from another nation state, the gathering of intelligence and policing of the problem by the *Network* was firmly in the hands of UK nation state based nodes (NABIS 2010 - A15).

The JMG tasked SOCA to use their SLN and one of their representatives, in consultation with the DTI, met with the management of Bruni in Italy. They explained the problem that the BBM was causing in the UK and Bruni agreed to stop exporting the firearm to the UK. The GTA identified that the sole importer of the BBM into the UK was one of their members. After consultation with the GTA who were supported by the BSSC and BASC and who had been briefed by the JMG, the importer agreed to stop importation and they recalled all BBMs still for sale at a number of outlets in the UK. Some outlets did not respond so NABIS tasked local UK police forces to make direct enquiries to identify if they still held any stock of BBMs. These enquiries confirmed that they had sold out of stock (NABIS 2010 - A15).

Intensive discussions took place between the Home Office, the IAG and ACPO regarding Home Office concerns that the firearms amnesty should not take part

during *'purdah'*[87] which restricts government ministers and senior civil servant decision making and communication before and during a general election (NABIS 2010 – A15, p12). However, an operational decision was made by ACPO, which highlighted their operational independence from the nation state whilst at the same time dealing with a threat to the nation state. After reviewing the JMG process ACPO decided that the amnesty should take place. It was necessary, legal and ethical that the amnesty should not be delayed. Due to different firearms licensing procedures in Northern Ireland and there only being minimal impact of the BBM problem in Scotland, the amnesty was focused on England and Wales and legitimate purchasers were targeted for publicity to avoid them being criminalised (NABIS 2010 - A15).

The amnesty involved NABIS Knowledge and Communications working with the ACPO press officer to deliver the message about the amnesty. They produced information and media packs for all police forces involved to enable safe recovery of BBMs handed in during the amnesty. The amnesty was launched on 16th April 2010 with a joint ACPO/GTA/BSSC/BASC press statement. It ran until 28th May 2010 and resulted in the recovery of 799 BBMs and a number of other blank firing firearms (NABIS 2010 -A15)[88].

The policing of the BBM problem did not run smoothly, due to different partners having differing priorities. However, it is clear evidence of how the key UK nodes within the *Network* operate as a network to deal with the *firearms threat*. It also shows how the *Network* is a conduit for both intelligence and police action and that any action taken by individual nodes is subject to UK law, policy

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[87] *'Purdah is a political convention which restricts government ministers and civil servants in central government engaging in communications activity, making decisions or policy announcements which are significant and may be politically contentious, from when a general election is announced until after the election is held'* (NABIS – A15, p12).

[88] *"• 799 Olympic .380 BBM revolvers were surrendered to police forces during the amnesty period.*

• 98 other blank firing firearms were also handed in during the amnesty.

• 476 blank cartridges were handed into police during the amnesty period.

• At present police are in possession of 1322 Olympic .380 BBM revolvers. This includes the 799 as well as others already recovered, declared or in police possession." (Unknown 2010 - E40).

and procedure and is governed by independent groups within the UK. The operation is summarised by one of the *Network* participants, *Billy*:

> *"...we are also working to cut off supply which is exactly what we did with the Olympic BBM..... Which, if you like, that's a... really good model of how we operated, that was a firearm that was, as I am sure you are aware, was designed and manufactured solely for the UK market. It just happened to be the manufacturer was abroad.....so we worked with international partners to resolve that in terms of supply. But also the distribution network here and ...lawful owners of the firearm, because it was used* (by) *law abiding communities for sports ...But equally what it identifies is that you get bad people seeing this as an opportunity to exploit and going to a gun shop and buying eighty or ninety of these things or ordering them a hundred at a time, hullo?!"*

Whilst the UK nodes keep the *Network* secured in the UK nation state, the use of the SLN is an example of a transnational/glocal node in the *Network* that develops UK nation state policing. In addition, as the BBM profile showed, with a visit to Italy, there is a tendency for the *Network* to carry out policing in another nation state in a diplomatic way. Such diplomatic policing is identified by Bowling and Sheptycki (2012) as the way forward for global policing, however, they do not identify how such policing is governed by the nation state by way of a network.

There is clear evidence that the policing action that took place, including the visit to Italy, was driven by an identified threat to the UK. Whilst the transnational policing that took place was pluralised, it was led by the UK public police and involved public organisations based in the UK, all legitimately representing the people of the UK.

The policing of the BBM is transnational in that it involves diplomacy in Italy by police from the UK. That transnational policing deals with a transnational criminogenic firearms problem where a product sold legally in Italy becomes criminalised in the UK. The transnational criminogenic firearms problem can also be seen as a glocal issue as the BBM was part of a wider global trade in firearms that was having a local impact in the UK. In addition, the transnational

policing action is part of a glocal policing process called for by Heeres (2012). The UK public police and the *Network* make use of policing services and products from around the world (or, in this case, services that have a global reach) to deal with a UK policing problem. The SLN was used as they have links to 140 staff in countries around the world. The SLN are now part of the NCA; directed from a UK base but with access to police around the globe to assist with UK policing problems.

6.7 Summary Discussion on the Key UK Nation State Nodes in the *Network*

Before summarising how the UK part of the *Network* has developed, how it operates and the metis that has been acquired, it is important to emphasise that the *Network* is intelligence led. The threat that has been identified by the intelligence drives the operation of the *Network*. This is highlighted by *Jordan* when he states that reassurance has to be provided to the Home Office that the *firearms threat* has been identified and addressed. That is a clear aim, which is evidenced by the *Network* participants and an obvious driver amongst those who provided evidence for the research.

The *firearms threat* also prompted me to highlight Operation Barker to the UK knowledge network, that existed at the time, to bring about national action to deal with the threat from reactivated firearms. The only way to understand the *firearms threat* is to gather information from all sources to produce intelligence, which is what the *Network* does. It then acts on that intelligence, as has been evidenced by Operation Lapworth and the operation to deal with the threat from the BBM. Therefore, the *Network* is clearly intelligence led and any threat that is identified drives the *Network*.

In assessing the intelligence, and the eventual knowledge that results from it, it is necessary to mention the importance of the use of Cornish and Clarke's (2002) crime script analysis, which breaks down who the criminal actors are, what their modus operendi is, which tools and raw materials they use and how they develop criminal relationships with other actors to form their own nodes and networks. This then enables the police and others to identify opportunities to intervene and prevent crime. Without such analysis the *Network* could not

adapt to deal with the illicit firearms market which is clearly networked rather than being a hierarchical organisation.

Therefore, the UK police and the *Network* develop metis based on action taken previously to disrupt firearms and what they have learnt about the metis of the criminals by way of crime script analysis. As a result, they compete with the criminals responsible for the *firearms threat* and adapt to be one step ahead of them, similar to the competitive adaptation that took place between Kenny's (2008) narcs and narcos.

Operation Barker used crime script and network analysis to gather evidence on the Greenwoods[89] and identify suspects beyond the Greenwoods, as well as potential witnesses. It is the basis of proactive detective work. By forming policing networks Operation Barker staff were able work beyond the confines of Derbyshire to bring the Greenwoods and other offenders to justice. In addition, we were in a position to suggest more strategic action to police the illicit firearms market network. Other UK police operations at the time, such as Operation Trident run by the Metropolitan Police, were developing similar networks to deal with firearms crime. Such operations helped to identify the need for a central national node, like NABIS, to pull together the work of those different operations, to form a clear national picture of the *firearms threat* and co-ordinate a wider response.

Overall, the UK part of the *Network* has developed through competitive adaptation. (This will be further evidenced in chapter 7 by an explanation of the nodes that work on a transnational basis and how they link with nodes outside the UK nation state.) ACPO realised that there was a need to adapt and centralise the gathering and dissemination of intelligence to enable co-ordinated action to deal with the threat to the UK from the criminal use and supply of firearms. Therefore, under the governance of ACPO CUF, NABIS was officially launched in 2008 following research and gathering of knowledge from various

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[89] My experience from dealing with the Greenwoods and their associates is that they make rational decisions (Clarke 1997, Tierney 2007), making it possible to draw up their crime script and analyse their criminal operation (Cornish and Clarke 2002). The Greenwoods as with other criminal nodes did, however, keep themselves to themselves as a family node and only formed relationships with others to make a criminal profit for themselves. Those they formed relationships with also operated in close knit nodes or alone to do what they needed to do to make their own criminal profit. Therefore whilst one node might be more active or more powerful in criminal terms than another node they did not control each other through any sort of hierarchy; they networked (Appendix 11.8) (Author's note).

UK nation state and transnational sources under the National Ballistics Intelligence Programme (NABIP).

ACPO CUF was the key node in governing the introduction of NABIS and directing its priorities and how it should operate. The importance in nodal terms within the network of ACPO CUF has been succeeded by the Organised Crime (Firearms) TRB. This was confirmed by *Jordan* who stated that the TRB had to be reassured that the threat to the UK from the criminal use and supply of firearms was being *"...identified and tackled"*. Also, *Alex* who confirmed that ACPO CUF and the Programme 5 (Firearms) Review Board had in fact become the Organised Crime (Firearms) TRB under the Violence and Public Protection portfolio of the ACPO National Policing Crime Business area.

The TRB lead, in turn, also attends a TRAF at the Home Office to provide assurance that the police in the UK are dealing with the threat from firearms. Therefore, whilst the TRB governs strategic policing activity in the UK and holds other policing nodes to account for the work they are doing, its lead is held to account by the Home Office who are part of the tripartite system of police governance that is well established in the UK.

Harfield (2006) described and critically analysed the new form of oversight for SOCA, which was only accountable to the Home Secretary. This differed from the tripartite system of governance and accountability for UK police forces. However, through the nodal network that exists and links to the TRB, the tripartite system may in fact be taking hold of all areas of UK policing, including the work of SOCA and their Programme 5 activity which has now been taken over by the NCA. The TRB system includes Chief Constables who are also part of the tripartite system. Whilst the third part of the tripartite, the PCCs, are not part of the TRB, they are pushing to have a role in transnational policing. Therefore, the inclusion of one or more PCCs on the TRB could be a step towards enhancing the tripartite system at a national and transnational level.

The legitimacy of policing that Bottoms and Tankebe (2012) identify as necessary, exists within the plural *Network* with the involvement of the IAG and the Home Affairs Select Committee. These public organisations or nodes are pluralised into policing through the *Network* and add to the two way

conversation between the public and the police to enable legitimisation of the police and the *Network*.

There is no involvement of any private policing in the pluralisation and the risk of privatisation through the multilateralization process identified by Garland (2000), Bailey and Shearing (2001) and Jones and Newburn (2006) is minimal. Even the privatisation risks identified by Gallop and Wilson (2014) with the breakup of the government sponsored FSS in favour of free market forensic providers are minimised, as firearms forensic examination is run by NABIS. Although there is nothing to stop UK police forces taking their firearms submissions to other providers, they would miss out on the enhanced capabilities of NABIS.

TRBs, according to *Network* participants, are becoming grounded in UK policing. A TRB is a key node that pulls together a number of UK policing nodes to work together in a pluralised partnership towards achieving the aims of the UK Government, global to local strategy, for dealing with crime and the priority crime areas, which are currently organised crime and terrorism. As such, in respect of the *firearms threat*, the Organised Crime (firearms) TRB sits firmly within the UK working to UK law, policy and procedure to consider the local impact of crime with an eye on the global influences. Thus, TRBs are the nation state anchor node of transnational policing. They have been set up to operate within a glocal philosophy. It is the glocal policing that Heeres (2012) is calling for and which *Network* participants such as *Billy* are embracing as part of a proactive intelligence led process:

> *"The vast majority I think of weapons are converted in this country or are stolen or are diverted from the lawful sort of supply chain. So I think the bulk of our focus should and needs to be therefore here and about how guns, when they arrive are here. But actually there's that upstream stuff about how we work. And because we now understand what that firearms picture looks like here, the strategic work is increasingly up and out and that's the work that the Threat Reduction Board, Forces and other Law Enforcement Agencies deal with; what's happening on the street and within their Organised Crime Networks.*

The work of the Threat Reduction Board actually looks up and out so all our strategic pieces of work are around 'How do we make in many ways our borders or our capability to import unlawfully firearms, make that much harder make us much more resilient and make weapons that are in this country or being brought into this country, much harder from getting into the criminal chain. I think that is the purpose of the Threat Reduction Board."

Heeres (2012) published the call to move towards glocal policing whilst the research evidence for this thesis was being analysed. *Billy's* words capture the essence of glocal policing in action with the TRB and support the grounded theoretical reconstruction towards glocal policing being articulated and accepted in everyday policing in the UK. It is certainly a philosophy that is present amongst the UK participants within the *Network* and hypothetically, if the TRBs for other crime threats to the UK are operating in the same way then that glocal policing philosophy is present throughout all areas of UK policing. The structure and organisation of TRBs suggest the glocal policing philosophy is generalised, however, further comparative research with the *Network* would enhance the grounded theory that a glocal reconstruction of policing is taking place in the UK.

What has emerged from the nodal analysis of the key UK nation state nodes in the *Network* is that the *Network* contributes to a development of nation state policing. The *Network* includes local UK police forces who are dealing with the local impact of a real *firearms threat.* UK police forces, working within a community policing philosophy, are strongly represented on a number of the UK nodes by frontline police officers and staff. In addition, those UK nodes comply with NIM, which contributes towards the prioritisation of resources between all levels of UK policing from the local and the regional to the national and transnational. As such, the UK nodes contribute to the development of policing through an emerging pattern of legitimate pluralised transnational policing by way of contact between UK ILOs and nodes outside the UK (which are explored further in the next chapter). This forms a network, which does not stand outside UK policing. The *Network* is an integral a part of UK policing.

In summary, UK transnational policing through the *Network* is based on an articulated actual threat rather than, as in some networks analysed by Ericson

and Haggerty (1997), a perceived risk, which justifies the existence of networks and Bigo's (2000) ILOs, who sit apart from the nation state and justify their existence by promoting insecurity. This articulation of the *firearms threat* and identification of actual risk from the local to the global, including the transnational, is part of a glocal policing process adopted by the UK public police and UK public organisations, who are involved in a networked pluralistic partnership based in the UK. The *Network* is driven by the threat from the criminal use and supply of firearms and whilst multilateralization towards privatisation of some aspects of policing within the *Network* cannot be ruled out, no evidence of its existence has been found. The existing literature identifies the existence of the UK nodes. However, this presentation of the findings on the UK nodes is more detailed and clearly articulates their existence, their influence on the *Network* and the fact that they anchor the UK's participation within the *Network*, in the UK.

Chapter 7 - Transnational Nodes in the *Network* that Develop Nation State Policing

7.1 An Introduction to the Transnational Nodes

There are some key UK nation state nodes that work on a transnational and glocal basis in their own right. Those and other nodes also connect with nodes in other nation states. As a result, the *Network* is transnational and part of a glocal policing process. This chapter explains how those nodes become transnational, how they make the *Network* transnational and what nodes they connect with to make the *Network* transnational. It shows that the nodes do not become part of a supranational police force, a global police state or a network where the power lies outside the nation state, dictating to the nation state (in this case the UK) how it should police.

The nodes in the *Network* that do operate on a transnational basis, and by so doing develop nation state policing towards a glocal reconstruction, are the NCA (which incorporates the organisation formally known as SOCA), the FCO, the Home Office, NABIS and MI5 (Appendix 11.4). The NCA, via the former SLN which is now part of the NCA Border Policing Command, and the FCO have staff permanently based in other nation states. The Home Office and NABIS have staff regularly travelling to other nation states and MI5 have some staff based in other nation states and work closely with MI6 who have staff permanently based in other nation states (Great Britain, Home Office 2013b – A10, Great Britain, Foreign and Commonwealth Office 2014 – A10, MI5 2014 – A10, NCA 2014 – A10).

The nodes that are then connected to form the *Network* are EFE, EU, Financial Action Task Force (FATF), EU Law Enforcement Working Group (LEWP), EU Committee on Operational Co-operation in Internal Security (COSI), Europol, Forensic Technology Incorporated (FTI), Strategic Alliance Group (SAG), US Immigration and Customs Enforcement (ICE), ATF, FBI, Interpol, UN and the United Nations Office on Drugs and Crime (UNODC) (Great Britain, Home Office 2011 – A15, Great Britain, Parliament, House of Lords 2011 – A15, Cyprus Police 2012 – A10, Europol 2014 – A10, FTI 2014 – A10, Interpol 2014 – A10, Levi and Gilmore 2012, NCA 2014 – A10).

7.2 UK Nation State Nodes in the *Network* that are Transnational or Glocal in Themselves

As stated in chapter 3, the UK participants in the *Network* are small in number and it has not been possible to gain access to them all. The majority of the UK participants in the *Network* operate within the sphere of the UK nation state nodes that have an organisational remit to engage on a transnational or glocal basis. This transnational section includes a detailed examination of the UK nodes that operate transnationally, as the *Network* is being examined from the UK point of view. Such nodes turn the national into the transnational as part of the glocal process called for by Heeres (2012).

The NCA is firmly secured within the UK dealing with the national security threat of organised crime. It also works on a transnational and glocal basis with some staff based overseas covering 150 countries. It operates in partnership with police forces in the UK and is held to account through the TRB mechanism and Home Affairs Select Committee, as well as being responsible to the Home Secretary. It is a LEA that develops UK nation state policing rather than one that operates independently of the UK or as part of a global police state. The overseas liaison network that the NCA has inherited from SOCA (the SLN) operates in the same way. The SLN access to various countries around the world can bring services from a global policing market to impact on local policing in the UK. The SLN has and will continue, as part of a glocal process, to deliver both glocal and transnational policing for the UK as part of the *Network* or to deal with other types of organised crime in the UK.

The NCA DG, Keith Bristow, confirms organised crime as a local to global threat and speaks glowingly of the SLN. He states:

> *"Having a whole government approach, about people crossing borders, how all of that works is absolutely key. So hopefully what you can see is there is an international, right through to the local issue and there is a breadth of government, breadth of law enforcement, frankly a breadth of responsibility for citizens for how we tackle organised crime that brings a great deal of complexity for all of us.*

So, what will be different about the NCA? First of all I have to say some of what we have inherited from agencies that went before us is excellent. I'll give you an example; the overseas network that we're inheriting from SOCA, I think is outstanding. A hundred and thirty or so officers supported by locally engaged staff reaching to a hundred and fifty countries. All of the countries that I have been to talk about what SOCA are doing tell me what a fantastic effect they have. The effect they have had in Columbia, in Afghanistan and elsewhere is absolutely outstanding. So we are going to build on that" (Bristow 2013 – A10).

The SLN was used to good effect to help deal with the BBM threat to the UK and as such develop nation state policing. As part of the strategy to deal with the problem, the SLN officer based in Italy was tasked, by the JMG, to visit the Italian exporters, to explain the problem and ask them to stop exporting the BBM to the UK. The UK officer deployed outside the UK and developed the capability of the UK nation state police to deal with a UK problem by persuading citizens of another nation state to take action. As a result of diplomatic policing (Bowling and Sheptycki 2012) the Italian company stopped exporting the BBM to the UK.

Billy added to the evidence and generalisation about using the SLN to develop nation state policing when talking about a more up to date threat:

"So for example this pistol I have got in mind we know where it's manufactured ...we know that it's also an issue in other parts of Europe, on a relatively small scale, but it's there and so we are working with SOCA and the country of origin to work with the manufacturers and the government in that country of origin .....to cut off supply, which is exactly what we did with the Olympic BBM."

Billy provides clear evidence that based on a threat to the UK, UK police will deploy in other nation states. With the other nation state's agreement they use diplomatic negotiating skills to persuade citizens of that other state to take part in an action that they would not otherwise take part in. Therefore, the police are diplomatic bureaucrats working on behalf of the nation state. They are using

their policing skills, rather than any executive powers, in a practical bilateral way (Deflem 2002, Bowling and Sheptycki 2012).

However, *Billy* did make the point that it was not easy to obtain the services of SOCA and the SLN to deal with firearm supply threats:

> *"It was about saying this is the biggest threat ……..what do we know about it? what don't we know? … it was a bit of a bringing together all the intelligence then developing a plan …one of the challenges was buying in our partner agencies and SOCA were our problem child at that point, for that particular issue.*
>
> *There's always a problem child, …I'm … saying right I think this is a really important piece of work, the threat risk and harm around it is huge but …it was a problem getting it through SOCA's tasking process. Sometimes that's about language… knowing how other organisations work,* (to SOCA) *drugs is far more exciting, and they have a bigger target than they do around gun crime.*
>
> *Its understanding the organisational psychology and systems and I have to say I learnt through that because we made a bit of a false start, hence with the Bruni, the Olympic BBM we knew exactly which way to go at that point so some of that's about organisational learning but sometimes some organisations don't necessarily make it easy, I think I would say."*

From *Billy's* point of view, it was difficult at first to engage with SOCA on developing nation state policing of firearms through the *Network,* due to SOCA priorities not being compatible with others. As with *Jean's* earlier perception of SOCA not being very efficient, SOCA management's prioritisation against other crimes, based on intelligence and the allocation of resources, has to be taken into account. Information on making the judgement as to whether SOCA management's priorities were correct was not available for this thesis. However, NIM is in place to attempt to organise such prioritisation within and between different policing nodes and both SOCA and ACOPO CUF (as they were at the time) were part of the NIM process. This does not discount each nodes' management team exaggerating priorities for their own means leading to a

reliance on Ericson and Haggerty's (1997) perceived rather than real risks; but the NIM process should lead to a proper evaluation of risk.

There are also other nodes in the *Network* who appear difficult to engage with because of their remit. The FCO are one such node. They are focused on the UK's overseas interests rather than home affairs which are the remit of the Home Office (Gov.UK 2014 - A10). *Chris* states they never had any contact with the FCO while *Billy* admits that the relationship with the FCO is not clear but believes and hopes that is unintentional.

The FCO do have firearms as a priority and they are an example of Jones and Newburn's (2006) pluralisation of policing across UK Government agencies. That pluralisation is steered by the UK Government who direct what the FCO's wider organised crime policing responsibilities are. The FCO's organised crime priority is underpinned by UK Government strategy which states:

> *"The government will improve its strategic oversight of the UK's international efforts against organised crime. Experience suggests that in some circumstances it may be more cost effective, as well as tactically advantageous, for enforcement activity to take place outside the UK. The UK deploys significant resources overseas through FCO, SOCA, HM Revenue & Customs (HMRC), UK Border Agency (UKBA) and the Crown Prosecution Service (CPS)"* (Great Britain, Home Office 2011 - A15).

FCO policy on firearms is also driven by the UN PoA on SALW and it is committed to report on work that the UK has undertaken towards the actions within the plan. The FCO SPOC for the PoA stated:

> *"We provide the information requested by the UN PoA reporting document"* (Severns 2012a - A10).

A FCO reporting document on the UN PoA on SALW details action taken by the UK. However, whilst it acknowledges the existence of national organisations such as NABIS, HMRC and UKBA, there is little evidence there or elsewhere of contact with agencies within the nation state (Apart from *Geri* noting that UK nation state agencies do answer occasional questions posed by the FCO). Instead, the FCO does focus on action taken on the illegal supply of firearms to

other countries involving UK nationals and the illegal passage of firearms through UK territory, rather than on UK law enforcement activity on illegal supply of firearms into the UK. This does suggest it is part of the *Network* that operates on a transnational basis targeting transnational and glocal criminals. For example one extract from the document states:

> *"In October 2010, Andrew Faulkner was found guilty of attempting to smuggle 100 military grade sniper scopes from the UK to Iran."*

Another:

> *"In February 2010 Gideon Sarig and Howard Freckleton were found guilty of trafficking and brokering offences relating to the movement of high explosive bombs, 30mm armour piercing ammunition and high explosive rounds to Sri Lanka and Israel"* (Gore 2012 - A15).

Overall, whilst the FCO is part of the *Network* it could improve its connections to other nation state nodes; especially in relation to UN action on SALW. The lack of connectivity is further evidence of Golding and McClory's (2008) assertion that the UK commitment to the UN SALW PoA is too foreign office biased. Any action taken in line with the PoA does suggest that some UK policing is being influenced from outside the UK nation state at the direction of the UN. However, it is a UN protocol that the UK has signed up to. The protocol was developed from the nation state by public (not private) NGOs and the self-initiated action reported has been taken by UK nation state nodes who take an active part in the *Network*. In effect, all the FCO is doing (and would be enhancing by improved connectivity), is reporting to the UN that all the UK LEAs already do what the PoA is requesting. As such, the UK nation state policing of firearms could be spread as best practice via the UN.

The Home Office are clearly engaged as a node within the *Network,* they are part of the governance process that keeps the *Network* secured within the UK nation state. As well as hosting the TRBs that generate transnational action as part of a glocal process, the Home Office tend to work more on a transnational and glocal basis when setting up new organisations, which have become nodes within the *Network*. As stated by Chris:

> *"The Police and Crime Standards Directorate* (PCSD) (a department within the Home Office) *were responsible for the National Ballistics Intelligence Programme* (NABIP) *to improve UK law enforcement capability in tackling gun crime."*

NABIP led to the establishment of NABIS. As part of the programme, officers travelled to other nation states to gather knowledge on best practice on tackling gun crime. According to *Chris* the PCSD staff were comprised of police officers seconded from UK police forces and other staff, recruited for specialist skills, such as Paul Evans the former Commissioner of Police in Boston, US. They travelled to many countries and made contact with several overseas LEAs, transnational policing groups and private commercial companies. These companies could supply the technology required to assist in forensic examination, matching of ballistic material and linking forensic intelligence to other intelligence such as human intelligence (HUMINT).

The PCSD staff explored a global market of policing services to make an impact on policing in the UK and they chose the product based on the nature of the threat. PCSD staff were developing Heeres (2012) glocal policing. *Chris* states the LEAs and groups included:

> "*Bundeskriminalamt (BKA), FBI, ATF, Boston Police Dept, New York Police Dept and a European Union Project relating to the Classification and recording of firearms information by Firearms Examiners across the EU."*

The private company *Chris* talked about was Forensic Technology Incorporated Montreal (FTI). They supply IBIS technology and promote themselves as:

> *"Pioneering automated ballistics identification and analysis over 20 years* (and continuing) *to be a leader in forensic ballistics and firearms identification technologies that promote a safer society."*

FTI publicise close working relationships with a number of LEAs, forensic groups and transnational policing organisations around the world, including Interpol (FTI 2014 - A10).

FTI are also mentioned by *Alex* when talking about spreading knowledge around the *Network* on best practice:

> *"Some of that gets done ..... because FTI who make the IBIS kit ... Integrated Ballistics Identification System kit, that's the stuff that does the linking of ... cartridge cases and ... bullets, they are a Canadian company and they cite NABIS around the world as basically how to do this."*

Therefore, FTI are a key private commercial node within the *Network.* They identify and share best practice by sponsoring and organising transnational policing events and promoting their own product. However, even though FTI have commercial priorities which could influence policing, FTI do not take over any actual policing function. They do not reconstruct policing towards privatisation, which is what Bayley and Shearing (2001) suggest was happening to contemporary policing, however, in line with Shearing and Johnston's (2010) later thinking FTI could influence policing through a nodal network, dependant on where the power lies within such a network. The IPC see commercial privatisation as a risk to UK policing (Stevens 2013 - A15), especially when the police are the governance mechanism for private police. It is a situation that could lead to a conflict of interest (Rowe 2014).

FTI do facilitate transnational policing and knowledge transfer by using it as an opportunity to sell their product. However, *Alex* explains the process and makes the distinction between what FTI do and what the police role and function is:

> *"They sell hard ware. What they don't sell is the bit that goes with it, how to use what you understand by these two cartridge cases.... methods of detection, methods of prevention etc. ...In their endless quest to sell kit all around the world at enormous sums of money they use that lifestyle picture that says if you use this system in the way that NABIS uses the system you can work with other countries you can understand gun crime....*
>
> *They run an international conference every year where they bring other countries together and last year they ran it at Interpol..... They have all the countries from around the world presenting at these things and*

NABIS actually won the Interpol President's award for best programme of activity...and was talked about glowingly across all Interpol member states as the bench mark of how to do business. So they do a lot of promotion for NABIS around the world."

Alex does warn of a downside to FTI promoting NABIS as an example of best practice. *Alex* says it brings a number of requests for help by other nation states, which takes up time that could be spent on policing priorities in the UK. However, at the same time, *Alex* sees an opportunity for closer working with FTI. It helps with resources to put on nation state events. Whilst this does not deal with the potential conflict of interest of working closely with a private company it does evidence a perceived need by UK nation state LEAs to engage with the private sector to identify and use alternative resources. However, in FTI's case, not to the extent that private industry takes over or provides policing, either directly or through the process of nodal networking identified by Shearing and Johnston (2010):

"*Sometimes* (there) *is a bit of mutual back scratching.* (At a) *seminar on the first of March* (NABIS will be) *delivering an operational case study to all forty three forces in England and Wales...explaining ...an operational case to practitioners* (using) *surveillance footage, audio conversation. All ...very interactive, but through it feeding in key learning points along the way that says right actually* (NABIS) *could do this by using the relationship with ATF..... by using firearms tracing .... by working with Interpol etc. etc.... FTI have been quite helpful and they've given* (NABIS) *some sponsorship to put that on and in return* (NABIS) *have given them some spaces so that they can bring some of their potential customers."*

Whilst FTI are obvious facilitators who champion organisations that are nodes within the *Network* other organisations that are transnational nodes in the *Network* are more discrete. The research participants were reluctant to talk about MI5's involvement in the *Network* as, for security reasons; they did not wish to disclose any operational tactics that MI5 currently deploy. However, they did allude to MI5's participation in transnational operations. *Jordan* mentioned MI5 when discussing the dissemination of transnational intelligence:

"It would depend on the type of intelligence ...SOCA.... are the ... UK portal for that type of stuff coming in, apart from the Security Services (MI5) who obviously differ. If it's to do with serious and organised crime it would come through SOCA."

Alex states that there is a regular joint meeting of the Home Office Strategic Centre for Organised Crime and the Home Office Strategic Centre for Counter Terrorism. MI5, being the lead agency for CT (Andrew 2009) must contribute to the meeting and as such contribute any intelligence they hold on firearms to the *Network*. *Chris* also mentioned MI5 being present at some ACPO CUF meetings and *Jean* talks about MI5 as:

"*A basis of a national police force forming an overall assessment of the firearms threat to the UK. But who have to turn to the police to take any executive action on any information they receive from inside or outside the UK."*

MI5 also disclose on their website that they map transnational terrorism and have been involved in joint police operations resulting in offenders being convicted of firearms offences. In addition, they confirm that they work in partnership with UK police forces, the NCA, HMRC and MI6. MI5 task MI6 through the JIC to gather intelligence from overseas on specific threats within the UK. Through MI6 and their own direct contacts they have links with 100 other intelligence services worldwide, meaning they are discrete but key contributors to the transnational workings of the *Network* (MI5 2014 - A10).

As with all the nodes in the *Network* the key element of the intelligence agencies' transnational strategy is to deal with the threat to the UK and as such MI5 and MI6 are pluralised into policing (Andrew 2009). Even though some might say that the end of the cold war led to the police being securitised into higher policing, by a blurring of the lines between defence of nation states from foreign attack and policing of the nation state to prevent crime (Bigo 2000, p82), the pluralisation evidence exists in the UK.

Whilst MI5 management actively sort to take over the policing of organised crime at the end of the cold war, the threat from international terrorism took priority and MI5 resources were used alongside police resources (Andrew 2009).

That pluralised partnership is clearly evidenced in a speech given by Andrew Parker (the current MI5 DG) on 8th January 2015. He mentions joint working between the police and intelligence services throughout the speech and evidences how MI5's work is governed and held to account by a legal framework (Parker 2015 – A20)[90].

7.3 Nodes, Outside the UK Nation State, making up the *Network*

As a result of the transnational links formed by the NCA, NABIS, the FCO, the Home Office and MI5, the *Network* extends into other nation states. However, because those key agencies that form the links with nodes in other nation states are firmly anchored in the UK (by the threat to the UK and a series of governance mechanisms[91]) the power within the *Network* is in favour of the UK (Appendix 11.4).

There are a number of organisations and groups that the NCA, NABIS, the FCO, the Home Office and MI5 link with and as such those organisations and groups become nodes within the *Network*. FTI is one such node (previously discussed) who have close links with Interpol (FTI 2014 - A10). Interpol oversee their own general policing network in which they are a key node in facilitating the exchange of information and communication between 190 member countries (SOCA 2012b - A10, Interpol 2014 - A10).

In 2009, FTI and Interpol launched a public-private partnership allowing Interpol members to share information on ballistic data through Interpol as the central hub (FTI 2014 - A10). *Jordan* explains how NABIS utilise Interpol as a hub:

> *"In Lyon, Interpol have got an international server for the ballistic equipment … the IBIS server, which allows* (NABIS) *to do cross-national checks on an intelligence led basis with other countries…. A number of*

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[90] *"The range and severity of threats the UK has faced over the years has meant that we have needed to build substantial security and intelligence capabilities. MI5, with our close partners in GCHQ, SIS* (MI6) *and the police, together embody an intelligence and security effort of a quality that is the envy of many partner nations. It is focused on those who threaten harm, not on the private lives of the population at large. All of it is set within a robust legal framework that governs, properly constrains and, through oversight, holds us to account. Having that framework is vital to the legitimacy and public consent that we need to do our work. And it is intrinsic to the sort of country we are protecting"* (Parker 2015 – A20).

[91] Such as the Tri-Partite system of police governance, Ministerial accountability and oversight, Parliamentary oversight, judicial oversight, Organisational policy, Organisational hierarchies and UK Law.

countries signed up to this; Holland, Ireland, I think there is about 7 or 8. (They) *have agreed that on an intelligence led basis* (to) *submit items to that server, which allows checks at a central server rather than having to send them to different countries. Saves countries running things through individual servers so there is a technological advance which Interpol are driving."*

In other words, UK nodes within the *Network,* especially those, like NABIS, whose core function is policing the *firearms threat,* are supporters of the public-private partnership between FTI and Interpol. However, as pointed out by *Jordan* and in the Interpol guidelines on access to IBIS, use of the international server must be intelligence led. In other words, the use of the server must be based on reliable intelligence. In addition, access to the server must conform to nation state laws (Interpol 2014a – A10). It is further evidence of the *Network* policing activity being anchored by governance within the nation state; even though the Interpol-FTI, public-private partnership, has made it easier for nation states to have access to each other's data without reference to the originating country. The nation state emphasis is further evidenced by *Alex,* who stated that any resulting Interpol identifications have to be formally evidenced through the SLN (and this will continue with the NCA). In addition, this is an example of the glocal nature of policing that is promoted by Heeres (2012) where a product that is offered globally is used locally.

Other evidence of the involvement of NABIS in the establishment of the international IBIS server, resulting from the Interpol-FTI partnership, is the fact that NABIS were involved in a European working group that built the system. Members of NABIS were part of a validation group that met in Spain in 2011 to evaluate a forensic evidential process. The group was made up of forensic science experts from different nation states and they produced:

"Best practices and guidelines for double-casting techniques for use in the Interpol Ballistic Information Network (IBIN)" (Interpol 2012a - A15).

The fact that IBIN is in place with all its safeguards does not mean that it is identifying firearms links between the UK and other nation states. *Alex* says:

"Scandinavian countries they've had their IBIS system interlinked for years, they've never had a single crossover. (The UK) *has run the IBIS system through Interpol for the last eighteen months, they've got five countries on there so far and* (there has) *never* (been) *a single crossover. So gun crime arguably tends to be quite localised."*

Alex suggests, the fact that there have been no crossovers between Scandinavian countries or between the UK and any other countries with access to IBIS, indicates that firearms crime tends to be local. That might be the case with the end use of the firearm, however, other OSINT and interview evidence analysed for this thesis suggests the source country of the firearm is not always where it is used in crime. Examples include the BBM sourced in Italy (NABIS 2010 - A15) and the firearms used in the attacks in Paris in January 2015, which are believed to have been sourced in Belgium (Moftah 2015 – E40).

Billy also acknowledges the important link between the UK nodes and Interpol as well as other nodes in the *Network,* such as Europol. However, those links are developing from the UK side rather than Interpol, Europol or any other node from outside the nation state controlling UK policing from the outside. When asked specifically if Interpol, Europol, US or any other foreign LEAs or networks had any influence on *Billy's* involvement in policing inside the UK nation state, *Billy* replied:

"No (laugh). I don't mean that in a sort of negative way I'm just...Yes they do in that when there is useful intelligence that helps us to build that picture of threat to this country… so the answer actually is yes sometimes rather than my original no. Because there is an overseas link with gun crime, whether that is sort of mail order or personal post from the States. Whether that's bringing in on Lithuanian lorries in kits, with silencers, sound moderators and ammunition all beautifully wrapped and things. The vast majority … are converted in this country or are stolen or are diverted from the lawful sort of supply chain. So … the bulk of our focus … needs to be …here. ... but actually there's that upstream stuff about how we work. And because we now understand what that firearms picture looks like here, the strategic work is increasingly up and out … that's the work that the Threat Reduction Board, Forces and other Law

Enforcement Agencies deal with. What's happening on the street and within their Organised Crime Networks.

The work of the Threat Reduction Board actually looks up and out so all our strategic pieces of work are around, 'How do we make ....our borders (and the) *capability to import unlawfully firearms...much harder ...and make weapons that are in this country or being brought into this country, much harder from getting into the criminal chain. I think that is the purpose of the Threat Reduction Board ... and I think increasingly as we get better connected ... Interpol and Europol add more value ... the more we give them the more we get back, the more so its a sort of a virtuous (conforming to moral and ethical principles) relationship."*

Billy qualifies an original "*no*" to the answer by relating how the link with nodes outside the nation state can impact on policing in the UK, but it is subject to the *firearms threat* and is about gathering information and intelligence on that threat and any emerging trends. *Billy* also places the responsibility for decision making, on what intelligence to act on, with the TRB. Again, the control is with UK policing nodes within the *Network*. They decide on how much influence the nodes in other nation states have, dependent on what they can do to prevent and detect firearms supply and use and its impacts on the UK.

UK decisions are based on proven intelligence outcomes. The current knowledge is that the biggest threat to the UK is illegal conversion and reactivation. This takes place inside the nation state using materials lawfully sourced inside and outside the UK, rather than the main source of supply being live illicit firearms from the outside. Even if the balance of the threat were the other way, the way the *Network* is constructed with a firm anchor in the UK points to nodes, such as the TRB, still having control on the influence of other nation state nodes on the *Network*. The *Network* is clearly intelligence led which, as identified by Maguire and John (2006), is increasingly present at all levels of policing. In addition, that intelligence gathering and any subsequent action from it, is governed by UK legislation such as RIPA (Harfield 2009a).

The UK police are in an age of glocal network policing and from the UK point of view, when it comes to firearms, the balance of power within that network is with

the UK. The UK decides on how much influence the global has on the local. *Billy* and the other participants within the *Network* have demonstrated that any action they take is based on a thorough assessment of the available intelligence and it is taken in the interests of dealing with the threat to the UK. This again answers the call for more glocal policing to take place (Heeres 2012) and is in line with the Government's ideological views of the NCA, that they should take the lead in glocal policing. As a key node in the *Network* the NCA are in a good position to enhance glocal policing. *Billy's* response also develops Commander Yates answer to the Commons Select Committee about how much the UK use Europol for terrorism investigations (BBC 2009a – B10).

Commander Yates' appeared dismissive and sceptical of what Europol could offer saying the police working anti-terrorist operations prefer their own bilateral contacts with other nation states. This suggests their decision on who to form policing relationships with is based on historical trusts, the nature of the threat to the UK, or the direction of the investigation, rather than it being a case of allowing organisations from outside the nation state to colour the investigation just because they are part of a network and available. Whether or not that is the case or whether it is a generalisation that can be drawn about UK policing beyond the *Network,* could be the subject of comparative research between the *Network* and the police transnational terrorism intelligence network.

As indicated by the current literature, Europol produce intelligence products as part of the ECIM that member states, including the UK, are expected to act on. That is the function of Europol and that is what they should focus on doing (Brady 2008). They are not a supranational police force and are prevented from becoming a supranational police force because people in different member states cannot agree on technical, legal or policy issues (de Buck 2007, Yates 2011)[92]. *Billy,* provides evidence of the fact that Europol do not influence the policing of the *firearms threat.* However, if the intelligence they supply suggests an increased threat to the UK it might impact on the policing response by the UK, but the response would still be controlled by the UK police.

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[92] Hence Europol's mandate is only, *'to **support and strengthen action** by the competent authorities of the Member States and their mutual cooperation in preventing and combating organised crime, terrorism and other forms of serious crime affecting two or more Member States'* (EU Council Decision 2009).

Alex also refers to Europol supplying intelligence via the SLN on firearms, but states it tends to be informative rather than actionable as there is limited illicit movement of firearms into the UK from the rest of Europe. *Chris* stated there was no influence from Europol, particularly in respect of the setting up of specific UK firearms nodes such as NABIS. *Jordan* also mentions intelligence coming from Europol into the UK via the SLN but does not mention it having any impact on policing the *firearms threat*. *Jean* does not mention Europol as having any influence due to evidencing the main threat to be inside the UK from a diminishing illicit stock of firearms that are already in circulation. *Jean* further supports an organisation such as the NCA being the gate keeper to the rest of the world, stating the focus should be on dealing with that threat through an enhanced national policing unit that should have an eye on what is happening outside the UK:

> *"A kind of FBI, a robust group with a charter who can look within and outside the country."*

Geri provides evidence that whilst Europol does not directly influence policing in the UK, the intelligence Europol produces is strategic and does influence EU wide policy for member states. *Geri* also makes the point that Europol do not have firearms as a priority and although they produce some strategic intelligence on the illicit firearms market in the wider EU, it is EFE that gather information and provide the majority of intelligence for EU LEAs. The UK is represented on EFE by staff from NABIS and, at the time the data for this thesis was gathered, by staff from SOCA[93]. The UK is a key partner in EFE.

EFE were tasked in 2011, by LEWP, with producing a European firearms threat assessment and asked NABIS to gather information for the threat assessment from EU member countries. NABIS and SOCA staff then produced an intelligence report which formed the 2011 European firearms threat assessment (NABIS 2012a - A15).

The threat assessment was disseminated via EFE members to EU LEAs and other European organisations such as Europol. Therefore, rather than Europol

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[93] SOCA since absorbed into the NCA.

being the instigator of the threat assessment, taking a top down dissemination of intelligence approach to influence the policing of its members, the intelligence was produced from the bottom up by EFE, a group outside of Europol. As such, Europol and other European organisations were influenced by its members and the UK played a major part by producing the report.

It is clear then from the *Network* participants' point of view UK nation state policing of the illicit firearms market is not driven in any way by Europol or any other European organisation. Europol intelligence gathering on the illicit firearms market is driven by other transnational nodes such as LEWP and EFE, which represent the interests of nation state policing, and the UK play an active part in those nodes.

Some of the participants were more eager to discuss EFE than Europol. *Jordan* talks in terms of NABIS being commissioned by EFE to write the European threat assessment. *Alex* talks of EFE being an example of good practice and the way forward for transnational policing of the illicit firearms market. *Billy* states that European partners understand the firearms threat much better, through EFE, saying:

> *"European partners can recognise actually something that might affect us when before they wouldn't have noticed."*

EFE is made up of a variety of firearms experts working for LEAs in Austria, Belgium, Denmark, France, Germany, Hungary, Slovenia, Sweden, the Netherlands and the UK. They first met together, in a formal way, in Brussels in 2004 and drew up an action plan[94] around assessing the threat, exchanging

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- *Threat assessment regarding firearms crime in the European Union with a variety of offences ranging from illegal spreading and trading in weapons to the criminal use of firearms,*
- *Information exchange between police services in the European Union to track down the route of a given firearm used for criminal purposes. Experiences would be then used to establish a handbook to tackle the firearms crime,*
- *Determination of an accurate picture of firearms crime with particular attention to heavy weapons that can be used for criminal purposes. A lot of aspects should be considered in order to achieve it, i.e. types of offenders engaged in criminal activity, types of weapons available in the market, as well as sources of firearms trafficking,*
- *Enhancing of co-operation between EU law enforcement authorities to combat crime groups involved in illicit trading in heavy weapons,*
- *Targeting illegal sources of heavy weapons trafficking, as well as establishing policies to prevent a theft of firearms.* (Komeda Glowna Policji 2012 – B30).

information, building knowledge and co-operation and taking action (Komeda Glowna Policji 2012 – B30).

EFE was proposed by the Netherlands and established by a meeting of European Police Chiefs in 2004. It supports LEWP and it is a working example of Deflem's (2002) policeization (European Commission 2013 - A15, EU 2013 - A10, NABIS 2013a - A15, Unknown 2014 - E40). *Geri* confirms that EFE was set up as a useful practical organisation between democratic countries. The group and intelligence products they produce are recognised as part of UK and EU policy and practice.

Geri states that:

> *"EFE has various representatives from all other EU member states who come from a variety of firearms units; not all are police officers. EFE is non-operational; it examines trends and law based on intelligence. The EFE was formed in 2004 during the Dutch Presidency and originally consisted of a small number of countries including, Austria, Finland, Sweden and the United Kingdom* (UK) *with the aim of improving co-operation between EU Member States in relation to firearms trafficking.*
>
> *Each member of EFE is subject to law policy and procedures within their own country but report to the Law Enforcement Working Party* (LEWP) *who in turn report to the Committee on Operational Co-operation on Internal Security* (COSI) *at the EU. LEWP requested EFE to produce the latest European firearms threat assessment. Officers from NABIS (supported by SOCA staff) have written the threat assessment after gathering information from EFE members and have presented it to LEWP.*
>
> *The threat assessment shows trends and makes recommendations to EU Law Enforcement Agencies* (LEAs) *in respect of tackling the trends, which include criminals in Europe making more use of converted firearms. LEWP have requested Europol to do the next threat assessment themselves."*

When the EFE European firearms threat assessment was presented at a LEWP meeting on 16th December 2011, LEWP asked Europol to produce the next

European firearms threat assessment themselves. A Europol representative was present and asked EFE to share intelligence with Europol as they were shortly to appoint a dedicated firearms expert:

> *"...to address such issues"* (EU 2012a - A15).

It is not clear, from publicly available information, whether Europol appointed an expert to produce a firearms threat assessment following that EFE report. However, Europol do state that they *"host and support"* networks such as LEWP and EFE (CEPOL 2013 - A10) and they did produce an organised crime threat assessment in March 2013 which includes a short section on weapons trafficking. The report makes mention of the trend towards the use of converted firearms pointed out by *Geri.* Therefore EFE through LEWP do guide Europol intelligence assessments (Europol 2013 - A15).

Europol does not consider firearms as a priority but they see it as a cross cutting issue that supports other criminal activity such as organised crime (CEPOL 2013 - A10). However, there is obviously a push for Europol to make the illicit firearms market a priority. That push comes from nation states and it is being picked up at the EU policy level by the European Commission (EC), where a report has been submitted proposing:

> "*An integrated policy for addressing this threat, through legislation, operational action, training and EU funding"* (European Commission 2013, p6 - A15).

The EC (2013 - A15) uses a number of sources including, a nation state consultation, EFE and the UN PoA SALW to support the need for new proportionate EU legislation by 2015 and co-ordinated operational action. They put EFE expertise on CUF together with Europol expertise in knowledge on serious and organised crime, to show that the EU is taking operational action. They also confirm that, despite Europol's assertion that firearms crime is a cross cutting issue rather than a priority in itself, that the illicit firearms market will be a priority for the EU:

> *"On an operational level the EU has established the European Firearms Expert group* (EFE) *to promote information exchange and co-operation*

and in 2010 adopted an action plan to facilitate tracing and co-operation against firearms trafficking. Member States and the Commission, on the basis of Europol's 2013 EU Serious and Organised Crime Threat Assessment, have made the disruption of illicit manufacturing and trafficking in firearms one of the EU's nine law enforcement priorities for 2014-17" (European Commission 2013, p9 - A15).

Prior to the production of the 2013 European Commission policy report, the Council of the EU had also established the importance of EFE at a meeting of the Justice and Home Affairs Council in December 2010 to confirm the adoption of the action plan mentioned in the 2013 report:

> *"The work and expertise of the informal European Firearms Experts group* (EFE)*, created under the former Police Chiefs Task Force, should be taken into account. It includes:*
>
> *- a European Union Firearms Threat Assessment concerning firearms-related crime, ranging from international firearms trafficking and distribution within Member States to the criminal use of firearms and the law enforcement response to firearms crime across the EU...."*
> (European Justice and Great Britain, Parliament, House of Commons 2010, p2 - A15).

Information from *Geri* in 2015 confirms that, as a result of the EC (2013) report, Europol have taken a lead on improving co-operation on tackling illicit firearms trafficking in Europe. This is now a priority for Europol rather than a cross cutting issue[95]. Therefore, in terms of the *Network* extending into Europe, EFE is a major cog in driving the transnational element of the *Network* and the UK has played a key part in the work of EFE, subject to the threat to the UK and UK

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[95] During feedback conversations in 2015 *Geri* stated that Europol are now taking a lead on firearms but not taking over from EFE or the nation states involved. As a result, Europol have a closer working relationship with EFE. *Geri* also stated that there is an improved two way flow of intelligence between nation states and Europol.

On reflection, *Geri* is optimistic for the future of Europol and its working relationship with EU nation states that have to take some of the responsibility for not engaging more with Europol to exchange and enhance intelligence. Overall, *Geri* agrees that EFE is a major cog in driving the transnational element of the *Network*. EFE has played its part in bringing everybody together and, by so doing; it has contributed to driving transnational policing, from the nation state outwards, and made Europol more inclusive in the process. The UK police still, however, have control over what they do transnationally; they are not told what to do by Europol.

Time and further research will tell whether Europol do move beyond being a facilitator of communication (Author's note).

law and policy. This evidences the need to consider the workings of nodal groups such as EFE and LEWP and how nation states contribute to their work, when analysing transnational policing, which this thesis has done; rather than just considering the work of organisations such as Europol and Interpol, which the current literature tends to do.

Further afield the *Network* extends to the US by means of the SLN and in addition by means of a partnership between NABIS and the ATF. As confirmed by *Jordan:*

> *"*(NABIS have) *got a formal Memorandum of Understanding* (MOU) *with the ATF to share their Intelligence database. ...If we get a trace on a firearm that appears to come from America we can check it here* (through NABIS) *and immediately find the origin of the weapon, if it has come from America."*

The MOU between NABIS and the ATF was signed by members of both organisations after an ATF officer delivered a presentation on e-trace at a meeting in Europe attended by EFE members, NABIS and SOCA, as mentioned by *Geri*:

> *"The ATF attaché presented to European members and offered access to the US firearms database known as e-trace, subject to compliance with individual country's law and policy and audit by US authorities on justification of use of e-trace by other countries. NABIS took up the offer and, together with ATF, drew up a memorandum of understanding* (MOU) *around compliance with law, policy and the justification audit to allow UK access to e-trace via NABIS."*

The NABIS/ATF MOU and its subsequent use in an investigation is further evidence of transnational policing around the *firearms threat* being part of a wider glocal reconstruction of policing. Policing services offered globally to more than one nation state are used to make a local impact on local and transnational crime. In addition those services are subject to nation state law, policy and governance; particularly around justification of use of a database belonging to another nation state. Therefore, even though the MOU opens up speedy access

to a useful investigation tool that aids transnational policing, there are conditions that govern its use.

The MOU was put to effective use during Operation Lapworth, which is championed by the *Network* participants as a good example of transnational policing of the supply of firearms. *Alex* provides evidence of visits by UK police personnel to the US to gain an understanding of e-trace. He states the ATF are key partners for UK LEAs and in reference to Operation Lapworth investigations he says:

> *"...because of the Memorandum of Understanding (MOU) that we have and because of the understanding of tracing that we've got from visits, we knew what questions to ask."*

Alex confirms the MOU was signed prior to police personnel visiting Washington to familiarise themselves about the ATF and e-trace and to publicise the work of UK LEAs on policing the *firearms threat*. *Alex* states that both the signing and the visit were done to form transnational relations should there be a need to carry out a joint investigation between the US and the UK. When the MOU was signed and the visit was made there was no indication of any transnational criminal activity around the supply of firearms between the US and the UK. The signing of the MOU and the visit to Washington could have been seen as ILOs spreading insecurity (Bigo 2000) to justify their existence based on perceived risk (Ericson and Haggerty 1997). However, shortly after the visit, information was received that led to Operation Lapworth. *Alex* elucidates how the transnational relationship between the US and the UK developed through Operation Lapworth, which dealt with a *firearms threat*:

> *"Operation Lapworth was a joint West Yorkshire, NABIS and ATF investigation into the supply of Glock pistols into...Leeds and Bradford....using Fast Parcel..... It was a reactive investigation around an intercept* (of a parcel) *at East Midlands Airport...* (It involved) *a huge amount of work with ATF ....around firearms tracing and firearms tracing was a critical part of that investigation because it helped...understand the network of supply from the Americans into us.* (As a result of earlier visits to the US to gain an understanding of e-trace it was possible) *to feed*

back into the UK the knowledge of what is called a straw purchase network[96].

...NABIS really becomes a hub in that Borders (UKBA) *come straight to* (NABIS)... (NABIS) *do the trace, because* (they had) *the serial numbers* (and) *the e-trace system ...that ties ...straight into the ATF.* (NABIS) *staff had been to the ATF tracing centre in Maryland and were able to say* (to the SIO) *look this is what's going to happen, this is what we're going to get back, ...this is the person who bought your gun, what's a straw purchase network how does this work etc. So* (NABIS) *brought fantastic knowledge to that investigation, really early doors.*

The contacts...enabled ...that operation (to continue) *with fantastic support from ATF. We'd got* (ATF) *agents crossing the Atlantic moving stuff ...bringing pieces back and forth.* (As a result the accused) *were remanded in custody...all the evidence* (was obtained) *and* (NABIS) *helped bridge all those gaps that existed because of the contacts and knowledge that* (they) *had in that field ...The job got done; it was home for tea and medals basically.*

What happened then was that job then became a complete proactive investigation because the Judge released them on bail just before Christmas and they went straight out and within six minutes of purchasing a new phone they got straight back onto the individual that they had bought guns from in the first place. So (the job became) *a proactive investigation for about three months, again with support of ATF, massive support from ATF, ...delivering parcels to that crime group from the US to the UK for a period of about three months. So fantastic support, fantastic support from the field agents and arguably a level of support that wouldn't exist if it wasn't for the Memorandum of Understanding*

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[96] "*...In the States because of the regulations on gun control the problem that they suffer with quite a lot, and it was something that* (was) *recognised as soon as ...the first firearms traced back, is that you will have somebody that will be the lead of a criminal group who will recruit vulnerable people in order to purchase firearms, so you end up with a straw purchase* (that looks clean)... *So you often end up with young females with babies who are buying individual or small numbers of firearms for a third party in exchange for money, baby formulae, nappies, whatever they need basically to support their children... The first trace back...came back as a young Hispanic female who purchased the weapon two days before it ended up at East Midlands Airport.* (It was therefore possible for NABIS to) *demonstrate that straw purchase network very quickly... to the SIO...within about forty eight hours of...tracing the firearms*" (Further explanation by *Alex*).

(MOU) ...with the ATF. The contacts ...with ATF and actually the thing that comes from putting the time in that says you know these people really well.

The ATF liaison officer would come here quite often then we would see him. Then when we were in The Hague we would go over and see him as well and meet at the Embassy and various other places ...There's great credit in keeping those lines of communication open, maintaining them and ensuring that they are available as and when they are presented, rather than a case of its a pick up put down type of situation. Speaking to the new liaison officer that's taken over from the old one on Friday, 'how are you, are you ok just ringing to say hi, just want to do this can you do this - yes yes that's fine of course we'll sort that out for you'. So there's a huge amount on that front and ATF are probably one of, if not the, biggest key partner in kind of international law enforcement."

Alex emphasises the importance of the *Network* link to the ATF and the importance of personal contact. This demonstrates that Deflem's (2002) policeization and Bowling and Sheptyki's (2012) subculture of police officers and police staff working across nation state boundaries exists. However, *Alex* provides some rich evidence of how that subculture and policeization actually operates in a culture of Heeres' (2012, p120) *'willing and able'* participants.

Of particular importance to how the subculture and policeization works is the people and how they interact with each other. This is a positive aspect of police culture where UK participants in the *Network* work together as part of a team with other people in the *Network* who have a similar goal to them, in this case the gathering of evidence to bring offenders to justice. That teamwork, underpinned by regular contact led to the efficient exchange of knowledge which adds to Glomseth, Gottschalk and Soli-Saether (2007) hypothesis that, *"The extent of knowledge sharing is positively related to the extent of team culture found in police investigation..."* and vice versa (p105).

Before embarking on a critical discussion of the transnational nodes as a whole, it is important to identify all those nodes outside the UK nation state that make up the *Network*. In addition to the nodes that have already been discussed there

are liaison links with other nodes that could be exploited further by the *Network* as and when required, without the nation state mooring of the *Network* being compromised. They include occasional bilateral agreements, such as those between NABIS and Italy to deal with the BBM problem, and further access to other nation states through the SLN and the MI5 link to the MI6 overseas network; as well as the strategic liaisons that the FCO has with other nation states. In addition, there are links with the FATF, SAG, ICE, the FBI, UNODC and the UN itself (Appendix 11.4) (Great Britain, Home Office 2011 – A15, Great Britain, Parliament, House of Lords 2011 – A15, Cyprus Police 2012 – A10, Europol 2014 – A10, FTI 2014 – A10, Interpol 2014 – A10, Levi and Gilmore 2012, NCA 2014 – A10).

The link to the UN is by way of the FCO who are the UK point of contact for the UN PoA SALW. As previously evidenced the UN PoA SALW is too FCO biased and should be incorporated more into the work of the other UK nodes in the *Network* (Golding and McClory's 2008). The European Commission emphasise the importance of the UN PoA SALW alongside EFE intelligence in their proposal for changes in European legislation and policy (European Commission 2013 - A15) and it is a tool that should be embraced more by the UK nodes.

As stated by *Billy* the fact that the UN PoA SALW is not embraced more is because different UK nodes are not yet fully sighted on all the wider global and transnational strategic action to reduce the supply of firearms. *Billy* is striving to gain that wider understanding to incorporate more knowledge within the *Network* in order to deal with the threat to the UK from the illicit firearms market. This enthusiasm to expand the work of the *Network* is further evidence of Bowling and Sheptycki's (2012) subculture of police officers and police staff working across nation state boundaries, but it is evidence that they are doing it for the sake of the nation state through glocal policing. They are the *'willing and able'* (Heeres 2012, p120). They are not doing it to construct a global police state or for their own ends. It is therefore important to understand more of the subculture of the *Network* by drawing out more evidence of how the people work together and how they use the tools from late modernity to facilitate the *Network* and its nodes. This will be discussed in chapter 8.

The strength of the TRB as a UK nation state anchor node suggests that Bowling and Sheptycki's (2012) claim that '*transnational policing is no longer anchored by national sovereignty*' (p129) is not the case with the *Network*. Through its links to other nodes in the *Network*, the TRB co-ordinates and governs UK transnational activity. The policing of the BBM was a good example of glocal policing of a glocal problem using transnational policing that was governed and co-ordinated from a UK base by the forerunner of the TRB.

A SLN officer (part of SOCA's global resource) together with the DTI representative, operating with the approval of the local Italian police on the BBM problem, proved to be evidence of Bowling and Sheptycki's (2012) policing diplomats using problem solving methods. They also represent Deflem's (2002) policeization bureaucrats. They engaged in transnational policing activity at the direction of one nation state policing node with the approval of the police in another nation state. The SLN did not take it on their own initiative to control the activities of people in another nation state. UK nation state policing was developed on a co-operative transnational basis and it involved the pluralisation of the DTI into transnational policing.

SLN officers are ILOs and in relation to the *Network* they operate in the best interests of the UK nation state to police the *firearms threat* based on reliable intelligence and resulting knowledge, which identifies a real risk. They are not contributing to Bigo's (2000, p81) *'(in)security'* as part of securitisation and neither are they, or other ILOs in the *Network,* creating work and elevating the risk to justify their existence (Ericson and Haggerty 1997, Bigo 2000). It is evidence of the police using a symbiotic relationship with other nodes in the *Network* to transcend national boundaries, but they are doing that to police a real *firearms threat* rather than a perceived risk of a *firearms threat*.

The NCA DG describes the overseas network as a valuable asset that the NCA has inherited from SOCA. As alluded to by *Billy*, that liaison network should have completed work started by SOCA with the SLN and under the control of the TRB, on a firearms threat to various European nation states, including the UK. The solving of the problem once again involved ILOs working diplomatically

with the manufacturers and the government of the nation state concerned. As well as further evidence of Bowling and Sheptycki's (2012) problem solving diplomats and Deflem's (2002) police bureaucrats those ILOs also appear to be part of a *'willing and able'* culture necessary for good glocal policing practice (Heeres 2012, p120). That culture will be discussed in more detail in chapter 8. Clearly though, the ILOs are working operationally independent of nation state politicians but not independently of their UK policing node.

All the UK nation state nodes in the *Network* that have a transnational function are secured within the nation state by their own policies and by other nodes in the *Network*. The NCA is one such node, as discussed in chapter 6, the NCA DG makes a strong case to the public, police audiences and government representatives that the NCA is a glocal crime fighting agency, which will provide support to UK Chief Constables and make good use of the overseas liaison network.

Another UK based transnational node in the *Network* is the FCO. Although the FCO is part of the civil service bureaucracy it does have some policing functions. Like the DTI, the FCO is part of what is a more pluralistic element of the *Network* and transnational policing in general. That pluralistic form of transnational policing involves nodes that do not have policing as a core function. They are public rather than private. They do not employ many, if any sworn police officers, other than as advisors or security experts, but such nodes are involved in some form of social control in direct partnership with the public police or through nodal links with them. According to the findings the FCO do not fully engage in the *Network*. As previously evidenced by Golding and McClory (2008) the evidence gathered for this thesis shows the FCO appear to want to keep control of responses to the requirements of the UN PoA SALW without engaging more widely with UK police.

The UN PoA SALW does not have the same influence as other UN protocols, such as the one to deal with conflict diamonds (Jojarth 2009). Nevertheless, there are member states within the UN, including the UK, who are willing to engage with the UN PoA SALW and all have similar objectives to those in the PoA. Therefore, there is a need for all nodes in the *Network*, including the FCO, to feedback to the UN all work that is taking place towards achieving the PoA.

Such feedback is requested by the UN who task actions through the PoA. This appears to be contrary to the thesis that policing is anchored within the nation state. However, it must be remembered that the UN PoA SALW was drawn up by a network of member states and NGOs in the first place (Jojarth 2009) and the PoA is regularly reviewed by nation states. In fact, according to *Alex*, UK *Network* participants, other than FCO participants, have recently been invited to take part in that review process. The UN do not undermine the UK nation state, they can highlight the contribution made by the nation state to the development and implementation of the UN PoA SALW.

As already shown, the Home Office are a key node within the *Network*. Although they appear to liaise with the FCO on some aspects of the *firearms threat*, they naturally have more influence than the FCO because one of the Home Office core functions is the support of policing in the UK. More liaison between the Home Office and the FCO on the response to the *firearms threat* would enhance the contribution made by UK police and the *Network* towards the implementation of the UN PoA SALW.

The Home Office seek out best practice on policing and use current and former police officers to work alongside civil servants to do that. The research of best practice is based on need and the findings show that the Home Office set up NABIP based on an identified need by ACPO. There was a need to adapt to be one step ahead of the criminals (Kenny 2008) by centralising the gathering and dissemination of intelligence to enable co-ordinated action to deal with the *firearms threat*. As previously stated, in my experience, in 1999 the UK police did not understand the details of the *firearm threat* or what the illicit firearms market looked like. Now, UK police are organised in such a way that they are one step ahead of the criminals in dealing with the *firearms threat*. They clearly understand the threat and SCP methods for dealing with the threat. They are also proactive in seeking out new trends that police activity, SCP and competitive adaptation lead to. They do this as standalone nodes and through the *Network*.

NABIP led to the formation of NABIS based on research in other nation states. That research led to the introduction of the IBIS technology into the UK and to FTI becoming an active node within the *Network*. FTI involvement suggests a

reconstruction of policing towards a plural mix of public and private providers identified by Bayley and Shearing (2001). This time, the pluralisation and potential reconstruction is at the transnational level. However, the findings show that FTI facilitate policing rather than provide it. Even when they formed an official partnership with Interpol, it was to provide IBIS at a transnational level for the benefit of member nation states who were also involved in the governance of the project. It is the public police that choose to use FTI products and they have gained access to the product through globalisation. Therefore, what is in fact taking place with the involvement of FTI is evidence of another aspect of glocal policing. The public police in the nation state identified a local problem and went out into the global market to obtain a product that helped them deal with the problem locally.

The pluralisation in transnational policing evidenced within the *Network* tends to be amongst public organisations that form the nodes in the *Network*. FTI is the only private provider node within the *Network*. Whilst individual nodes might engage with the private commercial sector to provide some policing services locally, there is no evidence in the findings to suggest that pluralisation with the private sector has extended transnationally to shape the *Network*. Rather, the *Network* acts as a conduit for the local to the global and generally facilitates the glocal reconstruction through transnational policing developed from the nation state. That transnational policing includes some pluralisation of policing with other UK Government organisations rather than private ones. There is no transnational or glocal multilateralization through the *Network* contrary to Bayley and Shearing's (2001) prediction that multilateralization was leading to privatisation at all levels of policing.

The facilitation of the glocal reconstruction by way of transnational policing developed from the nation state is further enhanced by the nodes that exist in the *Network* that are outside the nation state. Even though such nodes are outside the nation state they are still secured within the nation state because each member of the node will only agree action if it conforms to the law, policy and procedure in their own nation state. Such nodes are generally missed by the literature but they are influential. They tend to drive the work of regional

nodes from the bottom up. Therefore, regional nodes such as Europol are driven by nation states.

EFE is one such node that influences the work of Europol and it has been missed by the literature. Through the EFE, nation states, including the UK, co-operate and agree action to deal with common nation state threats from the criminal use and supply of firearms. The EFE is a node with members working on a day to day basis in their own nation state but travelling to other nation states to discuss and solve common problems. It is further evidence of Deflem's (2002) policeization and ILOs working on reliable intelligence to develop nation state policing to deal with a real *firearms threat*.

The EC consider the threat from firearms to be a priority in line with the UN PoA SALW and they also highlight the importance of EFE. The EU consider EFE as the operational experts on facilitating action on the threat from firearms across EU member states. In addition, they have relied on EFE's intelligence gathering expertise to make firearms one of nine EU policing priorities for 2014 to 2017. Those priorities should be adopted in full by Europol and recent information from *Geri* suggests that they have; in particular the criminal use and supply of firearms is a priority in itself, for Europol, rather than a cross cutting issue.

Existing nodes from other nation states have also been brought into the *Network* through Deflem's (2002) policeization. As with EFE, it involves democratic nation states with police who have operational independence from the government. It is also part of a glocal philosophy of the police in the UK nation state taking advantage of what is being offered transnationally, if not globally, to deal with a local problem. The involvement of ATF within the *Network* started with an ILO presenting at a European conference attended by EFE members. UK nation state police officers working as ILOs were proactive in bringing the ATF node into the *Network.* This could have been ILOs justifying their existence but it led to another glocal problem being dealt with by transnational reactive, then proactive, investigation.

As well as showing that the *Network* has developed at the transnational level by way of further competitive adaptation, this chapter shows that, even at the transnational level, the *Network* remains anchored in the UK nation state. The

different transnational investigations, together with the intelligence and knowledge gathering, enhancement and sharing, through the *Network,* are part of a wider glocal process where the police consider the global when dealing with the local impact. They do that by the way they examine the threat, by studying the impact that the global has on local firearms crime. This then drives the police to consider what policing services and products are available from a global market that can have an impact on the glocal crime.

There is also an emerging trend of willing and able policing bureaucrats operating at the transnational level that will be examined in more detail in chapter 8. As with the key UK nation state nodes in the Network, the transnational nodes are not clearly articulated in the existing literature. However, the findings from the nodal analysis presented in this chapter explains them in detail, from the key UK nation state *Network* nodes fostering transnational relationships to the *Network* nodes from outside the UK nation state. Those nodes develop UK nation state policing. They do not control it from the outside.

Chapter 8 - The People and *'The Tools of Late Modernity'* that facilitate the *Network*

8.1 Introducing the Late Modern Cops and the Tools They Use

The tools developed during late modernity facilitate globalisation[97] and they facilitate the driving of the *Network* together with a generation of late modern police officers and staff. Such 'late modern cops' make best use of those tools to deal with the *firearms threat.* They are motivated by positive aspects of police culture, a culture which is not always seen as positive (Paoline et al 2006, Bowling and Sheptycki 2012). However, Glosmeth, Gottschalk and Soli-Saether (2007) identify a teamwork culture that impacts positively on the investigation of crime and that teamwork is evident within the *Network*. The participants are focused on the aim of dealing with the *firearms threat* whilst at the same time wanting to be the best and do their best for victims.

Not only does the teamwork culture deliver good glocal policing (Heeres 2012), it also contributes to the UK nation state *Network* participants being convinced, and indeed convincing those in the UK community, that they police by consent and there is a moral justification for their actions. Therefore, it is legitimate policing (Bottoms and Tankebe 2012) and by extension, the *Network* is legitimate.

I (and other participants in the research) were late modern cops who grew up with the fast developing tools from late modernity, including easier and faster travel between nation states, the use of computers and other technological advances (Levi 2007). I joined the police force in 1979, at the beginning of late modernity, when Margret Thatcher and Ronald Regan's neo-liberalist individual responsibility contributed to a reorganisation of the workplace into a more flexible entity[98].

As stated in chapter 3.3, my standpoint epistemology is that I have been *'part of the scene'* (Sugden and Tomlinson 1999, p390) as a police officer and I can

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[97] *'The tools of late modernity'* (Levi 2007, p775) include the internet, air travel and global financial services (Levi 2007). Such tools facilitate increased connectivity between nation states, which is known as globalisation (Held and McGrew 2003).

[98] That entity embraced global consumerism through faster travel and instant access to technology to create a society managed through an emphasis on risk (Hudson 2003).

relate my own experiences of the *Network* and empathise with the professional ethics and integrity of those taking part in it. I did not carry out any academic research whilst I was on the inside. However, I retired as a Detective Inspector in 2009 to become an academic researcher and can still recall my experiences. Even though the most honest witness can be mistaken in their recollections (BBC 2015 – A10), all incidents I have dealt with are recorded in pocket note books, case notes, policy books and court files. My experiences are used, to a greater extent, as data in this chapter, alongside the interview data and OSINT data, to draw out positive aspects of police culture among the late modern cops in the *Network*.

When I joined the police, computers were not in general use but, as late modernity developed, I first used computers for police work in 1984 when HOLMES 1 was implemented by Derbyshire Constabulary. Today, computers, the internet and other IT are in everyday general use by the police, using hand held portable wireless computers to access and upload information and intelligence (Heaton and Garicano 2007). Long distance travel by police officers was also rare in 1979. RCS Officers had the best available cars and radios and travelled across UK force borders to investigate criminal activity, but rarely flew to the other side of the world to conduct investigations.

The RCS have become the NCA with ILOs permanently stationed in most parts of the world (Bowling and Sheptycki 2012). Other *Network* participants also regularly fly to different parts of the world to access computer databases and develop links with police staff in other nation states, in order to gather, disseminate and action intelligence on the *firearms threat*. They also build and have access to computer systems from different nation states that give instant results on firearms intelligence locally at police stations in the UK. As *Jordan* said:

> *"Interpol have got an international server for the ballistic equipment we use, the IBIS Server …* (it) *allows us to do cross-national checks on an intelligence led basis with other countries…Saves countries running things through individual servers so there is a technological advance which Interpol are driving."*

This chapter will show that late modern cops in the *Network* make the best use of the tools available to them. Their aim is to manage the *firearms threat* using the best available resources. That clear aim formulates a positive team culture underpinned by a motivation to do their best for victims of firearms crime and to be the best at what they do in order to prevent others becoming victims.

8.2 Late Modern Cops

Many of the *Network* participants are late modern police officers or staff, who have worked in policing since the late 1970s – early 1980s and are either warranted officers or they are employed by a LEA to support public police functions. They have all embraced the use of late modern tools to develop the *Network*. They are motivated by a positive aspect of police culture to seek out best practice to deal with the *firearms threat* and that motivation has led to them embracing tools and technology to enable this. Therefore, as alluded to by Kelly (2008) with her network boundary agents and Block (2008, p185) with his *'fixers'* and conceptualised with Deflem's (2002) policeization, it is people who facilitate the *Network*. As *Chris* said:

> *"...part of the ACPO Strategic Review of Firearms, the on-going work in collaboration with ACPO CUF and the Home Office Police and Crime Standards Directorate remit* (was) *to seek out good practice. Attention was focused on developing contacts within countries making significant use of IBIS technology or other major involvement with gun crime issues."*

UK police officers and staff were therefore motivated individually and by other officers and staff to seek out the best technology from their own and other nation states to deal with the *firearms threat*. They set up NABIS, using *IBIS* technology, which they bought from a private commercial company in another nation state (Canada's FTI) after seeing it work effectively in yet another nation state (the US). Other *Network* participants confirm the same motivation to search for best practice to bring technology to the UK or to use technology available in other nation states operated by those nation states or by nodes within the *Network*.

Jordan states:

"I suppose the other element about European working that we do engage (is in) *Lyon. Interpol have an international server for the ballistic equipment.* (NABIS) *use the IBIS Server which allows us to do cross-national checks on an intelligence led basis with other countries."*

Alex talks about officers visiting Washington, after the MOU was agreed with the ATF liaison officer, to improve best practice in firearms tracing; although interestingly, *Alex* states the US system of tracing is not as technologically advanced as would be expected in the late modern age[99]:

"(From) *that visit to Washington we learnt a huge amount. Straw purchase networks were completely new to us and it is a problem they have a massive issue with...The other thing that we learnt ...there is no central database for firearms tracing in the US, it is constitutionally unlawful. So all records in relation to firearms purchases are held in paper format at the registered firearms dealer that you buy the weapon from...the only bit that you are able to electronically understand is, where the weapon was made and where it was first shipped. "*

As discussed in the nodal analysis, *Geri* talks about the MOU to gain access to the US e-trace firearms tracing system used by the ATF. An ATF ILO offered access to the e-trace system to improve best practice in firearms tracing. Enabling other nation states to have direct access to US systems to trace illicit firearms suspected to have originated from the US.

Geri states that NABIS staff:

"Took the ATF attaché up on the offer and drew up an MOU meaning that NABIS (on behalf of UK LEA's) *had direct access to e-trace. The UK was the only country to take up the offer. Direct access was arranged for intelligence purposes only and the MOU is only a policy document governing access rather than a legally binding document. But any hits*

[99] Foley (2013 – E30) confirms that, although it works, e-trace is mostly a manual system. He quotes the ATF's Chief Investigating Officer in suggesting e-trace should be updated with a *'modern imaging system'* to make it more efficient.

resulting from the direct access can be put on a legal footing by sending a request via SOCA to lawfully gather evidence[100]*."*

Jean emphasises that it is people who make changes, individually and collectively; in particular nodal leaders. *Jean's* assessment is that:

> *"There is a network of interested parties in the UK firearms trade and the policing of the legal and illegal aspects of it. They include law enforcement, research and development, business and intelligence. Many are not empowered to order action nationally but they have a strong influence. This includes ACPO ...when ten Chief Constables get together in a room and agree a course of action nationally it tends to happen even though we do not have a national police force. Therefore, organisations such as ACPO CUF drive the gathering of intelligence to obtain a national picture of what is happening. MI5 build a picture and form the basis of a national police force, however; they do not have executive powers so they have to go to the police to enforce the law. MI6 are off shore but there tends to be some organisational confusion when overseas activity crosses over to activity within the UK and vice versa. They are all gradually coming together to drive intelligence gathering at home and abroad. They are much more able to do this through advances in technology."*

Billy also emphasises the 'we' in reference to people making up nodes in the *Network* and improving the way the *Network* operates[101]. Therefore, as shown

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[100] Evidence gathered from overseas is by way of mutual legal assistance (MLA) (Great Britain, Home Office (2014). Such legal documents are beyond the scope of this thesis and the participants are silent on the subject which tends to suggest that, as I did as an SIO, they rely on the legal expertise of others. Although if they are anything like me and other SIOs such reliance was accompanied by close questioning of the experts to confirm their action was correct . MLAs are also there to protect nation state interests as well as aiding transnational investigation (Author's note).

[101] *Billy* states, *"...I think the bulk of our focus should and needs to be ...here ..but actually there's that upstream stuff about how* ***we*** *work and because* ***we*** *now understand what that firearms picture looks like here. The strategic work is increasingly up and out and that's the work of the Threat Reduction Board. Forces and other Law Enforcement Agencies deal with what's happening on the street and within their Organised Crime Networks. ...The Threat Reduction Board actually looks up and out so all our strategic pieces of work are around 'How do* ***we*** *make ...the capability to import unlawful firearms...that much harder, make us much more resilient and make weapons that are in this country or being brought into this country, much harder from getting into the criminal chain?'*

(Their) *terms of reference will say something slightly different than that but I think actually that's probably what it does and I think increasingly as* ***we*** *get better connected and I think Interpol and Europol add more value as* ***we*** *get better connected. So I think I have seen that picture shift and change so it influences but equally* ***we*** *drive some of what they do as well, its very much a two way thing, the more* ***we*** *give them the more we get back, the more so its a sort of a virtuous (conforming to moral and ethical principles) relationship in that way because if* ***we*** *say* ***we*** *don't get anything out of them its because* ***we*** *don't put anything in and* ***we*** *don't ask."*

by Deflem (2002), the *Network* participants from the UK evidence that they are bureaucrats, anchored in the nation state, operating independently from the government but under the direction of other UK nodes. Those nodes include UK nation state government participants providing a form of government steering identified by Bayley and Shearing (2001). Such steering is quite influential in respect of the Home Office participating and hosting the TRB. Hence, the police actors do not distance themselves from the government actors other than in relation to their operational independence. When delivering operational policing through the *Network* either strategically or at street level the police actors evidence professional team working cultures of the willing and able, promoted by Heeres (2012), rather than limited aspirations. Such limited aspirations were found by Lipsky (1983) in some street level bureaucrats when emphasising that those in public service interpret bureaucratic objectives in their own way.

The UK *Network* participants work practically on a transnational basis to deal with a threat to the nation state (Deflem 2002). They embrace the tools from late modernity in the same way that Levi's (2007) transnational organised criminals do. The late modern cops of the *Network* also work as Bowling and Sheptycki's (2012) ILOs, in the form of technicians, diplomats, entrepreneurs, public relations experts and field operatives solving problems for their own nation state rather than being told what to do by their political masters, by a global police state or police bureaucrats from a different nation state. UK police officers and staff in the *Network* are not influenced from the outside, unless it is a case of using practical intelligence obtained by outsiders that helps them deal with a threat to the UK nation state.

Bowling and Sheptyki's (2012) subcultures also exist within the *Network* in the form of a *'transnational subculture of policing'* (p84). Generally, police culture is viewed as negative in that it can lead to *'disastrous and costly'* consequences such as the failed investigation into the murder of Stephen Lawrence (Heidesohn 2008, p645). However, there is a clear sense of mission (Reiner 2010, Bowling and Sheptycki 2012) within the *Network*. It is a positive sense of mission that is part of an overall positive aspect of the culture of late modern cops wanting to get the job done in an ethical way in order to deal with a threat to UK citizens. There is also evidence within the *Network* of how and why that is

done. It is more than just the mission game and moral justification of good versus evil (Reiner 2010, Bowling and Sheptyki 2012). It is about understanding the impact on the victim and understanding the need to bring offenders to justice by undertaking comprehensive ethical investigations to ensure the victims receive the justice they deserve. In doing that, the investigation still has to be impartial and the approach to the victim has to be balanced so that impartiality is not compromised. The human rights of suspects and accused are just as important as those of the victim and they must be preserved to prevent any miscarriages of justice (Kennedy 2004).

Late modern cops have moved on from having the feeling of being the *'elite pariah class'* identified by Rumbaut and Bittner (1979, p254) as a coping mechanism for the police. Instead, there is, in my experience from supervising and observing police officers in the course of my career, a sense that they want to work in partnership with the victim and their communities to bring offenders to justice. That philosophy was there with the staff working on Operation Barker (see chapter 5.3) and with staff working on other gun crime operations, such as Operation Trident. I supervised Operation Barker staff and briefed Operation Trident staff and police in other forces on intelligence originating from Operation Barker. In most cases, the police officers I briefed showed a willingness to act on reliable, well-sourced intelligence and the results they produced showed they were also able, in line with Heeres (2012, p120) *'willing and able'* culture. Knowing the impact that gun crime has on victims, their families and the wider community the police officers I briefed brought offenders to justice and reduced the supply of illicit firearms.

There are examples of where the determination to bring offenders to justice can lead to miscarriages of justice and, as already stated, investigations must be impartial (Kennedy 2004). There are also some police officers who still appear to be sceptical and, as evidenced by *Billy* (p134 herein), some are still more willing than others:

> *"... when we tried to pull people together* (for Operation Barker) *it was about coalitions of the willing, I have to say constitutionally we are still in the same place.."*

However, in the main late modern cops who I have worked with on Operation Barker and in other serious crime investigations are a willing group. Also, as previously evidenced in respect of *Billy's* and *Jean's* frustrations about the priorities of other nodes (p139 and p168 herein), the unwillingness of others to act can be down to them having other more pressing priorities, which they do not always articulate. Therefore, whilst the existence of a willing and able culture requires further research, late modern cops working in the *Network* do appear, in the main, to be part of such a culture, which, as stated by Heeres (2012), is necessary to improve policing.

Ethical investigations come with the adherence to UK law, policy and procedure by individuals operating in the *Network*, which therefore moors what they do on a transnational basis to the UK nation state. The drive to get the job done is the *firearms threat* and behind that is a culture of determination to want to do the best for the victims; to do a good job without taking short cuts. I have, on more than one occasion, witnessed the impact of the use of a firearm, including a man apparently picked at random by two criminals and shot twice in the back of the head. Also, a woman shot dead, at point blank range in the face, on her doorstep, by her boyfriend who then killed himself by shooting himself in the head.

Having spoken to the victims' families and witnessed the terrible injuries caused by the firearms I was determined to bring any offenders to justice on behalf of the victims and their families. That means bringing to justice, not only those who use the firearms but those who supply them unlawfully. I have also seen cases fail at court because they have not been investigated ethically and thoroughly, resulting in further anxiety for victims. This made me all the more determined to do the job properly and maintain the integrity of any investigation.

There is a wide belief among police officers that they are there to provide a good service in all areas and levels of policing, not just in the investigation of firearms. This is reflected in aims and objectives in various police documents such as the quote given below from the objectives of one Metropolitan Police borough:

> *"To provide the best possible service to all members of our community who require our services, whether that be as a victim of crime, because of an accident or personal crisis or simply for advice. Our aim is to provide you with the same level of service, as we would expect for ourselves."* (Met Police 2015 – A10).

And, whilst not all UK police officers believe the police service as a whole provide a good service, a recent survey of Metropolitan Police officers found that the majority want to provide a good service. In relation to their local team, eight out of ten police officers stated that they *'take pride in delivering a quality service'* and six out of ten stated they were *'clear about their priorities'* (Dodd 2015 – B30, Met Police 2015a – A31).

Serving police officers and police staff still regularly complain about a lack of resources, general poor moral and potential cuts due to austerity measures. This is reflected in staff surveys, for example one by the Metropolitan Police with results that indicated 51% overall satisfaction with the force and only 42% feeling motivated to work (Met Police 2015a – A31). This is balanced, in the survey, against the positives of taking pride in delivering a quality service and my own experience of officers and police staff, connected with firearms investigations, appreciating bringing an investigation to a successful conclusion. Such findings show that there is a need for more qualitative research interviews and observation of police officers and police staff to understand the current cultures, how and where they exist and how positive aspects of police culture can be harnessed to improve policing.

The Chair of Hampshire Police Federation, representing rank and file officers[102], answered questions on the fact that academia dwells on the negative police cultures by saying:

> *"We ought to focus just as much on the positive as the negative. We joined the police to provide a good service for those we police"* (Apter 2014 - A10).

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[102] Officers of Constable, Sergeant and Inspector rank.

Network participants also have a philosophy of wanting to do the best for firearms victims. Whilst still a police officer, I witnessed a presentation by *Alex* on the need to improve firearms investigation. *Alex* put the victim first and showed pictures of all those killed by the use of firearms in the UK in recent years. *Alex* emphasised the need to be effective in managing the *firearms threat* on behalf of those victims and their families and to prevent more people becoming victims.

The determination to seek justice for victims and reduce victims, by way of thorough ethical investigation, is not a universal motivation among police officers and that is evidenced by the literature on police culture (Chan 1996). Other nodes within the *Network,* including MI5, are also striving to promote an ethical culture and align it with the investigation of terrorists who are brutal to their victims[103]. They are doing that against a backdrop of allegations that some MI5 officers were involved in a culture that utilised intelligence obtained by way of torture (Great Britain, Parliament, House of Commons 2007 – A25, Great Britain, Parliament, Houses of Lords and Commons 2009 – A25). Elsewhere in the *Network* there is a clear willingness to make things happen with nodes coming together to drive initiatives, as with EFE.

However, the evidence from the literature cannot be ignored. Although there are differences of opinion on police culture, negative police culture does exist and it leads to negative outcomes such as poor investigations (Westmarland 2008). Even though there is a call to focus on the positives and a general willingness to work for the victim, the hard lessons learnt from failed domestic abuse and murder investigations still need to be embedded into the police metis. Police need to understand all aspects of domestic abuse. Policies, procedures and training need to be in place for the police to respond more effectively to victims[104] (Hill 2011 – B30). Grieve (2008) states the lessons from the inquiries

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[103] *" I won't dignify the group with its self-adopted propaganda label 'Islamic State'. Scholars have rightly pointed out that it is neither 'Islamic', nor is it a state. Its true nature is visible to all from its visceral brutality – including the murder of hostages – and its indulgence of the very worst imaginable forms of treatment of other human beings...MI5 is made up of men and women who only joined to do the organisation's work in a proper and ethical way and who only stay because that is the sort of organisation we are committed to remaining"* (Parker 2015 - A10).

[104] IPCC Commissioner, Amerdeep Somal is quoted as saying of Nottinghamshire Police, *"In* (the case of Casey Brittle who was murdered after suffering continual domestic violence), *it is clear that a number of officers failed to perform to the level expected of them and basic actions that may have helped others see the full picture of (Brittle's) suffering were not completed. However, it is clear that beside the failings of individual officers, Casey was significantly let down by systemic failures within Nottinghamshire Police"* (Hill 2011).

into the murder of Stephen Lawrence and others still need to be high on the police training agenda and a report commissioned ten years after the original Macpherson Report on the murder confirms this. Many of Macpherson's original recommendations have been acted on. However, the report concluded that in order to prevent a negative impact on community relations more needs to be done to reduce the imbalance of black and ethnic minorities subjected to stop and search by the police. Also, more needs to be done to recruit and retain black and ethnic minority police officers (Great Britain, Parliament, House of Commons 2009 – A25).

The report by the Home Affairs Select Committee ten years after the original Macpherson Report also comments on some positive improvements in police culture. The report concludes that:

> *"Police leaders have shown a clear commitment to increasing awareness of race as an issue throughout the service"* (Great Britain, Parliament, House of Commons 2009 – A25, p7).

In addition, the report highlights the use of appropriately trained family liaison officers for critical incidents:

> *"Police witnesses cited this as key to improving homicide detection rates, which currently stand at 90%, the highest of any large city in the world"* (Great Britain, Parliament, House of Commons 2009 – A25, p3).

The evidence of the positive aspects of police culture are shown, in this thesis, to exist within investigatory teams, particularly those that deal with serious and organised crime (Glomseth, Gottschalk and Soli-Saether 2007). This is probably because such teams have been singled out for being responsible for high profile miscarriages of justice and failed investigations. Therefore, investigatory teams needed to be the first to change.

Whilst much is known about the culture of general police work, including the investigation of homicide, little is known about specialist investigation teams (Manning 2007). This thesis has examined specialists in firearms crime who use and disseminate intelligence to support the investigation of the *firearms threat.* As a result, it has been found that people from individual nation states come

together as a team to facilitate the workings of the *Network* and they and other specialists they work alongside have a positive outlook. It also appears that, contrary to much of the literature on police culture which leaves a negative imprint (Campeau 2015), there are positive aspects of police culture that can be found in general policing. This confirms Chan's (1996) assertion that police culture is diverse and differs throughout policing. The study of the *Network* demonstrates the culture is not always negative but further research is required to show how widespread the positive aspects of police culture are.

Overall, the people, their cultures and the culture in which they work impact on how the *Network* operates. A positive police culture leads to the sharing of knowledge and results in offences being detected, offenders being brought to justice and victims being supported (Glomseth, Gottschalk and Solli-Saether 2007). The people in the *Network* are late modern in character and as such have adapted to globalisation to be willing to embrace change so far as it assists in dealing with the problem of the *firearms threat*. Some police appear to be more willing than others, but there is no evidence of a negative police culture in the *Network*, which could be '*disastrous and costly*' to the police organisation (Heidenshon 2008, p645). In fact, there is clear evidence of positive aspects of police culture such as the team culture and if that culture is understood and enhanced it can be used to bring about positive changes in policing (Heeres 2012).

8.3 '*Tools of Late Modernity*' that facilitate the *Network*

There is a need for fast time intelligence to police the *firearms threat*. This leads people in the *Network* to search for best practice and embrace late modern tools. In particular they embrace technology, which in turn facilitates the operation of the *Network*. *Jordan* stresses the importance of fast time intelligence to NABIS and states that it is:

> *"a core driver of NABIS".*

Jordan then moves on to describe some key IT that is used to gather, analyse and disseminate intelligence. *Geri* also talks of ballistic intelligence being linked with other intelligence using the NABIS database. In addition *Chris* explains that ACPO undertook a:

"Strategic Review of Firearms, (as part of) *on going work in collaboration with ACPO CUF and the Home Office Police and Crime Standards Directorate remit to seek out good practice.* (In doing so) *attention was focused on developing contacts within countries making significant use of IBIS technology. "*

IBIS[105] is operated alongside the NABIS database, which is used to log and manage the recovery, movement and forensic examination of ballistic items and firearms recovered by police forces, other LEAs in the UK and the UK military. The NABIS database can also be used to log information from crime scenes and about people, objects, other locations and events (ACPO 2011 - A15). NABIS intelligence staff and forensic scientists also have access to the Interpol server based in Lyon, France. The Interpol server is known as IBIN and it is a platform for logging and comparing ballistics information from recoveries by member countries. UK scientists helped to build the server and contribute to best practice on sharing ballistic data via IBIN (Interpol 2012 - A10, Interpol 2012a - A15).

Although UK police and LEAs contribute to IBIN via NABIS and the contribution helps facilitate the *Network*, no links have yet been established between the UK and ballistics or firearms recoveries in other nation states. As stated by *Alex*:

"NABIS staff can research the Interpol server without reference to the originating countries and any hits have to be fully evidenced in accordance with the laws and procedures of the countries involved. This has to be done via the SLN.....Scandinavian countries have had their IBIS systems linked for years but have never had a single crossover and (the UK) *have run the IBIS system through Interpol for the last 18 months. They've got five* (member) *countries on there so far and we've never had a single crossover."*

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[105] IBIS technology was developed in Canada (FTI 2014 - A10) and is a 3D system, which automatically links bullets and cartridge cases to crime scenes and recovered firearms (ACPO 2011 - A15). It is used by several police forces and LEAs around the world (FTI 2014 - A10) and in the UK it is operated by forensic scientists working for NABIS out of four forensic science hubs located in Birmingham, Manchester, London and Glasgow. The work of the forensic scientists at the NABIS hubs is also backed up by the use of up to date optical microscopes, forensic workshops and ranges for the test firing of recovered firearms. Those scientists also have access to firearms reference collections and other forensic techniques such as fingerprint enhancement and DNA profiling (ACPO 2011 - A15).

The evidence provided by *Alex* shows that the Interpol server adds to the knowledge that the criminal use and supply of firearms in itself is more nation state orientated than transnational at the point of delivery[106]. The transnational aspects of it tend to be orientated towards the legal side of the trade where criminals exploit the legal movement of firearms across nation state borders to divert them on to the illegal market and sale to end users for criminal use within nation states. Again this is evidence of the criminogenic nature of the firearms trade (Rothe and Collins 2010).

Alex also evidences the continued importance of UK nation "*state laws and procedure*" and the need to "*fully evidence*" any intelligence gained from IBIS through the correct SLN channels. This means that the system is governed by UK nation state law and policy and any evidence obtained from IBIS will be tested in the UK courts. Rules of disclosure ensure that all intelligence that leads to the gathering of evidence is subject to testing in court before the Judge sitting alone or with a Jury. Therefore, all information and intelligence gathered, disseminated and analysed by the *Network* using IT, which leads to the gathering of evidence to bring anyone to trial in the UK is governed by UK law, policy and procedure.

Even where the information or intelligence does not lead to the gathering of evidence to put individuals before the court; the gathering, dissemination, analysis and storage of that information and intelligence is governed by UK law such as RIPA and it is monitored by UK Surveillance Commissioners (Great Britain 2000 – A10). Therefore, MacVean's (2008) assertion that accountability for intelligence and its governance is somewhat obscure is not quite the case. There is, however, room for further improvement of accountability and governance and with the proposed professionalisation of police intelligence gathering along the lines of professionalisation of police investigation (Paterson 2014 – A10) there is scope for the establishment of further governance.

By embracing IT, the *Network* aims to be one step ahead of those involved in the criminal use and supply of firearms. However, the fact that the use of the IT and the subsequent intelligence from it is closely governed by the UK nation

[106] Although recent transnational activity between Belgium and France tends to suggest this is not the case in some mainland nation states in Europe (Papirblat 2015 – E40, Moftah 2015 – E40 and Waterfield 2015 – B30).

state means that the police and other LEAs are not at liberty to use IT as they wish. Unlike the criminals, who are not restricted in the use and acquisition of IT. They can obtain the best equipment and use it as they want to gain advantage over the police (Kenny 2008).

There are however, some useful outcomes from the use of late modern tools which help build a better understanding of the *firearms threat*. For example, the use of forensic examination of ballistic material supported by IT such as IBIS can lead scientists and intelligence officers to infer the existence of firearms that have not been recovered from offenders. *Alex* uses the example of inferred firearms[107] to show that the US is not always the place to go to find best practice and sometimes they are interested in UK techniques:

> *"What I'd say is its great to sit down with people like ATF and talk...or get out of the meeting room and have a few beers and talk about these things and you really get a real sense of what goes on that yes straw purchase networks are a big deal for them. The idea that guns keep getting moved around and used when they have been used in a homicide is completely alien* (to them). *The idea that a firearm could be rented is completely alien, the process of creating inferred firearms is completely alien. ... sometimes* (it is suggested that going) *to America* (to) *learn how they do it* (is best) *where actually its a little bit of the other way round. Come to the UK and see how we do it, because* (ATF) *were fascinated by the idea of inferred firearms and tracking a firearm. Even though you don't physically have possession of it; its out there."*

Therefore, it does not always follow that policy transfer to the UK from the US based on presumed best practice by the US, takes place as it did with policy such as *'zero tolerance'* (Garland 2000). Sometimes, the best practice and as such the best policy is developed by the UK nation state with the support of IT systems first developed in other nation states. That is not to say that policy transfer does not take place. *Alex* also talks about the introduction of a policy first implemented in Canada, where the fact that either partner in a report of

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[107] *'An inferred firearm is created on the NABIS Database to illustrate the presence of a weapon that has been identified from recovered ballistic material however the firearm has yet to be recovered. This information is sent to forces where the inferred firearm has been identified, to enable them to know what firearms are being used in their force area'* (NABIS 2015 – A15).

domestic violence who has a firearm certificate is flagged for immediate review to make sure the firearm(s) held are not likely to be used to commit more serious domestic violence or even murder. Although not necessarily a transnational issue, domestic violence is nevertheless a problem in the UK and the policy is being examined through the *Network* by the FELWG (Great Britain, Parliament, House of Commons 2011 – A15). In addition, *Chris* talks about the involvement of the former head of a US police force being involved in the NABIP, which suggests some level of policy transfer from the US to the UK; particularly around the use of IBIS.

Late modern cops do embrace the use of late modern tools that are spread to different nation states, with ease, by globalisation. However, the late modern cops in the UK make best use of those tools in a way that deals with the threat to the UK nation state. They control what products they choose to use to deal with the threat. Those products are not forced on the late modern cops of the UK. There is a global market of policing products and services ranging from policy to IT and the independent UK late modern cops make careful choices on which product or service to use based on the *firearms threat*. Therefore, they operate glocally.

As argued by Deflem (2002) in relation to democratic police forces, late modern UK cops in the *Network* have the benefit of independence from the political centre. As explained in chapters 6 and 7 the *Network* includes connections to the UK political centre, but that centre steers rather than controls policing and operational police work remains independent. Those late modern cops also have a firm bureaucratic IT infrastructure that allows them to work with the best tools, but obviously that does not follow in every nation state. I had the privilege of supervising a student who is a judicial investigator for the Kurdish region in Iraq. He was researching the possibility of setting up the NABIS system in Iraq and found it was a non-starter because of the lack of an established bureaucratic IT infrastructure in Iraq (Khleed 2012). Therefore, when making higher order comparisons and transferring criminal justice policy that is successful in the UK, the diversity of other nation states must be taken into account together with the power that each nation state wields in promoting the importance and success of their systems (Nelken 2012).

8.4 Summary Discussion on The People and *'The Tools of Late Modernity'* that facilitate the Network

None of the threat awareness, intelligence gathering, evidence gathering or nodal linking to form the *Network,* as a conduit from the local to the glocal and a facilitator of a glocal policing reconstruction, would take place without people and the tools that they have access to. People also facilitate the anchorage of the *Network* in the nation state. Those people have been identified in this thesis as late modern cops and they use late modern tools (Levi 2007) to facilitate the *Network.*

As well as being driven by the *firearms threat,* late modern cops are motivated to facilitate the *Network* by wanting to support and prevent victims of gun crime and to be the best at preventing and detecting firearms crime. There is therefore, evidence of some positive aspects of police culture throughout the *Network* that makes for an overall investigative team work culture, which impacts positively on the investigation of crime, as identified by Glosmeth, Gottschalk and Soli-Saether (2007) in other areas of crime investigation.

Bowling and Sheptycki (2012) talk about transnational police actors (as they refer to them) having a *'sense of mission'* (p82) to achieve results. In achieving their mission those actors can be divided into subcultures labelled as technicians, diplomats, entrepreneurs, public relation experts, legal experts, spies, field operators and enforcers. Whilst the sense of mission is productive, Bowling and Sheptycki (2012) warn that negative police cultures can exist in the way that transnational police actors achieve their mission just as much as they can with groups of police officers acting locally. They cite cultures based on racism and masculinity and are clear in their assessment that there is a lack of governance of transnational police actors because they exist beyond the nation state. They are adamant that it is no longer possible to rely on the law of the land to govern those working transnationally as sovereignty has become *'fluid'* (p97). However, they ignore how and why police have a sense of mission and that the sense of mission can lead to self-governance and positive action based on their collective learning and understanding of how things get done or as Kenny (2008) puts it, their metis.

There is evidence of negative cultures amongst police officers in general (Chan 1996), which will need careful management and strong leadership. However, police officers still like to work as part of a team to bring about positive results and in my experience, the metis of UK late modern cops has developed to include an understanding that if they are to adapt to be ahead of the criminals they need to carryout ethical investigations following correct policy and procedures based on the law of the land. They cannot take short cuts or the investigation will fall down and the criminals who escape conviction will then be ahead.

The UK police metis has therefore developed a strong sense of ethics and it is evidenced by the *Network* participants whose work is transparent. *Network* activity is based on moral, justifiable, proportionate and relevant decision making and, as argued by MacVean and Neyroud (2012, p2), that decision making is based on a subjective judgement of what is right, what is wrong, what is reasonable and what is unreasonable. As evidenced in this chapter, *Network* participants and police officers do have moral principles. The UK police in general are now more transparent and that is evidenced in this thesis with the amount of OSINT that is available on the police, produced by the police. There have been some notable exceptions where police are accused of not being transparent enough (Stevens 2013 – A15), however, generally the UK police are only secretive when it is necessary to protect sources and operational tactics, when the same moral decision making takes place with respect for people, which Kleinig (1990, p3) identifies as necessary in ethical decision making. That includes all people involved in whatever activity takes place, whether it is the victim, the suspect, the police officer or any other person on who the activity impacts. *Network* activity and the decisions made, whether covert or overt, is governed by different nodes in the *Network* and by the law, judicial process and other processes, such as the Surveillance Commissioners (Great Britain 2000 – A10).

Contrary to Bowling and Sheptycki's (2012) assertion about the end of sovereign control of transnational policing, *Network* participants exercise self-discipline and do not act beyond their own or other nation states law, policy and procedure. Late modern cops have what Bottoms and Tankebe (2012) identify

as *'self-belief in their legitimacy'* (p152). Whilst that does not alone guarantee that what they are undertaking is legitimate policing (which includes a two way conversation with those who are policed as well as adherence to a recognised rule of law), it does contribute to the overall legitimacy of the *Network* and a positive aspect of police culture in that it promotes Glosmeth, Gottschalk and Soli-Saether's (2007) team work culture.

The *Network* participants are also governed by other UK nodes in the *Network*, who set parameters and priorities. Such governance from other nodes, together with self-discipline, continues to develop the metis of the late modern cops in the *Network*. That metis has developed in such a way that the evidence from the *Network* is that the predominant subculture that exists transnationally is the problem solving diplomat. This challenges Bowling and Sheptycki (2012) who promote the diplomat as their favoured subculture but see the enforcer as the current dominant subculture.

The diplomatic SLN, and other ILOs identified by the research for this thesis, is supported by ILOs who are technicians, entrepreneurs and public relations experts all working in a positive sense. They are willing and able to adopt glocal policing as the way forward (Heeres 2012) rather than be part of a global police state (Westmarland 2010). Diplomacy has been used to negotiate MOUs with the ATF and to request firearms manufacturers to refrain from exporting their particular product to the UK. There is no evidence of enforcers taking the lead at the transnational level as Bowling and Sheptyki (2012) suggest. In my experience, and as evidenced by *Network* participants and OSINT, enforcement takes place at the local nation state level as a result of the gathering and disseminating of intelligence transnationally and locally.

The findings from the *Network* show that the mission discussed by Bowling and Sheptycki (2012) exists, but it exists in such a way that it is a positive aspect of police culture. The mission is to police the *firearms threat*. As the illicit market which forms part of the threat is, as Hobbs (1998) terms it, glocal, there is a need to engage on a transnational basis as part of a wider glocal policing process to find practical solutions from the global to deal with the local threat. Such engagement is evidence of Deflem's (2002) policeization.

Therefore, the mission to police the *firearms threat* drives the facilitation of the *Network* by late modern cops who in my experience are increasingly ethical[108]. Those late modern cops are motivated to undertake the mission by a determination to want to do their best for the victims. That determination is again the result of collective learning or metis which is drawn from years of experience of dealing with victims and their families and passing on that experience to others. It is also a positive aspect of police culture in itself which leads to other positive outcomes such as seeking out best practice and wanting to be the best at preventing and detecting the criminal use and supply of firearms.

The research for this thesis has not identified any obvious evidence of a negative police culture in the *Network*. There is potential for parochialism, which can arise out of wanting to be the best and making the sovereign state the be all and end all leading to a lack of transnational development. Such parochialism can have the effect of keeping the *Network* secured within the nation state, which would, according to Westmarland (2011), be seen as a positive step by some politicians. However, the stifling of transnational policing would, as evidenced, by *Network* participants, reduce policing opportunities for dealing with the *firearms threat*. It would also make policing clearly nation state based and less likely to achieve the glocal reconstruction, which this thesis supports.

In facilitating the *Network,* the late modern cops make the best use of IT. As a consequence IT also helps to facilitate the *Network* by satisfying its nodal needs for such products as fast time intelligence. IT has been developed by the private sector nodes (FTI) working for themselves and together with *Network* participants to secure, among others, the installation of an information sharing server at Interpol. The *Network* participants who use the IT, such as the Interpol server IBIN, emphasise the need for the governance of the use of such

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[108] It is difficult to measure an increase in ethical values. However, when discussing ethics, MacVean and Neyroud (2012, p3) argue that police are *'increasingly being asked to account not just for the decisions they make, but also for the way they have made them'*. Therefore, there is a need for the police to be increasingly ethical in their decision making. In my experience, in the last 30 years, the UK police have changed the way they think about their decisions and how they record the process. When I first joined the police, my colleagues and I recorded our action in pocket books and detective diaries and SIOs recorded some policy decisions. The record made, tended to be what the action or decision was, rather than how and why a particular decision had been made or a particular action taken, based on what MacVean and Neyroud (2012, p2) argue is a judgement about what is morally right or wrong and what is reasonable or unreasonable. Now police officers, in particular detectives, keep detailed day books and policy books recording more detail about how and why they make particular decisions and those books are regularly examined during cross examination in court. My policy decisions around the use of previous offenders as witnesses were subjected to close examination by the defence team representing the Greenwoods in the Operation Barker case.

technology. Also, where appropriate, that any intelligence obtained via the use of IT, which is turned into evidence for court, is evidenced correctly through the correct SLN channels. Such intelligence is governed by clear law and policy in the UK derived from the laws on disclosure and legislation such as RIPA (Great Britain 2000).

The late modern cops and the late modern tools that they use confirm further that the threat drives the *Network*. Policing the threat is the mission, which is underpinned by positive aspects of police culture. A team culture exists where the willing and able are motivated to take part in policeization and achieve their mission by a determination to do the best for the victims of gun crime and be the best at policing the *firearms threat*. As such, the team participate in transnational policing, using the best available tools, as part of a wider glocal policing process. They facilitate the *Network* and glocaliastion of policing to develop nation state policing. The literature overlooks how networks are developed and tends to demonstrate that policing is slowed down by a negative police culture. However, the presentation of the findings in this chapter evidences the existence of positive aspects of police culture within the *Network*, which embrace change and facilitate the development of policing.

This chapter is the last of four, which present the research findings. Overall, the findings identify the existence of more nodes than can be found in the existing literature and show that the *Network* is a facilitator of the glocal reconstruction of policing. That reconstruction will now be fully explained in part III of this thesis. The explanation will be by way of a comparison of the findings with the current literature. This results in an enhancement, as well as a challenge, to the literature and the theory of global policing suggested by Bowling and Sheptycki (2012).

PART III - THE RECONSTRUCTION

Chapter 9 - New Evidence to Challenge Existing Literature and Theory

9.1 Introducing the Challenge

This critical discussion does not make generalisations about transnational policing in itself. Instead, it proposes some generalisations in relation to the transnational policing of one area of crime by UK police and how that impacts on the reconstruction of policing in the UK. Those proposals are made from a UK standpoint. The detailed examination of how the *Network* operates offers a blue print for comparison with other nodal networks and the potential to generalise the glocal nature of NCA policing in all areas of organised crime.

The findings in chapters 5, 6, 7 and 8 support the thesis that the *Network* leads to a glocal reconstruction of policing, which includes pluralistic transnational policing. The *Network* is more than a conduit for the gathering and dissemination of intelligence. It is also a network for the exchange of knowledge, policy transfer, police disruption of the illicit firearms market and gathering of evidence for court.

The *Network* is however, intelligence led and the gathering and dissemination of intelligence is driven by the *firearms threat*. The threat is glocal and that is clearly understood by the UK participants in the *Network*. This understanding causes *Network* participants to seek out other nation state police, with a similar understanding, to develop the *Network* on a transnational basis in order to deal with the glocal problem by way of glocal policing. The development of the *Network* is facilitated by people and the tools from late modernity. The people (who are 'late modern cops') make use of the tools to achieve their mission of policing the *firearms threat*. They are motivated by wanting to do their best for victims of gun crime and to be the best at what they do.

Overall, the *Network*, from a UK point of view, is anchored within the nation state. It is a development of nation state policing within a glocal policing philosophy, rather than a reconstruction that leads to a global police state or a reconstruction dominated by private policing. The current literature identifies some understanding of the *Network* and wider transnational policing but it suggests that policing is moving away from the nation state towards a global police state.

The latest literature to emphasise the move towards the global is Bowling and Sheptycki's (2012) *'Global Policing'*. Bowling and Sheptyki (2012) summarise the evidence available in the literature and put forward a theory of global policing. That global policing theory is closely aligned with the grounded theory findings that support this thesis, but there are differences. Therefore, it will be the focus of the main critique discussed in this chapter.

Global policing theory and the majority of the current literature emphasises a move towards a global police state. However, it tends towards broad brush assumptions about direct connections between the nodes of nation state policing and policing nodes such as the regional Europol node and Interpol, which is often referred to as supranational in the literature but only in terms of its independence, rather than as a supranational police force with executive powers (see Finjaut 2012). The literature does not examine the nodes that exist between nation state nodes, regional nodes and supranational nodes, which put a different viewpoint on where the power lies in transnational policing. Shearing and Johnstone (2010) promote detailed nodal network analysis to analyse global governance at all levels. Such analysis of the *Network* shows the power is still in the favour of nation state police who are developing transnational policing in a glocal way to deal with glocal problems in their own nation state.

Therefore, this thesis suggests an alternative global policing theory to Bowling and Sheptyki's (2012) and draws out an understanding of the *firearms threat*. The research findings indicate that policing is not fully global but it appears to be glocal. Even though the evidence in this thesis only focuses on the view from the UK nation state and the policing of one crime type, it is a detailed analysis of the crime and the policing of it. The research did not set out with any preconceived ideas about global policing theory. Bowling and Sheptyki's (2012)

theory was published during the analysis phase for this thesis. By then, the grounded evidence that was emerging indicated that transnational policing of the *firearms threat* was a development of nation state policing that remained anchored within the UK as part of a glocal process.

In addition, the crime type and the UK nation state was chosen because of my location and experience. Therefore, what are the odds of picking one nation state and one crime area out all those available and coming up with the only one where the evidence points to the power still being with the nation state. It suggests that further detailed grounded research with other nation states and various crime types will draw out similar evidence.

That said, Bowling and Sheptycki (2012) have pulled together evidence from various nation states where they examine various levels and spheres of policing together with a brief examination of the crimes being policed. They indicate that the architecture of global policing should be examined through high and low policing across the spheres of global, regional, national and glocal policing, all of which can be found within the *Network*. They also talk about an influential subculture of police who shape policing towards the global in a dimension outside the nation state.

Evidence of the subcultures can be found within the *Network*, but this thesis shows that they are a part of a willing team, which Heeres (2012) states is necessary to develop glocal policing. The *Network* team is driven by threats to their own nation state and motivated by wanting to do their best for victims and to be the best at what they do. This puts them one step ahead of the criminals in terms of Kenny's (2008) competitive adaptation. They also remain accountable to their own nation state and that, together with the threat, is what shapes transnational policing.

This thesis has drawn out evidence that transnational policing of the *firearms threat* is a development of nation state policing. The roots of transnational policing remain within the nation state and confirm Bowling and Sheptycki's (2012) assertion (when referring to Edwards and Gill 2002) that policing remains *'local at all points'* (p22). Therefore, transnational policing in terms of the *Network* is the way in which glocal policing delivers the global to the local.

Local police use the transnational links to seek products from a global policing market to deal with the local impact of a glocal criminal threat. In dealing with the local impact of the threat, further transnational policing takes place where UK police travel to another nation state to seek their assistance in dealing with the local threat. Transnational policing through the *Network* involves links with international nodes such as Interpol as well as the local nation state high and low policing nodes. There is no evidence of supranational policing which, according to Finjaut (2012), is where co-operation between police from different nation states leads to the creation of supranational police forces that have executive powers in various nation states.

As identified by Bowling and Sheptycki (2012) the links between the different nodes make up the global policing network, but from the point of view of the *Network* the policing that takes place is moulded in a glocal philosophy of dealing with a glocal crime by way of a glocal response. The emphasis is on the glocal being delivered by an organised subculture of police, anchored in the nation state, dominated by diplomatic policing methods, rather than, as argued by Bowling and Sheptycki (2012), global policing delivered by a subculture of police dominated by enforcers, who spread global insecurity through a global network and undermine nation state policing.

The alternative glocal concept of policing proposed by this thesis can be explained in more detail by comparing the research findings with the original literature and with Bowling and Sheptycki's (2012) global policing theory. That comparison follows. It challenges and enhances the literature, starting with a comparison of the thesis with Bayley and Shearing's (2001) research agenda.

9.2 Challenging Bayley and Shearing (2001), The Findings v The Reconstruction Research Agenda

Policing has been under scrutiny since the formation of the modern police in 1829. This gathered pace in the 1960s because of a crisis of legitimacy (Rumbaut and Bittner 1979). Bayley and Shearing (2001) called for continued scrutiny and research on the reconstruction of policing. They set out a potential research agenda based on their own findings. They claimed that the auspices and provision of policing are no longer the sole responsibility of nation state

governments. Governments tend to steer policing and the auspices and providers of policing are a mix of public and private. The emphasis of the mix is on the private which takes the control of policing away from the nation state.

This thesis analyses one aspect of transnational policing (the *Network*) to see if the reconstruction of policing identified by Bayley and Shearing (2001) exists within transnational and global policing. The suggestion from the thesis findings is that the reconstruction of policing is not towards a global police state or to private auspices and providers. The reconstruction is towards the glocal, where the nation state public police retain control of policing from the local to the global. They take part in pluralistic transnational policing together with other UK public organisations as part of the glocal process. The UK public police identify the services and products they need to use from a global policing arena, in order to respond to the *firearms threat*. This is evidenced by the use of the SLN and also the purchase of IBIS from FTI.

Bayley and Shearing (2001) state that any developments in the policing structure should be subject to constant monitoring to ensure it is effective. Monitoring has and should continue within a framework of legitimacy and from a number of angles. This has been reinforced recently with closer working between academics and the police on the future of UK policing (Bottoms 2014 - A15, Gregg 2014 - A15). This thesis has shown the police are effective in adapting to deal with the threat. It has also analysed the legitimacy of policing through the *Network*, what the *Network* consists of, how the *Network* is constructed, how it operates and the impact it has on the reconstruction of policing. The analysis has taken place within the wider framework of a theory of global policing put forward by Bowling and Sheptycki (2012) and, the research findings suggest that, from a UK police standpoint, the *Network* is legitimate. A self-belief in legitimacy exists on the part of the people in the *Network*, they act in line with UK law and policy, making ethical decisions and the *Network* includes nodes that enable a two way conversation between the police and those they police. In addition, nodes in the *Network* hold the police to account and govern their actions and decisions.

Bayley and Shearing (2001) do not look to change the theory of social control which underpins the definitions of policing, instead they examine the physical

protection that policing provides, *"...because that is what people want most from the police"* (p3). That is the case in the UK where community policing by the public police in a pluralistic partnership with other UK Government agencies is predominant because that is what the people of the UK want as their protection (Baggott 2007). This thesis has found that the *Network* places the physical *firearms threat* as a priority. Based on the actual recovery of illegal firearms and their criminal use, the threat is real, it is not the deliberate spreading of insecurity to increase securitisation, which is what Bigo indicates some ILOs take part in (2000). Neither is it an elevation of risk to justify the existence of a network (Ericson and Haggerty 1997, Bigo 2000).

To deal with the *firearms threat*, intelligence is collected and police action is taken locally and transnationally by the UK public police working in partnership with other UK and other nation state organisations. The main partnership is between the UK public police and other UK Government agencies. The case study on the BBM is a good example of a pluralistic transnational solution to a community problem in the UK nation state.

Bayley and Shearing (2001) set out to review what was known about the restructuring of policing and based their findings on synthesising what others had already discovered from policing research around the world. This thesis has produced first-hand evidence from people involved in the *Network* and it is supported by OSINT and my own experiences of the *Network* and policing. Although this thesis only focuses on one area of policing from the standpoint of one nation state, the aim of the thesis is similar to Bayley and Shearing's (2001) in that it identifies and then analyses any reconstruction that is taking place. It does that by placing the findings in themes that examine the threat, how the *Network* is constructed, and how it is facilitated. The themes were continually analysed to see what impact the *Network* has on the reconstruction of policing.

The thesis findings differ from Bayley and Shearing's (2001) analysis. The concepts and terminology that are drawn from the findings by way of grounded theory analysis are that the glocal nature of the *Network* is a response to a glocal nature of the threat. That response is by way of pluralistic transnational public policing, which is part of a wider glocal response, by people who are motivated to do their best for the communities in the UK; in particular the

victims of firearms crime. Those people have been identified as late modern cops and they are the '*willing and able*' who Heeres (2012, p118) seeks out as the culture required to take glocal policing forward.

Bayley and Shearing (2001) find that policing has changed and that nation state governments no longer hold the monopoly on the auspices and provision of policing. They point to multilateralization by governments as a reason for this move. The thesis findings show that the UK Government do encourage multilateralization through plural policing with other partners. However, the government continue to set out the policing agenda and in respect of the *Network* and transnational policing in general, they provide a framework in which the police have operational independence.

The UK Government set up TRBs and the NCA to work on a local to global basis. The TRBs have led to the control of transnational policing and intelligence gathering activity by public police who operate independently of the government. In dealing with the threat, the police decide to work in partnership with other UK public organisations within a nodal network and with the public police in other nation states. They have contact with private commercial providers, such as FTI, who provide policing products, but only because they choose to do so after careful assessment of the value of the product in helping to deal with the threat.

The police also have contact with other private commercial providers such as Bruni in Italy, but only from the point of view of diplomatic encouragement to deal with the criminogenic nature of the firearms industry, by asking Bruni to refrain from providing a product to the UK that is used in criminal activity there. Therefore, the government steer the policing of firearms in the UK and the police have the operational independence to deal with it.

There is no evidence of any other private organisations groups like FTI or private policing providers such as G4S, taking responsibility for authorising and providing the policing of the *firearms threat*. Multilateralization of UK policing has not led to privatisation of policing through the *Network* and there is no evidence of the UK police taking part in any private transnational policing in general. The *Network* leans towards national sovereignty, mainly due to the people who facilitate the *Network* being loyal to the UK nation state nodes,

governed by UK law, policy and procedure, which prioritise the threat to the UK and its communities, rather than being drawn into a subculture of self-interest contributing to a global network of insecurity that undermines nation state policing. As emphasised by *Geri* and others:

> *"Anything that* (we) *do on a transnational basis has to adhere to UK law, policy and procedure."*

The police in the UK still reflect the will of the sovereign nation state and represent government policy in action (Rumbaut and Bittner 1979). It is, however, important to remain vigilant (Bayley and Shearing 2001) to ensure that policing through the *Network* remains legitimate. That legitimacy must exist (Bottoms and Tankebe 2012), whether the people of the UK choose to remain sovereign in their policing, as this thesis suggests, or if they choose to allow a move towards a more global form of policing, which Bayley and Shearing (2001) and the wider literature suggest is already in existence.

9.3 Enhancing Clarke (1997) and others, Glocal Criminogenic Threats and Rational Choices

According to Bowling and Sheptycki (2012, p128) *'The Global Cops Have Arrived'*. This thesis agrees that global cops exist but they have a strong allegiance to the nation state and they are driven by the threat to the nation state. Bowling and Sheptycki (2012) indicate that firearms are one threat among many that global cops deal with. They add that if as much effort and resources were put into policing firearms trafficking as into the policing of drug trafficking then certain areas of the world where socially excluded nation states exist would be better for it. Violence occurs on a regular basis in those nation states as a result of a number of factors, which include the availability of firearms and drug trafficking.

Transnational policing does cover a number of crime types (Reichel 2005). However, the *firearms threat* is the focus of this thesis. The literature identifies a threat to society from firearms used and supplied, in the main, by organised criminals; but also by terrorists (Bruggeman 2008, Jojarth 2009, Rollins 2010). That threat extends to the UK with recent reporting of a potential Mumbai style

massacre threat[109] (Hayman 2010 - B30, BBC 2010a and 2010b - B30, Police News 2010a and 2010c - B30). In fact, the terrorist murder of a soldier in Woolwich, in May 2013, involved a terrorist wielding a hand gun; although it is suspected that his aim was (other than terrorising the large public audience he attracted through the media) to draw the police into shooting him dead. The firearm used was an antique and it is not clear whether the terrorists intended or tried to obtain reliable firearms to kill more people. However, one inference which could be drawn and is in need of further research, is that al-Qaeda inspired terrorists in the UK do seek to use firearms, but they lack a readily available stock of up to date firearms and ammunition.

The lack of availability of reliable live firearms is also evidenced in the research findings with a study of Operation Barker, where one terrorist suspect, having no other obvious means of obtaining a firearm, went to an OCG to obtain the raw materials to reactivate a deactivated firearm. He did this despite the fact that reactivated and converted firearms, although deadly, can be unreliable (as evidenced by *Alex* in chapter 5.2) and the fact that there is a school of thought that terrorists with al-Qaeda sympathies are discouraged from dealing with OCGs. That discouragement does, however, come with a caveat that such terrorists can deal with OCGs if they have to do so (Rollins 2010, p27).

The literature indicates that the illicit firearms market is glocal. However, the findings give more detailed evidence on how it is glocal. It is well evidenced by Operation Barker, the BBM problem and the views of the research participants. The legal global dealing in live firearms and blank firearms provides local people, with criminal intentions, the ability to adapt and legally access that global market. UK dealers with the appropriate licence import the live firearms traded on the global market by armed forces and LEAs from various nation states that are in the process of renewing their old stock. Those licensed dealers then deactivate the firearms and sell them on to the collectors market where they are purchased for illegal reactivation by criminals. Similarly, retailers

[109] Heightened by the recent firearms attack on the premises of Charlie Hebdo in Paris and subsequent events. They happened over a number of days in January 2015, when 17 people were shot dead by suspected terrorists, one purporting to represent Islamic State and two al-Qaeda in the Yemen (Mullin et al 2015 – B20).

legally import blank firers and by way of further adaptation those blank firers are targeted for bulk purchase, by criminals, for conversion into live firearms.

The Woolwich attack was also evidence of the glocal threat of terrorism to the UK. That has been experienced on more than one occasion where persons local to the UK carry out independent acts of terrorism, alone or with other locals, having been influenced by a global religious terrorist ideology (White 2005, Andrew 2009, Bettison 2009, Great Britain, Home Office 2011c - A15, MI5 2013 - A10). That glocal threat extends to organised crime where local criminal activity is influenced by both the licit and illicit global markets (Hobbs 1998). It also impacts, as articulated in the findings, on the forming of the nexus between organised crime and terrorists (Severns 2012).

As alluded to in explaining the glocal, the illicit firearms market is influenced by the licit global firearms market. It is evidence of the criminogenic nature of the firearms industry where legal firearms can easily become illegal and available to criminals for use and supply. The illicit market is regularly fed through reactivation, conversion, theft and fraud and this is captured in the literature (Hales, Lewis and Silverstone 2006, Rothe and Collins 2010) and clearly articulated and explained in the research findings.

This criminogenic activity is also evidenced in the literature with reference to firearms purchased legally in the US and smuggled illegally into the UK (Harrington 2011). However, the amount and type of illegal smuggling is not as widely evidenced or as clearly explained as it is by the findings for this thesis. Overall, the literature indicates there is a *firearms threat* and that the illicit market should be policed effectively. The stock of illicit firearms and the trade in them is generally UK centric with some smuggling of new live firearms into the UK. The transnational element tends to be criminogenic with legal imports of blank firing and deactivated firearms being exploited by UK based criminals for conversion and reactivation, respectively, in the UK (Hales, Lewis and Silverstone 2006). The criminogenic and glocal nature of the threat can be broken down into a crime script involving criminals who make rational choices. This crime scripting of rational choice criminals enables SCP to take place by targeting any loop holes, or easy targets that the criminals exploit, for policing action (Clarke 1997, Tierney 2009).

Finjaut (2012) claims that the traditional view is that transnational crime is driven by globalisation of policing. However, he states the threat and the drive is underpinned by people. People are behind the threat and people drive the policing response. The research findings and crime script analysis complement this. The *firearms threat* drives the *Network* rather than the globalisation of policing and it is people who are behind the *firearms threat.* People feature in Bowling and Sheptycki's (2012) assertion that there are complicated links between drug trafficking and the threat from firearms. The research findings show that the link occurs where small illicit shipments of firearms are found smuggled into the UK with larger consignments of smuggled controlled drugs. In addition, firearms are held by drug dealers to protect themselves and their interests or to enforce the collection of drug debts. Such use of firearms in the drugs trade accords with Levi's (2007) definition of OCGs and their use of violence to protect their criminal activity and profits.

The previously mentioned socially excluded nation states, where there is little or no local or transnational policing of the criminal use and supply of firearms, highlight the need to restrict the availability of firearms for criminal use by people (Bowling and Sheptyki 2012). Clearly, the UK is not a socially excluded nation state where there is wide availability of illicit firearms and the research evidence shows that firearms are well policed in the UK through strict legislation on legal ownership and possession, as well as on illegal firearms activity. This is complemented by strict control of the UK borders and Sutton, Schneider and Hetherington's (2001) partnership working via the *Network,* to prevent market displacement.

As a result, there is little availability of firearms for criminal use and supply and little opportunity for the smuggling of firearms. By reducing the availability of firearms, the capability of the criminal is reduced and that appears to be part of the knowledge that can be drawn from recent glocal terrorist activity impacting on the UK, where terrorists have tried to use firearms. Knowledge results from information and intelligence (Ronn and Hoffding 2012) and intelligence is a core business of the *Network.*

9.4 Enhancing Kenny (2008) and others, Challenging Bowling and Sheptyki's (2012) Subcultures

According to the findings, displacement of criminal activity in the illicit firearms market does occur. Such displacement is identified in other illicit markets by Sutton, Schneider and Hetherington (2001). The lack of availability of firearms in the UK does cause displacement where criminals acquire metis and adapt their methods to find new ways of accessing firearms and staying one step ahead of the police. Through years of collective learning, according to Kenny (2008), they develop metis, which is the knowledge, cunning and ability to adapt. That criminal adaptation and the people involved in the crime script making rational choices to adapt (Cornish and Clarke 2002) are clearly identified by the research findings. Such articulation of how the criminals adapt gives the police the opportunity to adapt and develop their own metis (Kenny 2008). That enables them to police the *firearms threat* and be one step ahead of the criminals.

The *Network* participants have a better understanding of the adapting *firearms threat*. That understanding has, in my experience, developed well since 1999 and is well articulated by the findings; more so than in the current literature. According to the findings, the UK threat comes mainly from criminals being able to access a stock of legally available deactivated and blank firearms, which they are able to reactivate and convert into live firearms through a nodal networked market.

That illicit market also receives a small amount of stolen firearms and smuggled stock from Europe and more recently from the US, as a result of criminal adaptation. The market is, as stated in the literature, very much UK centric. Not only do conversions and reactivations take place but firearms, which have already been converted, reactivated or otherwise illegally obtained, are stored in the UK by 'quartermaster' criminals. Those quartermasters are described by *Network* participants as another recent development. They are middlemen who have no particular allegiances and they make their profit by hiring out firearms for criminal use.

The illicit UK market is glocal and through increased adaptation the criminogenic nature of the firearms industry is exploited by criminals. It is an illicit nodal networked market and it is underpinned by what people do (Finjaut 2012). The Greenwoods who were the subjects of Operation Barker were a node in that network. As and when required they linked with other nodes to sell the raw materials and requisite knowledge to reactivate a deactivated firearm, developing their own and others' metis. The other nodes that they connected with in the network were varied and included those involved in reactivation, further illegal supply and criminal use of firearms. Some of the nodes included other OCGs and some terrorists, from more than one phase of terrorism, which made the illicit market a nodal networked nexus of criminals and terrorists motivated by profit and need respectively. All adapted in various ways, in response to changes in legislation or the closing down of sources, in order to be able to obtain firearms (Severns 2012).

Even though the Greenwoods and a large part of the reactivation market was disrupted by Operation Barker and other similar operations by the UK police, the illicit market still exists. That market is still best explained as a nodal networked glocal criminogenic market with the new influential node being the 'middlemen' exploiting the existing stock of illegal firearms and the occasional smuggled firearm. The illicit UK market is a threat that causes the police to respond both proactively and reactively to develop nation state policing to include the transnational via the *Network*. They develop partnerships through the *Network* to reduce the illicit market and prevent market displacement (Sutton, Schneider and Hetherington 2001), which includes criminals adapting their operating methods (Kenny 2008).

Bowling and Sheptycki (2012) theorise the global policing response to dealing with crime. They state that the response is moving away from the control of nation state police towards global policing. It involves various subcultures of police actors, who lack overall governance, working within an *'architecture'* of global, regional, national and glocal spheres rather than as a global police force. It represents a move towards a global police state, identified in the wider literature (see Westmarland 2010), where policing of the nation-state is

controlled from the outside. Bowling and Sheptyki (2012) would expect the *Network* to follow suit in response to the *firearms threat.*

The police actors operate in a subculture of policing that is not always perfect and their metis includes learning how to cope with the demands of the policing job and the various parameters set by managers, politicians, legislation and advances in IT. As a result, the metis can lead to groups of police actors being defensive of their actions. Sometimes those actions are not carried out as they should be, even if the police, as most do, have a sense of mission to get the job done and stay one step ahead of the criminals (Kenny 2008, Bowling and Sheptycki 2012).

Bowling and Sheptycki's (2012) police actors operate at all levels of policing including the local and the global and there is evidence of their existence in the *Network.* However, the *Network* is populated more by a subculture of diplomatic problem solvers, whereas Bowling and Sheptycki (2012) suggest the existence of an abundance of *'enforcers',* at all levels, who stifle problem solving. They shift global policing in their favour and towards a global police state of enforcers waging a *'war on crime'.*

To understand how the subculture of *Network* actors differs from Bowling and Sheptycki's (2012, p87-92) subculture of police actors, they are best analysed by way of a direct critical comparison:

- *'Technicians'* (p87) use technical surveillance to gather information for intelligence and evidence. They use a range of analytical tools such as the identification of hot spots. They can be hampered by surveillance and intelligence systems that are fallible. Their role in operating such systems can impact on the freedom of the individual (Bowling and Sheptycki 2012).

  Such technicians exist within the *Network* however, they are more concerned with the development and governance of forensic intelligence systems and merging them with human intelligence systems. They are employed by the public police but do work on IBIS developed by the private commercial sector. Although there is wide acceptance that intelligence is fallible and has to be subject of rigorous grading (Ronn

and Hofding 2012), there is no indication that IBIS and the recent development of IBIN produced by the *Network* technicians has impacted on the freedom of anyone.

- *'Diplomats'* (p88) are fully aware of the law, practice and procedure in various areas of policing. They are experts in language and cross border working. According to Bowling and Sheptycki (2012) they are a rare but valuable commodity in policing and there should be a push for them to take the lead in all areas of policing. Although there is no evidence of their specific expertise such diplomats do exist within the *Network*. The policy of the *Network* appears to be intelligence led problem solving which relies on diplomats. Enforcers are only used when it is necessary and proportionate to do so, based on best practice and good intelligence.

  The research participants do not give specific details of intelligence they receive and are of the opinion that a lot of what is gathered on a transnational basis is strategic intelligence. They emphasise the use of the 5x5x5 intelligence assessment system and do have an eye on the 'why' 'what if' and 'what next', which suggests a degree of holistic epistemological strategic intelligence gathering to aid problem solving and proactive police work as called for by Akhgar and Yates (2011a).

  There is evidence of a whole *Network* strategic diplomatic approach to policing the *firearms threat*. The *Network* participants, including the NCA DG, are asserting that they are fully signed up to NIM. As such, the strategic aims, objectives and actions will be subject to regular review, evaluation and management of resources in line with Johnson and Scholes (1998) explanation of strategy. Even though there is no agreed academic definition for law enforcement strategy and it depends on the level of government or policing where it is drawn up (Ratcliffe 2004, Akhgar et al 2013), by the principles of Johnson and Scholes (1998), the *Network* is a strategic problem solving network.

- *'Entrepreneurs'* (p88) sell policing styles such as zero tolerance policing. They operate like business men looking for opportunities to advance their product. Whilst they can promote change for the good it can leave them

open to corruption (Bowling and Sheptycki 2012). However, there is no evidence of corrupt practices in the *Network*. Entrepreneurs exist and they include public police and private technicians selling advances in IT and the policing systems in which the IT is operated. There is a need to be aware of any conflict of interests that may occur (Rowe 2014) as FTI work with NABIS and with Interpol for their mutual benefit. However, FTI are not pluralised into policing. They sell a product on the global market which the police buy and use locally.

- *'Public Relations (PR) Experts'* (p89) promote success using all types of media. According to Bowling and Sheptycki (2012), those successes and the police as a whole are not always all they are made out to be by the PR rhetoric. This is supported by other evidence in the literature, particularly on the culture of policing (Paoline et al 2006) and in some cases the PR can be put out too soon; giving a false picture of the case (Greer and McLaughlin 2010). PR is used by the *Network* participants to help bring about change. It is used to show different nodes in a good public light. It is also used to attract other policing nodes to be fully engaged in the *Network* and NABIS are particularly adept at this. The PR experts and the entrepreneurs in the *Network* tend to be one and the same.

- *'Legal Aces'* (p90) bring cases to court to promote changes in legislation and increasingly look to the civil law to manage serious and organised crime. They are able to use the law to the best advantage of the police or to protect the police from counter claims (Bowling and Sheptycki 2012). There is little evidence of actual legal aces in the *Network*. However, those working in the UK as part of the *Network* do rely on the legal expertise of those working in the NCA to formalise evidence gathering from other nation states through the former SLN (College of Policing 2014a - A10, Great Britain, Home Office 2014 - A10).

  In addition, there is evidence of UK participants, who could also be defined as entrepreneurs, making evidence based applications to introduce new legislation to prevent and detect firearms crimes. Cases such as the Operation Baker case are also thoroughly reviewed by CPS

case workers, lawyers and barristers to bring offenders to justice in the correct way. Those other criminal justice workers regularly work with the police to help them understand legal technicalities of a case and the police themselves have a good understanding of the law within their metis[110].

- *'Spies'*, (p91) usually in the form of undercover officers are grounded in occupational subculture. Bowling and Sheptycki (2012) cite Gary Marx in describing undercover policing as a *'necessary evil'* (p91) that can be managed. Even though undercover policing has been accepted, Bowling and Sheptycki (2012) claim it creates insecurity and *'colours the legitimacy'* (p91) of policing.

  It was necessary and proportionate to use a form of undercover policing, at the test purchase level, to gather evidence for Operation Barker. The tactic was tested at the High Court in London, before it was allowed in evidence at the Crown Court trial. In addition, some information on the supply of firearms gathered through the *Network* will originate from police informants in other states. As evidenced by *Network* participants, the information is subject to the NIM 5x5x5 assessment as well as testing by the courts through the disclosure rules. However, cases such as the one involving undercover officer Mark Kennedy (BBC 2012c – B35) show that the checks and balances on undercover work, as with intelligence, are fallible which favours Bowling and Sheptycki's (2012) assertion that the police use of spies in the UK is tainted.

- *'Field Operators'* (p91) are usually involved in community policing initiatives such as partnership working and Neighbourhood Policing Teams (NPT). They also contribute to problem solving and carry out the everyday visible aspects of policing at a local level. They police by consent but the role is shunned by police in general in favour of enforcement by the enforcers (Bowling and Sheptycki 2012) who do *'real crime fighting police work'* and take the lead in all spheres of policing.

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[110] I received regular training in police law and was forever referring to my Butterworths and Blackstone's manuals (produced by police legal aces) to keep up to date on definitions and points to prove; especially in relation to firearms law for Operation Barker.

'Real police work' is a subculture of policing identified in the literature where some groups of officers see anything other than the role of visible crime fighting enforcer as a waste of time (Paoline et al 2006, p578).

The *Network* would not, however, operate if enforcers were taking the lead. The *Network* needs every day meticulous field operators whether they are at the local UK level, gathering information for intelligence, or analysts and intelligence officers making sense of the information to produce intelligence at the local and transnational level. There is no doubt that the police in the UK operate in a community policing philosophy (Baggot 2007). Therefore, whatever their rank, experience or sphere of operation they will carry some of that philosophy with them. That philosophy appears to exist within the *Network* with the mission to prevent and detect gun crime on behalf of victims and their families. Those victims live in the community and firearms crime is a community problem that requires intelligence as part of the problem solving process.

The best information comes from the community (Gregg 2014 - A15) and that is underlined in the inquiry into whether the death of Lee Rigby could have been prevented. The Intelligence and Security Committee recommended that:

> *"...given the challenge of identifying 'self-starting terrorists'... MI5 will become increasingly reliant on intelligence from local communities. Given the importance of such intelligence they will need to give further thought to working with the police to increase community engagement"* (Great Britain, Parliament, House of Commons 2014, p5 - A15).

Intelligence and problem solving in the UK is underpinned by NIM. As already stated, the UK nodes within the *Network,* including the transnational nodes, are fully signed up to NIM. Even though NIM is subject to some criticisms around working in silos and failing to engage with partners (as identified with intelligence systems in general by Sheptycki 2004), I had a positive experience of the process through daily and monthly tasking. Despite a lack of resources to meet all the

demands of NIM, an effort was made to bring together all areas of policing and consider issues in terms of problem solving and community policing. It helped me to prioritise resources to manage crime.

NIM has been reproduced as ECIM at the European level and the suggestion, according to Harfield (2008, p499) is ECIM, *'could be a vehicle for organising and co-ordinating investigations into transnational organised crime in Europe'*. NIM could therefore be the closest the UK police has to organising organised crime policing. It can be adapted to become part of wider knowledge policing in line with the Norwegian model (mentioned by Harfield and Kleiven 2008, p239) that puts ILP, problem orientated policing, community policing and other models of policing under the umbrella of knowledge policing. NIM is set up to capture knowledge products from all areas of policing. The *Network* feeds into NIM through nodes such as NABIS. NABIS also run a knowledge department alongside an intelligence department and have been shown to use knowledge to bring about legislative change.

- *'Enforcers'* (p92) tend to take the lead and want to be the most visible of police officers. They fully embrace the monopoly of force and see it as the way to get the job done. They work on the premise of guilty until proven innocent. They see the criminals as the enemy and have a tendency to abuse their power and their use of force. The outcome of the enforcer taking the lead is bad policing. They have become prominent, especially where the rhetoric is about a war on crime (Bowling and Sheptycki 2012).

  My experience is that police like to engage in enforcement and even though it has been used by some UK police officers and politicians, the rhetoric of a war on crime is more prominent amongst the media[111]. Enforcement is obviously needed, however, it is best delivered when it is based on well researched intelligence from reliable well managed

[111] Please see articles in 'The Liverpool Echo' entitled *'Three Sefton houses raided as Merseyside Police step up war on gun crime'* (Graves – B30), 'The Manchester Evening News' entitled *'Conservatives in Manchester 2011: Theresa May declares war on gang culture in wake of riots'* (Manchester Evening News 2011 – D50) and 'The Express' entitled *'Gurkhas declare war on criminals'* (Abbott 2008 – D50). Also see Liberal Democrat blog entitled, *'Nick Clegg and Richard Branson write: The global war on drugs has been an abject failure'* (Clegg and Branson 2015 – B10).

sources and the resulting outcome is positive[112]. This is evidenced by Operation Barker, where enforcement was just a small part of a wider long term intelligence gathering and problem solving phase and the enforcers were led and managed by those engaged in the intelligence field. That is also how the *Network* has been shown to operate with the successful resolution of the BBM problem. The fact that enforcers are led by and managed by those engaged in intelligence, reinforces the importance of intelligence and supports Grieve's (2008) assertion that *'analysed intelligence is more potent than coercive force for policing'* (p17) and Phillip's (2008) assertion that enforcement intervention is only a small part of the overall policing picture.

In summary, Bowling and Sheptycki's (2012) policing subcultures do exist within the *Network*. Those subcultures can be labelled in the same way. However, there are some subtle differences in the *Network* that indicate that the UK nation state controls the global policing tidal flow in favour of the nation sate. That is opposite to the *'higher order comparisons'* (Nelken 2012) made by Bowling and Sheptycki (2012) where the transnational police subcultures undermine nation state policing. There is a clear indication that the actors in the *Network* work together as part of the team culture identified by Glomseth, Gottschalk and Solli-Saether (2007). They work to deal with the threat which is their mission and are motivated by supporting victims. As a result they appear to drive pluralistic transnational policing and a glocal reconstruction of policing from the UK nation state. They develop metis and continually adapt to be one step ahead of the criminals (Kenny 2008).

All the subculture actors play their part but there is more of an emphasis on the team culture by the entrepreneurs, diplomats and field operatives of the *Network*. They pull together and merge with the other roles that have been outlined by Bowling and Sheptycki (2012). The *Network* actors are an example of a willing and able culture sought by Heeres (2012) to underpin glocal policing. The UK based *Network* participants believe they are working for the

[112] Meaning someone is brought to justice through the courts or a community problem is solved ethically and to everyone's satisfaction.

good of the nation state in the furtherance of legitimacy (Bottoms and Tankebe 2012).

To understand the further differences between the *Network* and Bowling and Sheptycki's (2012) analysis of global policing it is necessary to compare the findings from the research with Bowling and Sheptycki's (2012) architecture of global policing and the wider literature on that architecture.

9.5 Challenging Bowling and Sheptyki's (2012) Architecture: Global Policing Theory v Glocal Policing Reality

The architecture of global policing in which Bowling and Sheptycki's (2012) police actors operate are the global, regional, transnational and national spheres. They include a number of policing nodes in the *Network* identified by the findings. One such node is Interpol, an independent supranational organisation which facilitates communication between member state public police. Some nation state members are more powerful than others and have greater influence over what is a supranational influential organisation with minimal outside governance.

Interpol is identified by the research findings as a node in the *Network* that facilitates some advances in IT to further the development of the *Network*. From a UK point of view, Interpol is not as influential on the *Network* as other nodes and that finding is underpinned by the literature. Walker (2008) states Interpol is a professional club and information exchange that does not dominate the shape of policing. Neither does it have any territory to impose jurisdictional law to make it a supranational global police force (Bronnitt 2012).

Bowling and Sheptycki (2012) argue that the World Customs Organisation (WCO) is global and it is an example of the prioritisation of global governance. It is seen as the *'enforcement arm'* (p58) of the World Trade Organisation (WTO), which works with member states to ensure the enforcement of the rules of international trade (World Trade Organization 2015 – A10). The WCO works in partnership with 180 members to *'secure and facilitate international trade'* (World Customs Organization 2015 – A10). WCO members (such as HMRC) have similar powers and privileges to the police.

WCO members controlled the flow of people and goods through ports and airports and ensured collection of duties and the declaration of taxable goods. Then, with the introduction of the free flow of goods across some borders, the emphasis moved towards *'global monitoring and the total surveillance of the supply chain'* to distinguish between the licit and illicit and intervene with enforcement against the illicit trade (Bowling and Sheptycki 2012, p57).The WCO facilitates the emphasis on monitoring and total surveillance by its members and to do so they have formed a transnational policing network. This includes co-operation with Interpol through a MOU. The WCO does not enjoy the same independence as Interpol as it is bound by the nation state parameters of its membership. However, where it oversees the flow of free trade on behalf of the WTO it has been known to facilitate the global interests of corporations over the interests of some smaller nation states (Bowling and Sheptycki 2012).

HMRC are a customs node within the *Network*. They have powers that assist in policing the *firearms threat*. They support the operation of the *Network* rather than influence it in anyway. The FATF is also a supportive node within the *Network,* which Bowling and Sheptycki (2012) highlight as a global policing organisation. It was introduced following a G7 meeting, working to representative ministers from nation states with the aim of policing the flow of money around the world to deal with the transnational money laundering of the proceeds of crime. It has, however, fallen short of achieving its aim (Bowling and Sheptycki 2012).

The UN is identified as a node in the *Network* due to its implementation of the PoA SALW. It is also identified as being part of the global sphere by Bowling and Sheptycki (2012). The UN has a police division with a small staff of police advisors available to member states to advise on all aspects of policing. The UN Security Council can deploy police units, formed from police seconded from member states, on peace keeping missions; usually in failed states. The first peace keeping mission was deployed to the Congo in 1960 and the vision at the time was for the UN to have a permanent police force for peace keeping deployment but that has never materialised (Bowling and Sheptycki 2012).

Bowling and Sheptycki (2012) do not discuss influential protocols such as the UN PoA SALW. The PoA SALW is identified by the findings and the wider literature, as being drawn up as a result of NGO and nation state lobbying. It involves regular nation state reviews of the PoA (Jojarth 2009) and in the UK that is the responsibility of the FCO. However, as shown by the findings and Golding and McClory (2008), there is some disconnection between the UK police and UN PoA SALW reporting, due to the FCO bias and their focus on foreign affairs.

According to Bowling and Sheptycki (2012, p62) the investigation division of the International Criminal Court (ICC) has a *'fully global mandate'*. The ICC is based on a treaty, with a membership of 123 nation states (International Criminal Court 2015 – A10), it is governed by the *'Rome Statute'* (UN General Assembly 1998) and it is a court of last resort that investigates and prosecutes the most serious cases of genocide, crimes against humanity and war crimes. The UK signed the Rome Statute in 1998 and are members of the treaty (International Criminal Court 2015 – a10).

Working to the ICC, its investigators interview suspects, witnesses and victims and facilitate a network of local and national police forces that co-operate in the investigation of crimes designated by the Rome Statute. Investigators do not, however, have any power of arrest they have to facilitate action by nation state police to execute any arrest warrants issued by the ICC, which limits the global reach of ICC investigators to nation states that have not condemned the ICC's action. The ICC's powers and area of investigation are limited by national sovereignty and some nation states, such as the US, declined to sign the Rome Statute because they believed ICC investigators would challenge national sovereignty, especially if they were given a universal power of arrest, which many of those who supported the ICC argued for (Bowling and Sheptycki 2012, p63).

Bowling and Sheptycki (2012) assert that the power of nation state politicians impede the development of global policing organisations such as the ICC, suggesting there is still a strong pull towards the nation state rather than global policing. That assertion appears contrary to their overall conclusion that there is a move away from the nation state to full global policing. It is more in line with

the research findings that the initiative remains within the nation state. However, the findings from the research suggest that it is police actors working on a practical policeization basis (Deflem 2002) that anchors policing in the nation state, rather than politicians defending their power and the sovereignty of the nation state.

At Bowling and Sheptycki's (2012) regional level of the architecture of global policing are agencies such as Europol, which has a particular geographical sphere of influence in Europe. Their view is, however, that Europol is run as an old boys' network and although accountable to the EU it has little transparency. The wider literature also points to some Europol failings where despite several attempts to improve its operational capability, especially through the development of JITs, it has been dogged by nation state differences and remains a simple facilitator of police communications (de Buck 2007, Yates et al 2011).

Europol supports rather than generates action, which makes it less likely to influence nation state policing (de Buck 2007). That is also the conclusion drawn from the findings and, it must be stated, that is the limit of Europol's mandate (EU Council Decision 2009). Europol only facilitates communication for nation states engaged in transnational policing. Nodes formed by nation state police through independent police bureaucrat to bureaucrat policeization, such as EFE, generate the action. EFE develop transnational policing from the nation state outwards to deal with common nation state threats and, as such, drive the operation of Europol.

There is evidence in the literature that Europol's implementation of ECIM, which is based on the UK NIM, has helped to organise organised crime policing (Harfield 2008). This, in itself, suggests some nation state police influence on Europol. However, the research participants are silent on ECIM and are more concerned with NIM, as is the NCA DG. This is more evidence of the nation state parameter setting on transnational action. That does not mean transnational organised crime policing is not organised. NIM and ILP has become grounded in UK policing (Maguire and John 2006) and as the EFE shows, its participants, who work on OCG issues, are governed by UK policy and procedure, which includes the organisational features of NIM. Overall, the

development of nation state policing by the *Network* equates to a better organisation of organised crime policing called for by Harfield (2008).

Bowling and Sheptycki's (2012) architecture then extends to the national, where it describes nodes such as SOCA as being the link to a *'transnational state system'* (p68). According to the research, rather than being part of a transnational state, the NCA, which has absorbed SOCA, has a firm base in the UK nation state. It only acts at the transnational level in accordance with UK laws, policies and procedures (including NIM). The NCA is also firmly held to account by the nation state through its own governance systems and by way of being held to account by other nodes in the *Network* such as the TRB and the Home Affairs Select Committee.

Stenning and Shearing (2012) and Bowling and Sheptycki (2012) also include private transnational policing as an area of policing that should be considered when examining the architecture of global policing. Bowling and Sheptycki (2012) include it but with a warning that there is little in the literature on the subject. They critically analyse the likes of the Pinkerton Detective Agency and Blackwater as private agencies who work across nation states and who are one example of the blurring between public and private policing. Like Bayley and Sheering (2001) they see public and private policing as *'permeating the global policing architecture from top to bottom'* (Bowling and Sheptyki 2012, p72). This is done by contracting out certain policing functions to the private sector or where private investigations into industrial espionage overlap with espionage that endangers national security and is subject to high policing (Bowling and Sheptycki 2012).

Little, however, in the way of private transnational policing of the *firearms threat* is evidenced by the literature and the findings suggest the involvement of only one private node in the *Network*. That node is the FTI whose entrepreneurs promote their own company product, whilst at the same time facilitating the coming together of nodes in the *Network* enabling further facilitation of the *Network* by other people and the best use of quality IT. They do not direct or provide policing. They provide a product on the global market that some of the *Network* participants chose as an aid to deal with local and transnational policing problems. There is no blurring between public and private as has been

suggested by Bayley and Sheering (2001). In fact *Alex* sums the involvement of FTI best:

> *"They sell hard ware. What they don't sell is the bit that goes with it, how to use what you understand by these two cartridge cases…. methods of detection, methods of prevention etc. … to sell kit all around the world at enormous sums of money they use that lifestyle picture that says if you use this system in the way that NABIS uses the system you can work with other countries you can understand gun crime…."*

Some might use FTI as evidence of a private node exerting influence on the *Network* that undermines sovereignty and nation state policing. However, that is not the way that the *Network* participants see it. They are fully aware of FTI and evidence them as suppliers of a product who want to make a profit by selling that product. The police have always had to buy their kit from somewhere and FTI are just another company that supplies that kit and looks for every opportunity to market their wares. Globalisation has enabled the police to have greater access to better kit and companies such as FTI to market that kit more effectively. In this instance there is a definite firewall between supply and use.

Bowling and Sheptyki (2012) also include high and low policing in their architectural analysis. High policing secures the interests of the state and national security and low policing involves day-to-day police patrolling, crime investigation and solving community policing problems (Brodeur and Leman-Langlois 2003, Bowling and Sheptycki 2012). Despite the assertion from Brodeur (2007) and MacVean (2008) that high policing is still distinctive through its intelligence absorption as opposed to case building, the wider literature states high and low policing are becoming increasingly blurred particularly through pluralisation of government policing nodes (Jones and Newburn 2006, O'Reilly and Ellison 2006).

That blurring between high and low policing is confirmed by the research findings. CT is classed as high policing (Brodeur and Leman-Langlois 2003, Brodeur 2007) but so is organised crime. In 2010, serious organised crime was classed as a tier 2 national security threat in the UK (Great Britain, Home Office 2010 – A10) and is high on the agenda at the 2015 national security summit

when the key note speech will be made by the NCA DG on serious and organised crime as a threat to national security (National Security Summit 2015 – A10). Both CT and organised crime are a priority for the *Network* and both have a local impact. Therefore, because of the influence of the TRB node, both receive low policing action through community policing and intelligence gathering at the local level with support from *Network* intelligence. The aim of the *Network* (including nodes such as MI5) is to collect intelligence to build cases to bring people to justice unless earlier disruptive action is needed to protect life. Again, this amounts to *'intelligence led'* low policing of, potentially, high policing crimes (Brodeur and Leman-Langlois 2003, p15).

Recent internal enquiries in the US have led to a report on the involvement of the CIA in the torturing of terrorist suspects to gather intelligence and there are indications that UK intelligence agencies may have made use of that intelligence (BBC *Breakfast Time* 2014 – B30). The nature of terrorist activity means that if intelligence obtained as a result of torture by the US was shared with the UK, it could find its way into the *Network* via the MI5 node. However, there is no indication from this research that such intelligence has been used by the *Network* and more research, beyond the access gained for this thesis, would be required to understand if the CIA's high policing activity has had any impact on the *Network*.

The indications from the media commentary on the US report on the CIA, which has not been fully released (Ackerman, Rushe and Borger 2014 – B30, BBC *Breakfast Time* 2014 – B30) do, however, show, in the view of the close working relationship between UK and US intelligence agencies and MI5's link to the *Network*, that there is a need to understand who or what the nodes in the *Network* are. Also, what influence those nodes have and what other nodal networks they are involved in. This is required in order to understand who is exerting influence on policing and to be able to fully assess the quality and provenance of any intelligence that is used.

Finally, Bowling and Sheptycki (2012) discuss glocal policing as part of the architecture. They evidence how global decisions in policing affect the local reconstruction of policing rather than, as drawn out from the findings, glocal policing being the actual overall reconstruction that is taking place.

Bowling and Sheptycki (2012) state that local reconstruction of command and control systems now allows direct contact between local officers and Interpol because of the glocal influence. Such influences have been facilitated by the neo liberal movement of the nation state welfare system to the open market system and the introduction of advanced IT and communication. That facilitation enables policy transfer of ideas, such as zero tolerance policing, from one nation state to the other so that the global impacts on the local (Bowling and Sheptycki 2012). However, the findings show that at the local level the UK police are operationally independent and make their own decisions on what to use from the global. The wider literature also states that policy transfer like zero tolerance policing was used as rhetoric by UK politicians such as Jack Straw, when he was shadow Home Secretary 1995, and Tony Blair, just prior to him becoming Prime Minister in 1997 (Punch 2007, p24). Zero tolerance policy was received with little enthusiasm on the part of the UK police (Jones and Newburn 2007).

As indicated, the findings draw out the existence of the glocal, but as the actual reconstruction that is taking place rather than as part of the global policing demonstrated by Bowling and Sheptycki's (2012) various architectural building blocks. Rather than the global controlling the local, through the likes of policy transfer, the move is from the local to the global using the transnational for the benefit of the local. The nation state policing nodes in the *Network* have controlled the foray into the global in order to police the *firearms threat*. In addition, the threat itself has been shown by the research to be glocal. The tendency is for the criminals to move out from their local base to shop in a global market and then use the product locally in order to adapt to be one step ahead of the police and continue with their criminal enterprise.

The fundamental difference then between the findings and Bowling and Sheptycki's (2012) global policing and the wider literature and theory, including that of Bayley and Shearing (2001), is that the findings draw out a glocal reconstruction of policing that includes transnational policing. The transnational policing includes an element of networked pluralisation across UK public organisations rather than a pluralistic public/private global police delivering predominantly private policing and breaking down the sovereignty of the nation

state. That glocal policing is controlled by the nation state for the benefit of the nation state. The UK nation state police, through the *Network*, recognise that there is a global market of policing. When it is necessary to police the *firearms threat,* using something from the global market, the police use the *Network* to acquire what is needed.

Apart from Heeres (2012), the wider literature does not recognise or promote the glocal reconstruction of policing as the main move that is taking place or as a philosophy for policing. The literature including Bowling and Sheptycki (2012) recognise it as part of other building blocks that make up global policing in favour of the global. Heeres (2012) on the other hand, states that nation state police should understand the glocal nature of crime and policing and move outwards into the global world using that understanding to deal with crime. The UK police clearly already do that and it is well evidenced in the findings on the BBM problem and the negotiation of the MOU with the ATF.

Bowling and Sheptycki (2012) provide useful evidence of the existence of global policing and that is supported by O'Reilly and Ellison (2006) who state that nodal networks take away the power from the nation state. However, when their evidence is compared with the findings and the wider literature, global policing can impact in different ways in different nation states who might also view the impact in different ways. Nation states are different and have different needs, which should be taken into account (Nelken 2012). Nation state nodes still have power to influence and control networks such as the one researched here.

According to Nelken (2012), when higher order comparisons are made, there is a need to be aware of local truths. This thesis clearly demonstrates that fact. It challenges Bowling and Sheptyki's (2012) global policing theory by emphasising the glocal in the UK nation state above the global. This thesis suggests the existence of glocal policing that Heeres (2012) is looking for. It also evidences the need to be aware of local truths, by recognising all the levels of policeization that exist in nodal form between the nation state, the regional and the supranational. That is clearly demonstrated with the existence of the EFE, a nation state sponsored node that drives the regional Europol node.

The aim of this thesis was to identify any reconstruction of policing that takes place because of the *Network*. That aim has been achieved by answering the CRQ, which was:

> 'Does the *Network* contribute to a reconstruction of policing?'

The evidence from the findings indicates that the *Network* is contributing to a glocal reconstruction of policing. The nation state *firearms threat* is not policed from the outside by supranational forces, private corporations or global police acting on their own initiative.

The *firearms threat* causes the police to adapt. Through a process of policeization (Deflem 2002), late modern cops using the tools from late modernity (Levi 2007) and wanting to do their best for the victims, facilitate the development and operation of the *Network*.

As a result, the *Network* is a co-operative organisation of transnational organised crime policing anchored within the nation state. It is a development of nation state policing, involving some pluralisation with other public organisations, rather than a top down global reconstruction of policing from the outside facilitated by pluralisation with private providers. It is the glocal reconstruction of policing called for by Heeres (2012).

In achieving the aim, the following objectives have been met:

- Theoretically, the *Network* has been explained as a glocal reconstruction of policing. From a UK point of view, the *Network* fits with Bowling and Sheptycki's (2012) theory of global policing. However, a detailed analysis of how the *Network* operates shows the late modern world to be global and diverse in nature. As stated by Nelken (2012), each nation state has its own needs and that has been confirmed by the analysis. Therefore, diverse nation states, let alone the lack of a global criminal code for the police to enforce, make it difficult for policing to become truly global.

  The emphasis is on glocal policing. UK police are aware of the global impact of crime and respond to it accordingly. The response is based on

the prevailing policing philosophy and the local assessment of the intelligence and the threat. Hence, the first priority is to the nation state and the local impact of crime. As such, the UK police work on a pluralistic transnational basis with other UK public organisations. They use private resources, marketed on a global basis, to support local policing, but only in so much as it helps the police understand and deal with the threat to their own nation state.

A glocal development of nation state policing exists rather than a reconstruction of policing from the outside by a global police state. Transnational policing is part of the glocal process. Its origins are an adaptation of Weber's bureaucratisation, where people develop the bureaucracy through Deflem's (2002) policeization.

There is a bottom up approach within the *Network* that drives transnational policing of the *firearms threat.* It involves various nation state nodes that are loyal to the nation state, forming partnerships, some of which become nodes, in themselves, within the *Network* (i.e. EFE). They do this as part of the wider process of glocal policing. Such nodes are the willing and able transnational cogs that drive transnational policing of the *firearms threat.* As such, they drive the regional and supranational nodes such as Europol and Interpol. In addition, those transnational cogs support global policing initiatives such as the (nation state and NGO sponsored) UN PoA SALW.

- In relation to policy, the objective was to identify and share best practice from the *Network* on how policy is developed and who develops it. The UK participants in the *Network* develop policy in response to the *firearms threat* and that shapes the wider *Network* policy. That wider policy is in line with UK laws and procedures and any action taken, in or by the UK police, is governed by the UK nodes in the *Network.*

  It is, however, important to continually assess who is involved in the *Network* and the source of the intelligence to ensure that the *Network* and any policy raised as a consequence is legitimate. As stated by

Bottoms and Tankebe (2012), legitimacy must exist in policing and should be at the forefront of all policing research.

When best practice in legitimate policing is found, it should be shared. The *Network* has been shown to be a useful blueprint for developing a legitimate glocal policing policy, which could be transposed to other transnational policing networks. The *Network* also provides evidence for some practical recommendations.

- Practically, a number of key recommendations have been made below. Those recommendations are based on evidence in this research and support glocal policing. For example, in line with recommendation 7, knowledge of glocal policing networks can inform the research and debate on the future structure of policing in England and Wales. That debate has been called for by the IPC, who state the current structure of 43 Forces is not fit for purpose (Stevens 2013, Gregg 2014 - A15).

  This thesis has evidenced that policing is glocally networked between a number of public policing nodes and other public nodes. As part of any restructure the IPC have recommended that BCUs, which are the building blocks of policing in the UK, become legally co-terminus with local councils. That recommendation needs to be widely accepted, as it emphasises the local in a glocal network. BCUs, working with local partners, can be linked in a number of ways from the local to the national, transnational and global to develop nation state policing and deal with the glocal threat of crime by way of glocal policing.

Overall, this thesis has analysed the current literature on the *firearms threat* and the *Network* and, using grounded theory and nodal network analysis, has drawn out themes to challenge and enhance the literature. To draw out the themes, this thesis has developed grounded theory practice by combining insider detective skills with academic research skills to produce and analyse data using HOLMES methods. The use of OSINT has also proved to be useful corroborative data and useful in bringing conclusions from the interview data as up to date as possible.

The thesis does not make generalisations about transnational policing per se. However, it adds to the knowledge on the UK police who police the *firearms threat* and how they do that as part of the wider continuum of policing. This includes the transnational gathering and sharing of intelligence on the criminal use and supply of firearms. In addition, the findings add to the theoretical debate on global policing and the reconstruction of policing. The thesis conclusion is that, from a UK point of view, the policing of *firearms threat* is glocal and as such that contributes to a glocal reconstruction of policing by public policing nodes, rather than a mix of public and private nodes which are part of a global network that undermines nation state policing.

The *firearms threat* has been articulated, as have the nodes that make up the *Network* and positive aspects of police culture have been drawn out that contribute to the organised facilitation of the *Network.* Those positive aspects of police culture in the *Network* corroborated by my wider policing experiences and OSINT, add to the debate on police culture by examining it from the point of view of the police working as a team to deal with a policing problem.

The contributions made to knowledge by this thesis also add to professional practice. As well as being a useful case study that could be used to teach the criminology of policing and international criminal justice at undergraduate and postgraduate level, there is evidence within the thesis, which can lead to improvements in professional police practice. Those improvements, together with potential future research to further advance the contribution made to knowledge by this thesis, can be by implemented through the following recommendations:

1. Make the Illicit firearms market, and in particular the OCG/terrorist nexus, which is a source of terrorist firearms, a priority for intelligence gathering and academic research. This is to ensure the market is fully understood and can be policed correctly. If terrorists need firearms in the UK or on mainland Europe the developing knowledge is that they appear to go to OCGs to purchase the firearms. It is not clear whether the OCGs in such instances know or suspect they are dealing with terrorists.

2. UK Government to develop and implement legislation on the control of deactivated firearms. This will reduce opportunities for criminals to reactivate deactivated firearms in line with Clarke's (1997) SCP.

3. Incorporate NABIS to be part of the NCA. This will strengthen the transnational part of the *Network* and ensure NCA resources are used to deal with local firearms problems resulting from organised crime activity. It will also bind the NCA closer to the tripartite system of governance.

4. FCO to take an active part in the TRB process and the TRB to be fully aware of the need to report the work of UK police, other LEAs and intelligence services towards achieving relevant actions in the UN PoA SALW. This will ensure a smooth interface between UK policing and the UN PoA SALW.

5. PCCs to take an active part in the TRB process. This will add further tripartite police governance to the *Network*.

6. All UK Chief Constables to support the NCA tasking process. This will support the glocal policing philosophy by giving clear leadership to the NCA.

7. It has been suggested that BCU nodes should be co-terminus with local councils as part of a new structure for the police in England and Wales (Stevens 2013). In considering what the new structure should be, the BCUs should be the building blocks of the structure. Those BCUs should then be networked through a series of regional command hubs (at the current regional police unit levels[113]) to a UK or England and Wales central policing command that houses current national organisations such as the NCA and NABIS. Such a network of policing would allow for the tripartite

[113] I.e. East Midlands, Yorkshire and Humber etc.

system of governance to continue. It would also remain compatible with NIM and transnational networks such as the *Network* studied for this thesis.

8. Further research to be carried out on the motivation of the government towards introducing legislation and policy on crime control to make sure it is proportionate, relevant, evidence based and intelligence led. This will ensure legislation, such as that on deactivated firearms, is passed in a timely manner.

9. Further research to be carried out comparing the *Network* with other networks formed to deal with other types of crime. This will further test the existence of glocal policing in the UK (i.e. if the TRBs for other crime threats to the UK are operating in the same way as in the *Network* then that glocal policing philosophy is present throughout all areas of UK policing).

10. Further research to be carried out examining the *Network* from the point of view of a nation state other than the UK. Make comparisons with the UK but be aware of the diversity of other nation states and the power they wield on the world stage (Nelken 2012, BBC 2014 – B21). This will also test the glocal policing theory against the widely perceived move towards the existence of a global police state.

This thesis was not designed to justify the *Network* or the activities of the police involved in it. The research was carried out with an open mind and the *Network* was picked as an area of crime and policing through which the reconstruction of policing could be examined. This has resulted in a development of knowledge and a contribution to professional practice.

The UK police are one step ahead of the *firearms threat* and can be confident that organised crime policing is continuing to develop through transnational policing as part of a glocal reconstruction of policing that is embedded in the *Network*. The *Network* has contributed towards reducing the amount of firearms available for criminal use, which makes it difficult for terrorists to use firearms to

mount an attack in the UK. Similarly, it is difficult for OCGs or any other criminals to access and use firearms.

However, strong leadership is required to make sure that what is happening in respect of the glocalisation of policing of the *firearms threat* is general across all aspects of transnational organised crime policing. To keep the glocal reconstruction on track, the NCA need to do '*what is says on the tin*' and take the lead in glocal policing; even if it does mean local Chief Constables being tasked, by the NCA DG, to keep them one step ahead of the criminals.

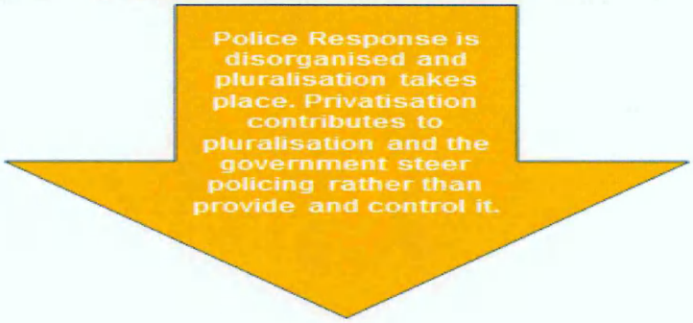
The *Network* and the police in general, need to continue to focus on the positive aspects of police culture to make sure that organisational learning takes place in the correct way in order to achieve legitimacy. To remain one step ahead, the police need to be willing and able to adapt to change and continue to mould Weber's underlying theory of bureaucracy, to develop transnational networked policing, which makes global policing predominantly glocal.

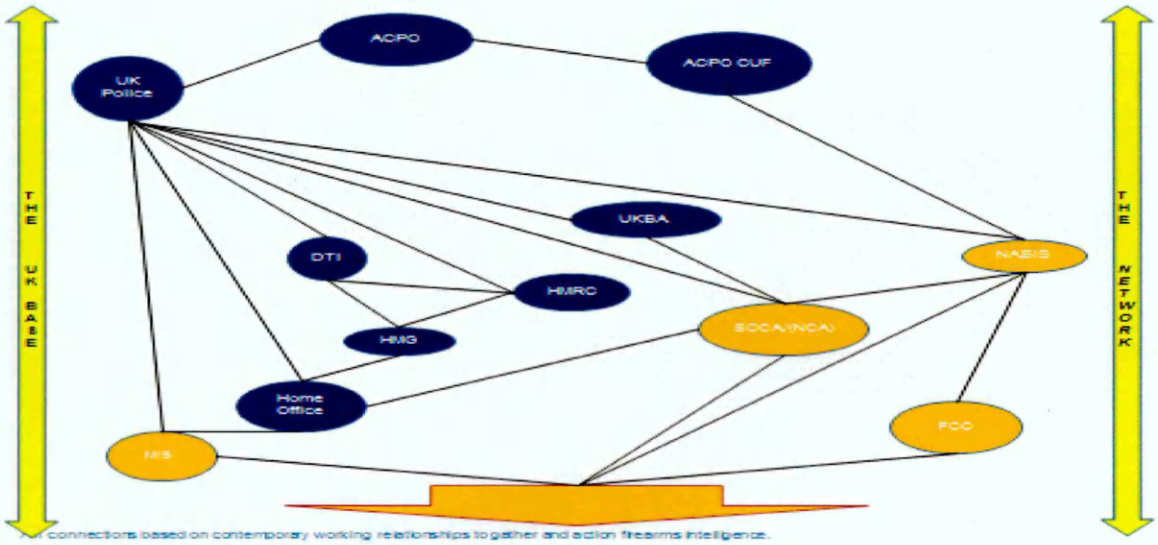
(84,321 words)

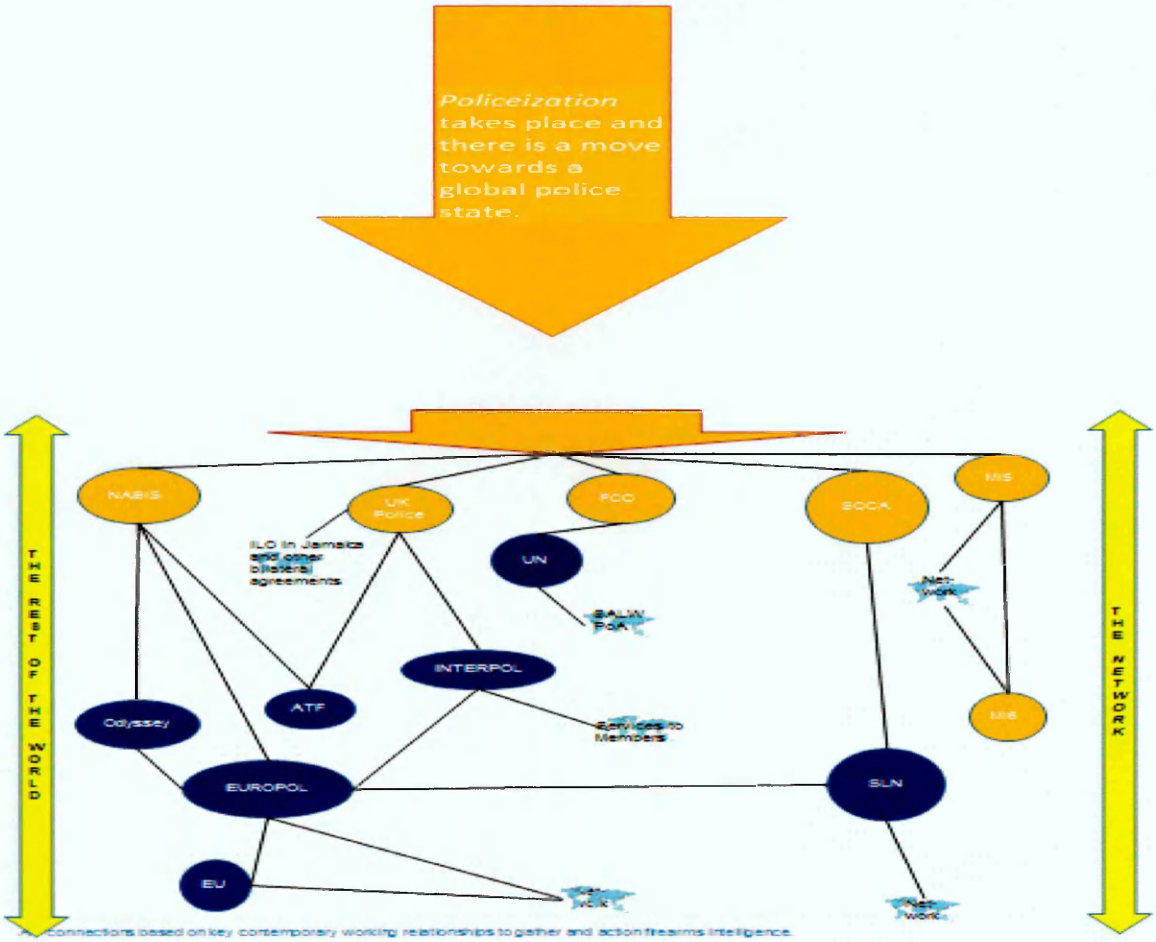
11 Appendices

11.1 The *Network* from a UK Point of View (based on the literature review)

Firearms Threat to the UK (Not clearly articulated)



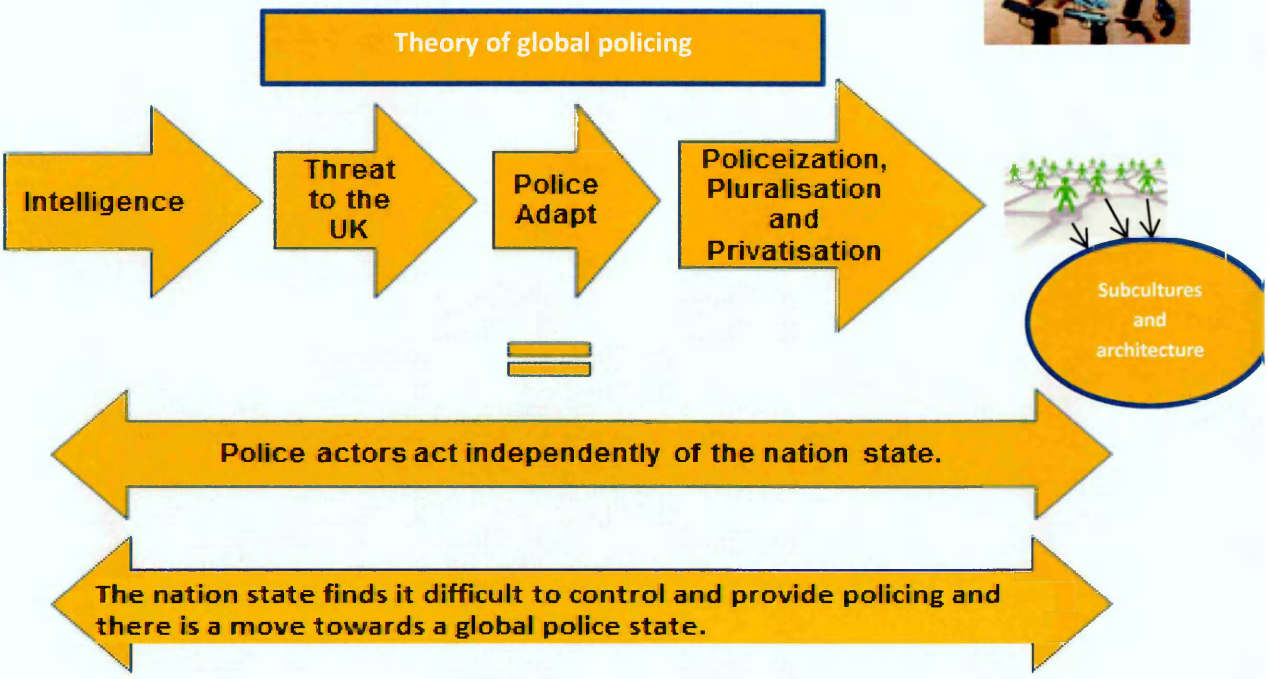




Have a mission to prevent and detect crime through policeization. However, they act independently of the Nation State.

Transnational Police Actors

A Summary of the Literature



11.2 Semi-Structured Interview Plan

The transnational firearms intelligence network - how it works, what drives it and how much does it focus on OCG/terrorist nexuses.

I am researching how the transnational policing network on gathering and disseminating of firearms intelligence works and hope that you can help me with that research. Although I will focus on networks that impact on OCG/terrorist nexuses, I would like to hear about any involvement you have in any transnational policing networks.

Please only discuss your work in general terms and do not identify current operations, disclose information that is not in the public domain or any sensitive operational techniques.

Please confirm that you understand the aims and objectives of the research and that you are willing to take part in this discussion. Also that you are happy for the discussion to be tape recorded. The discussion will be transcribed and nothing will be used from it in any publication or thesis without your consent.

First, please tell me about your career back ground and your current role.

What is your career history?

What is your current role?

Who is your line manager?

What staff do you manage?

Who are you accountable to in your role?

Who or what governs what you do?

Please tell me about any transnational policing network that you contribute to.

What transnational network exists, that you or your organisation take part in, through which intelligence, on the illicit use, supply and manufacture of firearms

and knowledge on the investigation of such crimes, can be gathered and disseminated?

Who takes part in the network?

Who set up the network?

Why was the network set up?

When was the network set up?

How was the network set up?

How was membership of the network decided?

Who is the network accountable to?

Who governs the network?

How do you contribute to the gathering and dissemination of knowledge and intelligence with foreign law enforcement agencies, transnational law enforcement agencies or other foreign agencies?

What contact do you have with foreign law enforcement agencies or transnational law enforcement agencies?

What other foreign contacts do you have?

Who is involved in the process of gathering and disseminating knowledge and intelligence?

Where and how do you come into contact with foreign law enforcement agencies, transnational law enforcement agencies or other foreign agencies?

What do you gather and disseminate knowledge and intelligence on?

What knowledge and intelligence do you gather and disseminate on terrorists, organised criminals and the nexus between the two?

What type of intelligence is that (Humint etc.) and has it resulted in bringing anyone to justice in the UK or elsewhere?

How big a proportion of the knowledge and intelligence you deal in relates to terrorism, organised crime and the nexus between the two?

How do you evaluate the knowledge and intelligence that is shared?

How do you disseminate knowledge and intelligence received from abroad with UK law enforcement agencies?

Who do you disseminate that knowledge and intelligence to?

Who or what controls the gathering and dissemination of knowledge and intelligence?

What drives you to participate in any transnational network?

Who influences what you do?

What influence does ACPO CUF have on what you do?

What influence does the UN SALW POA have on what you do?

What influence does EUROPOL and/or INTERPOL have on what you do?

What influence do any intelligence agencies such as MI5/6 have on what you do?

What influence does the foreign office have on what you do?

What influence does the Home office have on what you do?

What influence do SOCA have on what you do?

What influence does UK law have on what you do?

What influence does European law have on what you do?

What influence does any other nation state law or international law have on what you do?

What policies influence what you do and who makes them?

Please give me your opinion on how effective the transnational network is.

What outcomes and outputs are achieved from the gathering and dissemination of knowledge and intelligence?

What policy has resulted from the gathering and dissemination of firearms knowledge and intelligence on a transnational basis?

How can the transnational network be improved to prevent the criminal use, supply and manufacture of firearms in the UK and elsewhere?

Is there anything else you wish to add to our discussion

Research aims and objectives.

Aim - To identify any reconstruction of transnational policing that exists as a result of the transnational firearms intelligence network.
Objective - To research the transnational firearms intelligence network.
Objective - To focus on the transnational police network gathering and disseminating intelligence on organised crime group (OCG)/terrorist nexuses involved in the illicit firearms market.
Objective - To identify the role and function of the people in the network.
Objective - To explain, using adaptive grounded theory, how the network operates and what drives it.

Explanation of terms:

Transnational Intelligence Network - Those making decisions on the gathering and dissemination of knowledge and intelligence between law enforcement agencies in the UK and one or more other nation states.

Law enforcement agencies - The public police.

Knowledge - Best practice on offender identification, investigation and the use of intelligence.

Intelligence - Information that has been subject to a defined evaluation and risk assessment process, in order to assist the police with decision making, is defined as intelligence. From such intelligence, decisions can be made on

enforcement, prevention and further intelligence gathering strategies (Harfield 2009).

Outcomes - *The way a thing turns out; a consequence.* (Oxford Dictionary of English). i.e. no more illicit firearms are produced.

Outputs - *The amount of something produced.* (Oxford Dictionary of English). i.e. number of arrests.

Organised crime - More than one person working together over a period of time to commit crime for personal gain. By committing crime, or in order to protect their criminal enterprise, those criminals present a serious threat to society by way of violence, corruption or damage to the economy.

Terrorism - Any crime, including any preparatory crime that has the ultimate aim of instilling mass fear amongst opponents, in order to bring about regime change or impose a particular political or religious will. Terrorists are those persons who aspire to and carryout, or are party to, acts of terrorism.

OCG/terrorist nexus - any direct bond, link or third party junction, which connects organised crime with terrorism.

11.3 Extract from Research Database

Title	Progress	Reference	Document Type	Evidence	Grade
Interview with *Alex*	Themed	SEVERNS, Richard (2012). Series of interviews with persons connected with transnational police network on criminal use of firearms. Completed in 2012.	Interview.	Discusses transnational firearms intelligence network.	A11

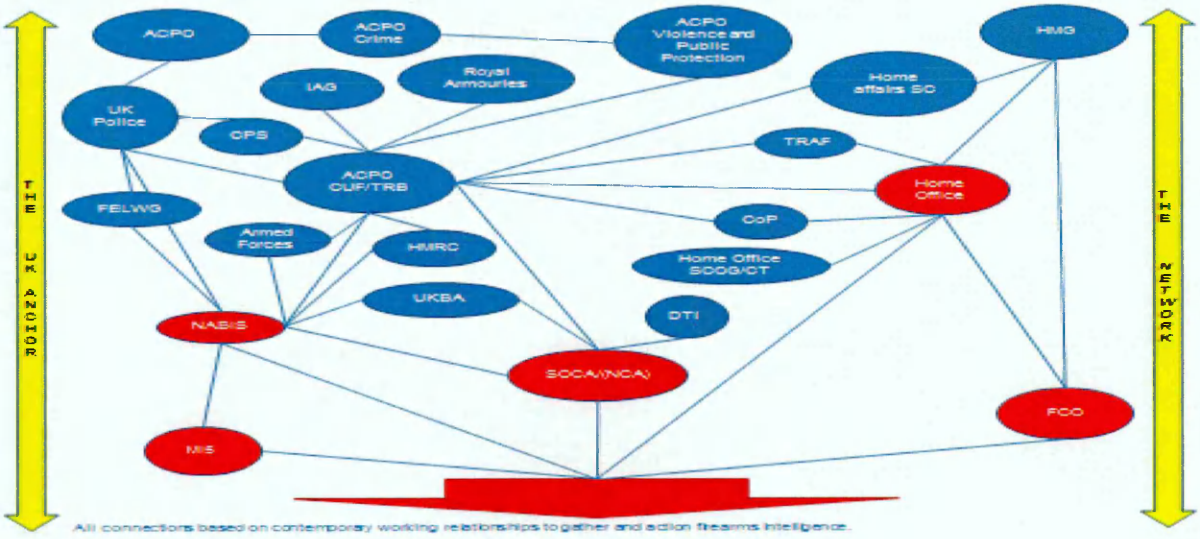
Lit Review	Research	Code/Category (Master category)/Theme/BROAD LITERATURE THEME/BROAD GROUNDED THEMES	Code/Category (Master category)/Theme/BROAD LITERATURE THEME/BROAD GROUNDED THEMES
	Research Interview.	**NABIS staff can search Interpol server without reference to originating country. Interpol. Function. IT. NABIS. Driver. Reconstruction of policing. LM (Became The People and 'The Tools of Late Modernity' that facilitate the Network)**	**Home Office has influence on what NABIS does particularly through the new Threat Reduction Boards. Home Office. TRB. NABIS. Threat. Driver. Nation State. Node. DNS (Became Transnational Nodes in the Network that Develop Nation State Policing)**

11.4 The *Network* from a UK Point of View (based on research evidence)

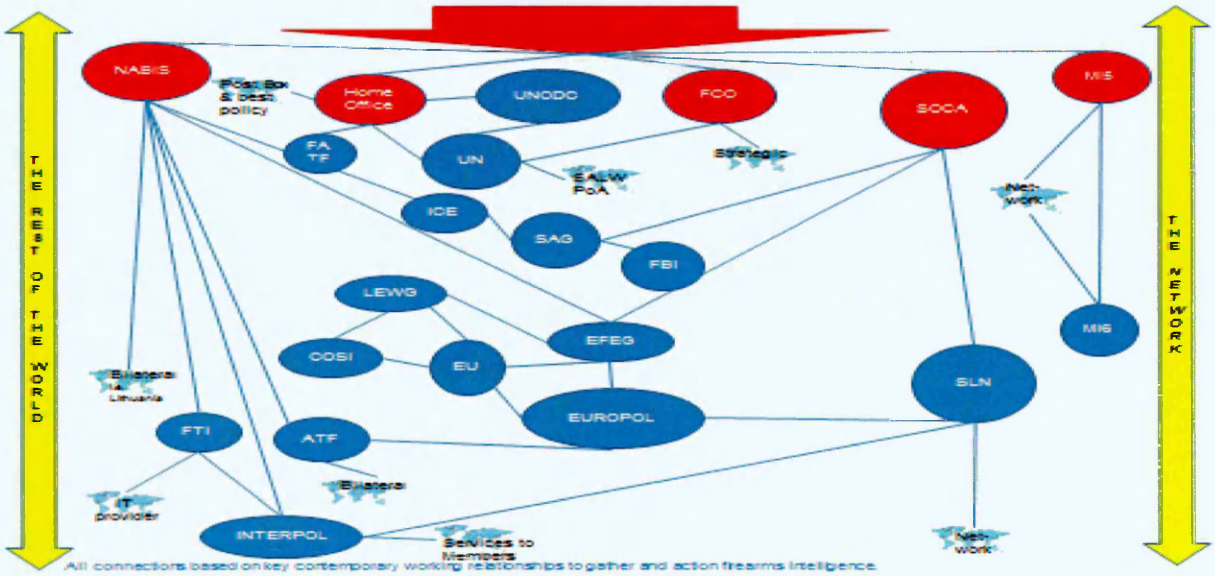
Intelligence: assessed by UK police.

Glocal Firearm Threat to the UK

Drives Policeization and UK Police involvement in the *Network*



Key UK Nation State Nodes in the *Network* develop nation state policing by co-operation.

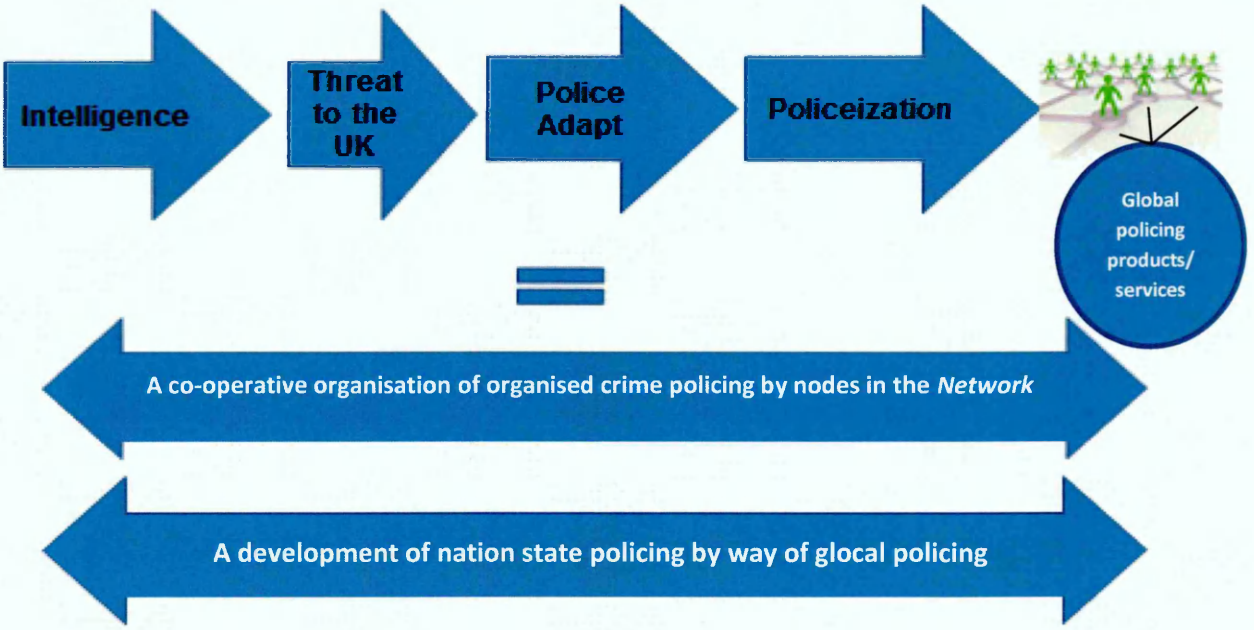


Facilitate the *Network* based on the mission / motivated by doing best for victims.

Late modern cops who are loyal to the nation state make best use of the tools of late modernity.

A Summary of the Thesis

'A glocal reconstruction of policing'



11.5 Snapshot of Example Actions

Allocated actions

Current priority actions

Resulted actions

Pended actions

Date critical

Title	Ref	Progress
If openly available, obtain a copy of the European firearms threat assessment.	39	EFE are mentioned at the below site which needs indexing: http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/organized-crime-and-human-trafficking/trafficking-in-firearms/index_en.htm As of 101212 no evidence of the European Firearms Threat Assessment being openly published **Pended awaiting publication.**
Review grounded theory memos to ensure all relevant evidence is captured and analysed.	56	
Prepare a chart that shows the *Network* and how it links to wider organisations such WCO, Interpol etc. (Consider using it to teach the workshop on Global Crime and insecurity on 070413).	126	This has now become part of the ongoing nodal network analysis. **Action Resulted**

P9 - Policy entry of 1225 on Tuesday 25th October 2011 - Use of grounded theory means keeping the literature review until after data has been discovered (Chamaz 2006). However, to declare my existing knowledge and potential for preconceived ideas, also to say 'where we are now' I will do a literature review before, then a further one after, the data has been discovered. The first literature review will be focused on my current knowledge of the existence of the OCG/terrorist illicit firearms market nexus, the threat it poses, any current literature on the transnational firearms intelligence network and the bureaucratization and policeization theories that explain that network. (Agreed with Dr Paterson).

This will enable potential for preconceived ideas and forced data to be clearly identified and put on one side so that the research can continue with an open mind, in line with the grounded theory philosophy. The proof of that will be in the findings and will need commenting on in the final analysis.

Even though pure grounded theory researchers promote leaving the literature review until after the data has been gathered, any strategy, starts with knowing where we are now, before we get to where we want to be. That has to follow when explaining the transnational policing network for gathering intelligence on the OCG/terrorist nexus market in illicit firearms. So there has to be an initial literature review to see where we are now, then a further one when the collection and analysis is complete in order to understand whether any grounded theory, that has been developed, stands alone, adds to, links with or is a part of, already existing theories. Working like this does not close the mind, you can still keep an open mind in your investigations. This is similar to crime investigation (part of the standpoint that I come from). In any crime investigation you start with an amount of knowledge and establish where you are with what you already know about what has happened. You then move on gathering further evidence. That evidence is analysed as you progress using HOLMES. However, you continue to keep an open mind and develop lines of enquiry based on analysing the evidence/knowledge that you hold and gather along the way. You only start to close in on grounding out any charges when the evidence

gathered moves you in that direction; where charges can be laid based on the evidence that is discovered and the application of law to that evidence. At that point you produce a file of evidence (the thesis) to support the charges (the grounded theory) subject to the law (existing theory). Whilst a charge is subject to existing law each individual case is unique in its circumstances as well as at the same time having aspects of generalised modus operandi.

P19 - Policy entry of 2330 on Wednesday 23rd May 2012 - Current priority is to interview (redacted to preserve anonymity) and make contact with (redacted to preserve anonymity) the UN SALW SPOC at the FCO.

Delivered presentation on current state of research to Dr Craig Paterson and Dr Ed Pollock. Their advice is that I have collected original material from the three interviews that I have already undertaken. As I can corroborate the material collected with evidence from OSINT research, the two further interviews should provide sufficient data to be able to submit the DICJ/2.

Contact with the FCO will either open up further opportunities for interview or confirm my evidenced belief that they focus on international arms dealing by UK nationals to prohibited countries and leave internal supply within and into the UK to the police. As such they are not part of the network I am currently researching. However; an open mind will be kept as they are part of the UN SALW network that does 'police' the illicit supply of small arms and light weapons and it is not clear how they link in with UK law enforcement. It may be that the FCO just report relevant law enforcement activity around their area of interest to the UN.

P31 - Policy entry of 1030 on Sunday 21st April 2013 - Start writing the methodology chapter... Ideas are fresh in the mind from the LCSS conference (which includes the principle of golden hour daily writing opportunities as per Dr Fahri Karakas workshop 'The big picture and academic careers' at LCSS conference on 190413). Analysis will continue at the same time. Now supervision of UG dissertation students and PG Teaching is complete there will be more time to write and analyse and with using OSINT for grounded theory theme population such analysis should continue any way.

P32 - Policy entry of 0945 on Wednesday 1st May 2013 - The themes to be saturated in line with grounded theory analysis and presented in the thesis, presentation of findings chapter, are:

5.1. The Firearms Threat to the United Kingdom (UK)

5.2. The Key UK Nation State Nodes in the *Network*

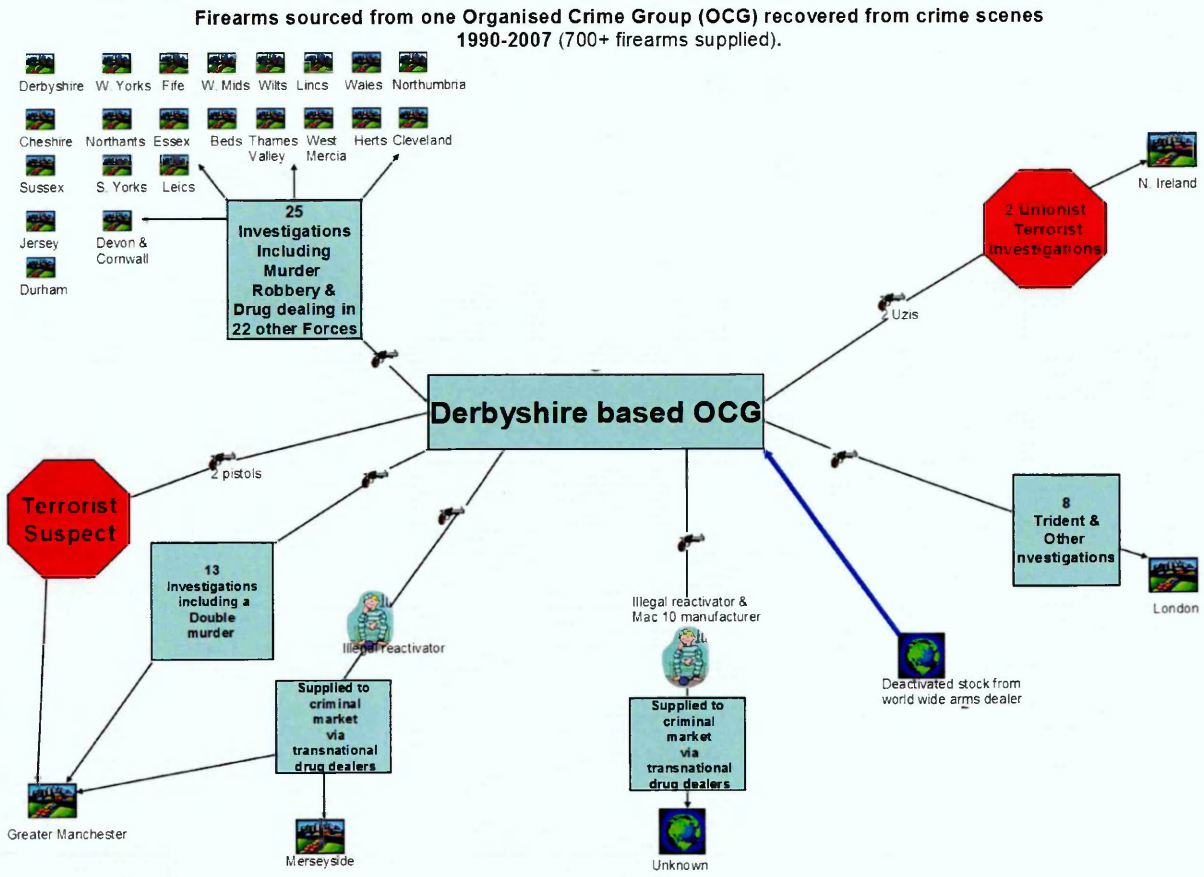
5.3. Transnational Nodes in the *Network* that Develop Nation State Policing

5.4. The People and *'The Tools of Late Modernity'* that facilitate the *Network*

The focus of the database analysis, nodal network analysis and outstanding actions will be reviewed in line with this decision... Current analysis and writing up, in line with grounded theory analysis, shows these are the main themes to emerge. Nodal analysis also shows them to be connected and to support the emerging thesis. The threat to the UK shapes and drives the operation of the *Network* which is a development of nation state policing facilitated by people and the tools of late modernity. The threat causes the police to adapt and by way of policeization, people *and 'the tools of late modernity' develop* the *Network* which is a co-operative organisation of organised crime policing anchored within the nation state. As such it is a positive development of nation state policing rather than a negative reconstruction of policing from the outside.

LM..THE PEOPLE AND THE TOOLS OF LATE MODERNITY DRIVE THE *NETWORK.* TRANSNATIONAL NODAL NETWORK. BUREAUCRATIZATION. RECONSTRUCTION OF POLICING. Node. Intelligence led problem solving policing. Policeization. Nation state. Network. Driver. Police reconstruction. Intelligence. Transnational. EU. Firearms. NABIS. SOCA. ACPO. EFEG. Police. UK. Integrated Ballistics Intelligence System. Ballistics intelligence. Private provider. Transnational intelligence. Intelligence evaluation. Transnational policing. Core function. Role. TRB. TRAF. NABIS intelligence. Strategy. Role. Function. Crime types. Good practice. Border Agency. IT. SLN. ATF. MOU. SOCA Intelligence. Gun. Criminal use of firearms. POLKA. ACPO CUF. PoA. Home Office. Want to be the best. Policy. Legislation. INTERPOL. Technology. Trace. IBIS. Lead Scientist. Intelligence manager. Function. Ballistics intelligence. Conventional intelligence. Individuals. Fast time intelligence. The way we do stuff. NABIS should be the centre of excellence for everything to do with the criminal use of firearms. Our perspective. Intelligence perspective. Chair John Murphy the Chief Constable of Merseyside. Violence and Public Protection Portfolio. Chair Brian Moore Chief Constable of Wiltshire. ACPO Criminal use of Firearms Group (ACPO CUF). Chair Sue Fish. ACPO Criminal use of firearms steering group. ACCs (Assistant Chief Constables) from the majority of gun crime forces. Threat Reduction Board. Unit Head of NABIS. ACPO CUF Practioner's group. (Chaired by Paul James.) Home Office Strategy has 12 different programmes of activity. I report upwards into ACPO CUF. I almost report downwards into the practioners group Coming together to identify a problem and tackle it through the practioners group. Interpol in Lyon have international server for IBIS which allows cross-national checks. Number of countries (about 7 or 8) signed up to IBIS international server i.e. Holland, Ireland. Interpol driving IBIS as a technological advance. ATF liaison officer for the UK. Counterpart to the NABIS Intelligence manager is called John Cooper. Good working relationship.....

11.8 The Operation Barker Criminal Network



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