Actors, Scripts, Scenes and Scenarios: 
Key trends in policy and research on the organisation of serious crimes

Abstract

The problem of ‘organised crime’, particularly ‘transnational organised crime’, has become a prominent issue in international affairs over the past two decades, as exemplified in the United Nations’ Convention Against Transnational Organised Crime and the European Union’s agenda for creating an ‘Area of Freedom, Security and Justice’ (AFSJ) amongst its member states. These official constructions of the problem identify threats to public safety resulting from the greater mobility of people and goods across national borders and the exploitation of this mobility by ‘organised crime groups’ (OCGs). In turn, this has led to the generation of a new genre of policy-oriented learning, the ‘threat assessment’, epitomised by the European Union’s Organised Crime Threat Assessments (2006-2011) and its Serious and Organised Threat Assessment (2013-2017), which informs and legitimises the cross-border targeting and co-ordination of preventive interventions against such groups. Advocates of threat assessment argue it provides a rational means of anticipating and reducing harms to public safety. Critics argue it lacks any defensible methodology and is open to abuse, providing post-hoc rationalisations for prejudicial action against outsiders. Conversely, an emerging programme of research switches analysis from OCGs to the modus operandi of commissioning serious crimes, that is, from a focus on criminal actors to crime scripts and their facilitating conditions or ‘scenes’. In turn, these concepts can be used in thought experiments identifying ‘scenarios’ for the prospective performance of serious crimes. These offer less certain but less bigoted and more satisficing grounds for anticipating serious crimes for the purposes of public protection. These key trends in policy discourse are reviewed in order to question how we can know about transnational organised crime and act on the strategic dilemmas of prejudice and protection in anticipatory forms of governing.

Key words: 
Transnational organised crime; anticipatory governance; threat assessment; intelligence-led prevention; organised crime groups, crime scripts and scenes, scenario methodologies.

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1 This is a revised and updated version of a paper originally published in the proceedings of the RiskMonitor Foundation’s conference on Organized Crime, Civil Society and the Policy Process, 28-30th May 2010 (Edwards, 2011).
The problem of organized crime is the concept of organized crime itself, which in turn produces the wrong question for research, which is to ask if “it” is organized in a particular way, whereas the more sensible question is to ask what factors over time shape the ways in which crimes of certain types are organized and who [beyond just the perpetrators] gets involved in them? (Edwards and Levi, 2008: 373).

Introduction
‘Organised crime’ is now a major focus for public policy, as exemplified in the United Nations’ Convention Against Transnational Organised Crime (UNODC 2004; Edwards an Gill, 2003) and, in Europe, its prominence on the EU’s agenda for creating an ‘Area of Freedom, Security and Justice’ (Tampere Programme, 1999; Hague Programme, 2004; Stockholm Programme, 2010). In turn, this agenda has generated a whole new genre of policy-oriented learning, the ‘threat assessment’ of organised crime which endeavours to provide policymakers with an understanding of current organised crime patterns, in particular concerns about ‘transnational’ crimes resulting from the greater mobility of people and goods across borders, and to inform the targeting and co-ordination of efforts at prevention (EU OCTA, 2006 and passim; EU SOCTA, 2013; EU iOCTA, 2014). In the social science research community, however, the very concept of organised crime remains controversial. Some consider it to be little more than a political construct, used by policy elites in the liberal democracies to depict themselves as primarily the victims of ‘alien’ threats from a familiar rogues’ gallery of organised crime groups (OCG’s): ‘Cosa Nostra’, ‘Columbian Cartels’, ‘Chinese Triads’, ‘Russian Mafiya’ etc. (Woodiwiss, 2003; Woodiwiss and Hobbs, 2009). Others identify a self-referential bureaucratic politics at play in the construction of organised crime threats as problems of law enforcement implying law enforcement solutions, including innovations in confiscating the proceeds of crime (Sheptycki, 2003; van Duyne and Vander Beken, 2009).

Counterpoised to the threat assessment industry and its sceptics, however, is an emerging field of research which focuses analysis on the organisation of serious crimes, including the opportunities for their commission and the social relations which these imply (Edwards and Levi, 2008). This analytical shift has generated an energetic research programme concerned with the ‘crime scripts’ or *modus operandi* employed by criminal organisations to commission different types of crime (Cornish and Clarke, 2002; Levi and Maguire, 2004), the ‘scenarios’ which are more or less conducive to the organisation of these crimes (Vander Beken and Verfaille, 2010), the normative, as well as empirical, inquiry into the ‘social harms’ that qualify certain types of crime as ‘serious’ priorities for governmental action (Greenfield and Paoli, 2010) and the conditions or ‘scenes’ in which these scripts are played out.

This analytical shift has had an impact on policy trends, partly influencing the European Council’s 2006 decision on the remit of Europol (the European Policing agency) to shift the scope of its work from ‘organised crime’ to ‘serious crime’ (Dorn, 2008). The primary location of this shift in thinking has, however, been in the academy and its pressure on policy-makers, as in the Royal United Services Institute’s programme of research on organised crime (RUSI, 2013). To place this trend in context and as a precursor to discussing its implications for the policy-research relationship, it is possible to distinguish three other
dominant policy trends, each with their own distinctive analytical focus. Table 1 summarises a basic dichotomy in policy trends between varieties of actor-oriented thinking on the one hand and a focus on organisational, commissioning, processes on the other.

**Table 1. Organised Crime Policy Trends and Their Analytical Focus**

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<td>• Effects of OCGs + SOCs on EU society</td>
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<td>Organisation of Serious</td>
<td>Scripts, Scenes and Scenarios</td>
<td>Approach still marginal to the actor-orientation and primarily based in the academy and its advice to policy-makers, e.g. RUSI (Royal United Services Institute) Organised Crime Programme (2013+)</td>
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<tr>
<td>Crimes: Commissioning</td>
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**Policy Trends and their Research Implications**

All of these trends continue to attract support and compete for prioritisation on policy agendas and research programmes. To draw upon a musical metaphor, we can refer to them as *refrains* to suggest that whilst they have been coterminous for much of the history of ‘organised crime’ as a problem for public policy, some have been louder than others at certain times and in certain contexts. This metaphor helps us understand the contentious quality of this policy issue and the particular cacophony of current policy debate. As indicated in Table 1., it is possible to differentiate key policy trends in terms of the particular analytical focus they privilege and how this leads to the problem being ‘framed’ in ways that
prioritise certain kinds of actors, activities and contexts for policy responses, whilst down-
playing others.

**The Actor-Orientation (1): Conspirators**

Histories of the definition of ‘organised crime’ as an official category and focus for policy
identify its origins in American law enforcement (Woodiwiss, 2003). One of the earliest uses
of the concept has been traced back to the 1896 report of the New York Society for the
Prevention of Crime into racketeering, gambling and prostitution. Both here, and in the US
National Commission on Law Observance and Enforcement (the Wickersham Commission,
1929-31), the problem is defined in terms of the political and economic conditions
generating racketeering, including the corruption and collusion of public officials in
municipal government (ibid.; Smith, 1991). Post-Second World War, however, historians
identify a major shift in policy discourse. ‘What’ questions about the kinds of crime that
were being organised and how they were organised became less important than questions
about ‘who’ was doing the organising, in particular concerns about the influence of foreign
career criminals (Smith, 1991). Critics of this analytical shift refer to the new concept of
organised crime as an ‘alien conspiracy theory’, epitomised by the proceedings of the 1950
Kefauver Senate Investigating Committee (on ‘organised crime in interstate commerce’) which
was preoccupied with the organisation of criminal conspiracies around ethnic groups,
in particular those emanating from the Italian-American community. In contrast to the
earlier Wickersham Commission, the Kefauver Committee was conspicuously silent about
the role of officialdom in the facilitation of criminal enterprises; the now familiar distinction
between the ‘upper-world’ of legitimate commerce and government and the ‘under-world’
of criminal conspiracies had become enshrined in public policy (Paoli and Fijnaut, 2004).

The Kefauver Committee popularised the idea of, ‘a nationwide crime syndicate known as
the Mafia, whose tentacles are found in many large cities’ (United States Senate, 1951: 131).
Mafia imagery subsequently dominated policy discourse in the US, compounded by the
notorious testimony of Joe Valacchi given in 1963 to the US Senate Permanent
Subcommittee on Investigations, in which he discussed his participation in an Italian-
American crime syndicate, ‘La Cosa Nostra’. The concept of organised crime as the
consequence of ethnically-based syndicates with international connections was given
academic credibility through Donald Cressey’s contribution to Lyndon Johnson’s 1967
Nation*, represented organised crime in the US as a shadow state, mirror-imaging, the
hierarchically organised rational bureaucracies of the law enforcement agencies charged
with tackling ‘it’.

These core aspects of the Cressey model also clarify the purposes of the principal law
enforcement instrument that came out of the Johnson Task Force, the Racketeer Influenced
and Corrupted Organisations (RICO) statute of 1970, to prosecute membership of criminal
enterprises involved in predicate offences. The analytical preoccupation with organised
crime groups (OCGs) received a ‘pluralist’ revision in Ronald Reagan’s Presidential
Commission on Organised Crime, which retained a focus on the threat posed by ethnically-
based conspiracies but broadened the scope beyond the Mafia to accommodate the
perceived impact of ‘Colombian Cartels’, the Japanese Yakuza and Russian groups etc.
(Potter, 1994).
The lineage of the alien conspiracy theory continues through to present representations of ‘transnational’ organised crime in other regions, particularly in Europe post-Soviet Union, and can be discerned in the EU’s threat assessments (see below). Within the American ‘home’ of the concept of organised crime, however, this theory has been challenged by those arguing that much illegal market activity, particularly in the narcotics markets, operates in a ‘disorganised way’ and is better conceptualised in terms of marketplace dynamics (Reuter, 1983; Naylor, 1997).

**The Actor-Orientation (2): Illegal Entrepreneurs**

Conceptualising organised crime in terms of illicit enterprise has also been a defining characteristic of much European policy activity in relation to organised crime, as epitomised by the definition offered by the German Bundeskriminalamt in 1983:

> ‘Organised crime constitutes the planned commission of criminal offences driven by the quest for acquiring profits or powers. Such criminal offences have to be, individually or in their entirety, of major significance and involve the cooperation of more than two participants acting with a common intent for a longer or indefinite period of time on a distributed-task basis:
>
> a) by utilisation of commercial or business-like structures
> b) by application of violence or other methods suitable for achieving intimidation or
> c) by exerting influence on politics, the media, public administrations, justice systems, or commerce and industry.’

The analytical concern with enterprise has the advantage of shifting policy change and learning away from the blunt, ethnocentric and potentially bigoted, focus on ethnically-defined groups (without denying that ethnicity and kinship can be employed as resources for organising serious crimes, see below). It accommodates looser partnerships of co-offenders and consequently acknowledges the phenomenon of project crimes arranged by networks of illicit entrepreneurs brought together by ‘criminal contact brokers’ for the purposes of commissioning particular offences (Hobbs, 2001; Klerks, 2003). The use of social network analysis to conceptualise and explain such project crimes has become a key focus of academic research, for example on human trafficking (Campana, 2015) or gun crime (Oatley and Crick, 2015).

Even so, analysis of the structural properties of organised crime problems, in particular their accomplishment through social networks of entrepreneurs, still privileges a focus on particular co-offenders rather than the assemblage of these actors and the necessary resources for organising serious crimes in conditions that are conducive. As a consequence, there is a danger of repeating the reductionist explanation of conspiracy theorists only this time reducing the policy problem to the structural properties of ‘the network’ of entrepreneurs rather than ‘the syndicate’ of alien conspirators.
In addition, the looser definition of organised crime as illicit entrepreneurship has attracted criticism for simply adding to the ambivalence of a policy construction that accommodates activities ranging from tax fraud through to drugs trafficking and terrorist activity and actors as diverse as the Italian Cosa Nostra through to youth gangs (Fijnaut, et al, 1998). Paoli and Fijnaut (2004: 41) conclude their history of the concept of organised crime by arguing:

*Its very plurality of meanings, explaining its recent success in world public debate, and making it a catchy label to signify popular anxieties and foster legislative changes, hinders the full transformation of organised crime into a clear-cut legal category. Despite the definitional efforts made by several domestic governments and international organisations, organised crime is still far from meeting the normative characteristics of legal categories and its definitions usually lack both rigorousness and exhaustiveness. It remains a vague and ambiguous catchphrase, the application of which inevitably entails varying – but usually high – degrees of arbitrariness.*

**The Actor-Orientation (3): Poly-Criminals**

One response to this definitional problem has been to replace the search for an all-encompassing definition with evolving content definitions of emerging threats and risks. This approach can be discerned in the United Nation’s Convention Against Transnational Organised Crime and, more explicitly still, in the European Union’s annual Organised Crime Threat Assessments (the ‘OCTA’), which commenced in 2006 and concluded in 2011 before being replaced by the current EU Serious and Organised Crime Threat Assessment (the ‘SOCTA’), first published in 2013 covering the 2013 – 2017 period with an ‘interim assessment’ expected in 2015².

Reviewing the journey from OCTA to SOCTA provides a means of tracing the evolution of thinking about organised crime in elite European policy-making circles over the past decade and, within this thinking, the particular importance of the threat assessment as a new genre of policy-making provoked. The replacement of the EU Organised Crime Situation Reports (OCSR) by the OCTA in 2006 was justified on the grounds that transnational OCGs were outwitting and outflanking the capacities of national police and intelligence agencies and this warranted both a transnational response from European-wide agencies such as Europol and one that aimed to anticipate and pre-empt, not simply react to, problems of transnational organised crime. In these terms the ambition of the OCTA was to inform the anticipatory governance of transnational organised crime problems and to justify pre-emptive interventions. As such it is a significant shift in governmentality from ‘criminal justice’, the retrospective detection and prosecution of suspects ‘on the facts’ of offences already committed, to ‘security’ and the justification of pre-emptive interventions against suspects yet to offend. Given the gravity of this shift for ‘the politics and jurisprudence of group offending’ it is worth reflecting on developments in threat assessment and the fitness for purpose of this policy genre in warranting pre-emptive intervention.

Whilst adding to the range of factors considered in threat assessments, this policy trend has continued the tendency in other actor-oriented accounts to treat organised crime as a collective noun, a singular thing, rather than a variegated process. As a consequence, more

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² Unreleased at the time of writing this paper.
elaborate content definitions of this thing have only resulted in a ‘potpourri’ of factors to be considered rather than their assemblage into something that realist social scientists would recognise as resembling an explanation with a clear explanandum and related explanans (Keat and Urry, 1981: 10, 248-9).

Admittedly there is the privilege in the philosophy of social science of treating the very possibility of assembling explanations as an ongoing contentious issue of epistemology amongst realists and interpretativists (Sayer, 2000). However the absence of clear explanatory thinking in the policy process for security strategies premised on pre-emptive intervention ought to provoke considerable concern. It would be disconcerting enough if, in Paoli and Fijnaut’s terms, policy-oriented learning about retrospective law enforcement continued to be ‘arbitrary’ but in the context of legitimating the prejudice of security strategies it is surely indefensible. If the building of predictive machines to warrant pre-emptive intervention is to remain a possible and desirable policy goal then the methodology of threat assessment is justifiably a core concern for any interested in the politics and jurisprudence of group offending.

**From OCTA to SOCTA**

The journey from OCTA to SOCTA can be characterised as one in which actors, the OCGs, remain central but are represented as more sophisticated ‘poly-criminals’ in that they diversify into a range of criminal activities that can complement one another, such as trafficking in people as well as narcotics and enabling illegal migration as well as shipping forced labour into the vice markets and sweatshops of Western Europe. Table 2., provides a summary of the key indices of risk referred to in the first OCTA.

This first threat assessment argued that whilst the Organised Crime Situation Reports (OCSR) that preceded the OCTA, provided a descriptive account, the OCTA, ‘puts an emphasis on the qualitative assessment of this complex and multi-faceted phenomenon’, noting:

> There is a need for a close attention on key criminals, their networks, the financial dimension of the OC groups and their ability to communicate within and between one another. That is, the functional side of OC must be at the forefront of the attention, asking the question what they are doing and how, rather than who they are (OCTA, 2006: 6).

In these terms the OCTA recognizes different kinds of organised groups, including ‘flexible and fluid patterns of association between individual criminals’ and emphasises the importance of understanding, ‘the conditions under which patterns of criminal association and co-offending emerge and exist’ (OCTA, 2006: 12). Reference is also made to the principal activities of these groups, specifically drug trafficking, trafficking in human beings and illegal immigration, fraud, Euro counterfeiting, commodity counterfeiting and intellectual property theft, and money laundering. The OCTA (2006: 17-22) also identifies ‘key facilitating factors with regards to criminal markets’, which provide OCGs with opportunities for commissioning serious crimes, including document forgery and identify theft, misuse of the transport sector, exploitation of the financial sector, problems of globalisation and ease of movement across borders.
Table 2. OCTA Threat Assessment Indicators, Categories and Patterns

<table>
<thead>
<tr>
<th>Key Indicators of OCGs</th>
<th>Categories of OCGs</th>
<th>Regional Patterns of OCGs</th>
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<tbody>
<tr>
<td>The International Dimension: meaning, ‘international co-operation,</td>
<td>Territorially based, indigenous OCGs, with extensive transnational activities;</td>
<td>The south-eastern region of the EU, with a focus on Turkish and Albanian OCGs;</td>
</tr>
<tr>
<td>OC Group Structures: patterns of criminal association and co-offending,</td>
<td>Mainly ethnically homogenous groups with their leadership and main assets abroad;</td>
<td>The south-western region of the EU, with a focus on certain African OCGs;</td>
</tr>
<tr>
<td>Use of Legitimate Business Structures</td>
<td>Dynamic networks of perpetrators;</td>
<td>The north-eastern region of the EU, focusing on the Baltic States and the influence of Russian speaking OCGs;</td>
</tr>
<tr>
<td>Specialization: providing or recruiting actors with specialist skills</td>
<td>OCGs based on strictly defined organizational principles without an ethnic component, coupled with a large international presence.</td>
<td>The Atlantic region, revolving mainly around the pivotal transnational role of Dutch, British and Belgian OCGs.</td>
</tr>
<tr>
<td>Influence and Corruption: misusing entrusted power for private gain;</td>
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<tr>
<td>Violence;</td>
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<tr>
<td>Counter-measures: undertaken by OC groups to avoid detection and prosecution.</td>
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*Source: European Union Organised Crime Threat Assessment, 2006 (OCTA, 2006: 11-17, 24).*

Even so, the assessment proceeds from an identification of OC actors to their activities and their consequences, rather than taking the accomplishment of particular criminalized activities as the analytical focus, in which the mobilization of different actors is but one part. The admixture of the indicators, categories, regional patterns, principal activities and facilitating factors used to define the threats posed by organised crime groups has been criticised for producing a confused analytical tool. As van Duyne and Vander Beken (2009: 274) argue:

*On the one hand, [the OCTA] seems a threat assessment when it tries to make statements about organised crime groups and criminal markets. On the other hand, it carries elements of an impact assessment since the evaluation of the level of threat*
is sometimes directly connected to its impact on society. Moreover, the analysis of key facilitating factors (like the misuse of the road transport sector) contains elements of a vulnerability study.

Mindful of the confused picture emerging out of the OCTA, the first assessment notes that, ‘Weighting crime areas against one another is inherently difficult. This too, has less to do with analytical insights than value statements, reflecting different priorities in the MS [Member States of the European Union] and beyond’ (2006: 25). It is acknowledged that, ultimately, the intelligence on which the OCTA is premised is gleaned from, ‘years of political and law enforcement experience’ (2006: 26), a dependence that is reinforced by the key methodological instrument of threat assessments; surveys of police forces’ perceptions of organised crime activity (Gregory, 2003; van Duyne and Vander Beken, 2009).

Without wishing to dismiss the relevance of political and law enforcement-based assessments of threat, there is a danger that these bracket-off other kinds of expertise about organised crime. This has at least three possible ramifications (Edwards and Levi, 2008: 372-4):

1. Without reference to countervailing analyses, threat assessments run the risk of becoming self-referential, recycling the prevailing values and priorities (the categories and frames of reference) of the political and law enforcement agencies who are surveyed for the purposes of composing the threat assessments;
2. Privileging law enforcement intelligence presupposes law enforcement responses, even whilst the very limitations of law enforcement as a crime reduction strategy are recognised. Consequently, the first OCTA states both that the international scope of OCG activities and their infiltration of the upper-world of government and commerce, ‘gives them a sort of impunity and perpetuity that counteracts law enforcement efforts’, but it nonetheless asserts that, ‘when attacking OC, law enforcement is at the heart of political and economic life in the EU.’ (OCTA, 2006: 5, 23); and
3. The failure to switch the analytical focus from the prosecution of actors, OCGs, to the organisation of serious crimes inhibits the transformation of strategic priorities (such as sustainable crime reduction) into detailed operational recommendations.

Whilst cataloguing OCG actors and activities, threat assessments remain very obtuse and abstract about the explanation of organised crime problems and consequently how remediable they are. There is little sense of how serious crimes are actually organised and what this tells us about the possibilities for crime reduction. Whilst subsequent iterations of the annual OCTA have refined the discussion of its core concepts, the ramifications of its law enforcement-centred strategy remain. The assessment for 2011, for example, identifies the growing importance of the internet as a ‘key facilitator’ of organised crime, it notes the increased diversification of OCGs into ‘multi-commodity’ and ‘poly-criminal’ activities, notes the increased collaboration amongst OCGs in ‘regional hubs’ across Europe and the corruption of experts in transport, finance, real estate, law and pharmaceuticals who can facilitate serious crimes (OCTA, 2011: 5-6), whilst still concluding that, ‘Targeted law
enforcement action is needed to tackle the most dangerous criminal groups operating in Europe’ (ibid. 4).

**SOCTA 2013 – 2017**

The establishment of the EU Serious and Organised Crime Threat Assessment for the 2013 – 2017 period was promoted by the Director of Europol, Rob Wainwright, as a significant development in thinking that takes policy-making about organised crime beyond the OCTA. He describes it as a strategic report that, ‘delivers a set of recommendations based on an in-depth analysis of the major crime threats facing the EU. The Council of Justice and Home Affairs Ministers will use these recommendations to define priorities for the coming four years.’ (SOCTA 2013: 5). In addition to this more medium-term focus, following a decision in 2010 to shift to a ‘multi-annual policy cycle’ for responding to problems of organised crime, the SOCTA is premised on, ‘a new methodology’ that was developed over the course of 2011-2012, ‘by Europol in cooperation with the SOCTA expert group composed of representatives from EU Member States, Europol’s third partner countries and organisations, the European Commission and Council General Secretariat.’ (SOCTA, 2013: 42). The SOCTA methodology is represented as developing threat assessment beyond the previous OCTA by refining indications of OCGs and augmenting these with indices of Serious Organised Crime areas (SOCs), their Effects on EU society and the identification of various Crime-Related Factors (CRFs) in the environment which can either facilitate or inhibit OCGs and SOCs. These distinguishing characteristics of the new methodology are summarised in Table 3.

In a novel development, the SOCTA methodology is also accompanied by a response from three academic researchers interested in organised crime, Dr Xavier Raufer, Professor Dr Arndt Sinn and Professor Max Taylor (SOCTA 2013, 44-45). They congratulate Europol and the SOCTA team on, ‘the production of a thorough and competent analysis’, which helps to develop the kind of approach that is needed to understand ‘the trans-border character of much serious crime’ (SOCTA, 2013: 44). They identify a number of likely future trends and issues: maintaining the balance of freedom and security through ‘good law enforcement informed by sophisticated analysis to inform policy decisions’; the changing balance between politically-driven and economically-driven terrorism; the hybridisation of criminal activity (similar to earlier arguments about multi-commodity poly-criminal organisations), for example the use of the internet by OCGs to diversify into multiple illicit markets from fraud to counterfeit goods as in the example of ‘The Silk Road’; the unintended and currently unforeseen consequences of general technological developments for serious crime opportunities; and changes in the demand for different kinds of drugs amongst different age cohorts as previously lucrative markets decline to be replaced by markets for new intoxicants including new synthetic drugs.
### Table 3. The SOCTA Methodology

| Aim and Scope | • Analyse the character or threatening features of organised crime groups (OCGs);
| | • Analyse the threatening features of serious and organised crime areas of activity (SOC areas);
| | • Analyse threatening aspects of OCG and SOC areas by region;
| | • Define the most threatening OCGs, criminal areas and their regional dimension. |
| Development from OCSR | • Present and future-oriented not retrospective threat assessment. |
| Development from OCTA | • The scope and use of indicators for organised crime groups (OCGs) has increased and indicators have been developed to analyse SOC areas.
| | • Horizon scanning has been added to better define future threats.
| | • The effects of SOC and crime relevant factors are analysed in detail to allow for better and more focused prioritisation. |
| Data Sources | The SOCTA is based on data from law enforcement agencies and open sources. Law enforcement data includes:
| | • data available within Europol;
| | • data obtained from MS via questionnaires, and
| | • data obtained from third organisations and countries. The open sources material used has been carefully evaluated for the reliability of the source and the validity of the information. |
| Threat indicators | Tailored indicators describe and assess the intrinsic characteristics of OCGs and SOC areas and are used to assign their respective level of threat. |
| OCG indicators | • Low: cooperation with other groups, expertise, external violence, countermeasures against law enforcement;
| | • Medium: adaptable and flexible, level of resources, the use of LBS, active in multiple crime areas;
| | • High: an international dimension to their activities, the use of corruption. |
| SOC indicators | • Low: resource availability, social tolerance, linked crime areas;
| | • Medium: innovation, number of groups active and evolution of the crime area;
| | • High: international dimension and high profits. |
| Effect indicators | • Measure the effect that OCGs and crime areas have on EU society. These indicators are key in identifying priority threats and arriving at substantiated recommendations. |
| Crime-Related Factors (CRF) | Crime-Related Factors (CRF) are facilitating factors and vulnerabilities in the environment that have an influence on current and future opportunities or barriers for OCGs and SOC areas. CRF are analysed via horizon scanning, which aims to identify future trends in society and future crime threats. |

These academics also identify key challenges in the methodological conundrum of prediction in future-oriented approaches to threat assessment. As predictive models are invariably premised on the extrapolation of historical data, they condemn analysts to fight the last battle rather than genuinely anticipate and effectively intervene against novel criminal practices. As a response to this conundrum they suggest, but don’t explain, the need for ‘continuous crime trend scanning, extending the SOCTA approach to support a more proactive approach’ (SOCTA 2013: 45). They also note a conceptual need to recognise the mobility of multi-commodity poly-criminal actors across national and administrative boundaries and the need to avoid the kind of mirror-imaging that has debilitated previous security strategies (see also Sheptycki, 2003). They argue that global crime problems require global policy responses, otherwise security agencies bound by national and other administrative boundaries are destined to be outflanked by the increasingly ‘flat’ networked and distributed organisation of criminal activity. Finally, Raufer, Sinn and Taylor discuss the implication of these future trends for the process, as well as the content, of threat assessment, arguing that it will have to be more dynamic, flexible and responsive than previous exercises that were too slow and bureaucratised to keep pace with adaptations in criminal organisation. The last point echoes a long-established criticism of the policy response to organised crime (Dorn, 2003; Ekblom, 2003).

Even so, Raufer et al., argue that, ‘the SOCTA process and methodology we believe to be robust enough to track and inform the problems these [challenges] might imply for the future.’ (SOCTA 2013: 45). In this regard, however, it is worth citing criticism of the first UK Strategic Assessment of Serious and Organised Crime by the newly established National Crime Agency (NCA, 2014), which adopts a similar conceptual approach to that of the EU SOCTA. Analysts from the Royal United Services Institute’s organised crime programme argue that:

_The way organised crime is addressed in the UK has undergone a major overhaul in the last few years with the creation of the National Crime Agency. The first strategic assessment provides a good snapshot of the current state of organised crime. However, it points to a lack of knowledge about organised crime and its drivers – some of which could be addressed through research and deeper analysis. If the NCA is going to have a better record than its predecessors, it must work on getting the basics right. Knowing your enemy would be a good start (RUSI, 2014)_

Similarly, it isn’t clear the indices of OCGs, SOCs, Effects and CRFs defined in the SOCTA methodology actually tell us much about the drivers of serious crime or, more prosaically, how serious crimes are actually organised. The failure to pose this basic question, let alone ‘getting it right’, remains the most remarkable characteristic of the politics and jurisprudence of group offending in this policy area. Indeed it can be argued that it is the jurisprudential preoccupation with criminal law enforcement rather than crime and harm reduction that explains much of this basic theory failure in the policy response to organised crime. In this regard, and notwithstanding the preoccupation with the flat, networked and
distributed organisation of criminal activity, the actor-oriented legacy of Kefauver and Cressey remains strong in SOCTA 2013. Whilst not wishing to doubt the importance of the criminal prosecution of serious offenders for heinous crimes, realising the difference between criminal law enforcement on the one hand and crime and harm reduction on the other remains important for innovations in the future development of the policy-research relationship.

**The Organisation of Serious Crimes: Commissioning processes**

The distinction between law enforcement and crime reduction does not preclude the role of the former in the latter, only the treatment of the two as synonymous. If crime reduction is more than law enforcement, what else is it? Concepts taken from volume crime reduction, of household burglary and automobile thefts for example, have been used by criminologists to rethink the organisation of serious crimes (Cornish and Clarke, 2002; Ekblom, 2003; Levi and Maguire, 2004; Felson, 2006; Levi, 2007, see also Greenfield and Paoli, 2010; Vander Beken and Verfaillie, 2010). From this literature it is possible to identify a number of core propositions:

1. Reducing serious crimes entails an analytical focus on the commissioning of offences:
   a. The attributes of perpetrators (whether lone offenders or co-offenders in alleged ‘organised crime groups’ are ‘Albanian’, ‘Chinese’, ‘Russian’ or whatever) are of concern only in so far as they help explain the commissioning process (for example the use of ethnicity and kinship as a resource for trafficking illicit goods and in ways that insulate trafficking networks from disruption, including interdiction by law enforcement) but of themselves have no intrinsic analytical value;
   
   b. The offence-focus implies a concern with specific types of crime and a presumption (to be corroborated and refined through comparative empirical research) that different types of crime necessitate different commissioning processes or, to use a criminological term, they necessitate different ‘crime scripts’ which break-down any crime into the particular sequence of activities through which it is accomplished (trafficking heroin from the Middle East into Western Europe, for example, requires a different script from the sourcing of materials for, and the production and distribution of, counterfeit fashion apparel and so on and so forth).

2. Understanding the commissioning of serious crimes entails an analytical concern with the interactions of offenders, victims and guardians in specific social contexts:
   a. Contrary to the dramatic focus on the pursuit and prosecution of ‘crime bosses’, ‘kingpins’ and ‘core nominalis’, a concern with the commissioning process also reveals the routine interactions between offenders, their targets and the presence or absence of capable guardians that consequently create opportunities for serious crime (for example the interaction of illegal drug dealers and consumers on street corners, public parks and other notorious places that are under-policied or otherwise ‘unmanaged’);
b. A concern with the interactions through which specific crimes are commissioned needn’t limit the analytical focus to particular situational settings (such as street corners or public parks) nor to current or retrospective knowledge about serious crime. It can broaden the social contexts of commissioning to include other kinds of environments, such as transnational markets and e-commerce through the internet, and to anticipate future ‘scenarios’, including the likely consequences of different policy responses for escalating or reducing crime rates (Vander Beken and Verfaillie, 2010). Renowned examples include the impact of law enforcement operations against drug dealers generating violent turf wars for the share of markets freed-up by the successful removal of particular dealers or the likely consequences of decriminalising illicit drug use for public health and safety.

3. The harmful effects, the ‘seriousness’, of serious crime entails normative as well as empirical analysis and interpretation as well as measurement in the prioritisation of the policy response:
   a. Another implication of the distinction between law enforcement and crime reduction is to shift the focus of policy outcomes from successes or failures in the prosecution of offenders for predicate offences, the volume of their criminal assets that are confiscated or the volume of illicit goods that are captured, towards reductions in the harmful consequences of these offences. The presumption here is that incapacitation or disruption of particular offenders does little to alter or debilitate the commissioning process or its harmful impact, particularly in highly lucrative markets such as the trade in narcotics, where there are many recruits waiting to step into the shoes of incarcerated or otherwise incapacitated offenders;

b. Establishing the relative harm of different types of serious crime is a challenging exercise, beyond the kind of legal criteria favoured by the former Serious Organised Crime Agency in the UK, which defined seriousness in terms of an offence which would incur a prison sentence of at least 3 years on first conviction (SOCA, 2006:5n1). It entails challenges that are both normative (‘what constitutes a harm and from whose perspective?’) and empirical (whether to calculate harms in terms of gross figures or net of possible benefits, for example the therapeutic benefits that are believed to accrue from cannabis use for those suffering neurological complaints; whether to tally harms over a year, a decade or a lifetime; and the commensurability of different harmful effects, say ‘battered children and household burglaries’ as harmful effects of illicit drugs use, see Greenfield and Paoli, 2010: 8-9). Even so, attempts are currently being made to develop a ‘risk assessment matrix’ that ranks harms according to their ‘severity’ (on a scale from negligible to catastrophic) and their ‘probability’ (from unlikely to frequent). Although not without some interpretative flexibility, this matrix at least provides the analyst with a systematic starting point for prioritising the seriousness of certain activities relative to others from one extreme (frequent and catastrophic) to another (unlikely and negligible) (Greenfield and Paoli, 2010: 16).
4. Analysis of the scripts, scenarios and harmful effects of organising serious crimes implies a more concrete identification of weak points or ‘vulnerabilities’ in the commissioning process for specific types of crime and their prioritisation in policy responses:

a. Emerging work in this field identifies border controls, shipping routes and visa applications as notable weak points in trafficking human beings and transporting stolen vehicles (Levi and Maguire, 2004: 428-9). Other examples of weak points identified through script analysis include the ease with which payment card fraud could be commissioned (prior to the introduction of ‘chip and pin’ cards) (Ibid. 433-8), or the ease with which amphetamine-type stimulants can be manufactured using legal precursor chemicals procured from pharmacies (Chiu et al, 2011) or the ease with which Vehicle Identification Numbers (VINs) could be switched from legal but wrecked automobiles to stolen vehicles for the purposes of resale (Tremblay et al, 2001: 568);

b. These scripts reveal the important role of crime ‘promoters’, whether intentional and corrupted or unwitting, in supporting offenders in the commissioning of serious crimes. Viewed from the perspective of commissioning, the key actors are not only the offenders but the pharmacies providing precursor chemicals, the payment card companies providing credit that can be easily forged and the vehicle licensing authorities operating licensing regimes open to abuse.

c. Allied to the harm reduction framework, the analysis of commissioning informs a policy response that can prioritise the investment of resources in targeting weak points and in accordance with judgements about the severity and probability of any given crime type. This is especially apposite in an ‘age of austere’ public expenditure and limited resources for crime prevention, particularly inefficient and uneconomical exercises in law enforcement.

5. A crime reduction strategy premised on the targeting of weak points in the commissioning process implies a broadening of the policy response from law enforcement to include other public authorities, the involvement of private organisations and public-private partnerships:

a. The identification of crime promoters, as well as intentional co-offenders (conspirators, entrepreneurs and poly-criminals), in the commissioning process broadens the scope of crime reduction beyond law enforcement measures targeting known offenders. Allied to normative and empirical judgements about the harms associated with different crimes, this approach begins to suggest a rationale for a division of labour amongst public and private sector ‘preventers’ and opportunities for public-private partnerships in which the effort and costs of sustainable crime reduction are shared (Levi and Maguire, 2004: 417-23). In addition to charging public authorities other than the police (such as vehicle licensing) and private organisations (such as
solicitors and accountants) with surveillance and enforcement duties in relation to the commission of serious crimes, this policy trend generates a wider repertoire of policy choices. It might, for example, be argued that scarce public resources are better concentrated on crimes that are more frequent and more critical (if not catastrophic) for a higher proportion of the public (Greenfield and Paoli, 2010). The exemplar of this harm-based calculation being the trade in class A narcotics but, it could be argued according to this kind of calculus, also the on-line trade in counterfeit prescription drugs, the sale of contraband alcohol and cigarettes (Hornsby and Hobbs, 2007) and the emerging trade in ‘counterfeit meat’, all of which generate high volume threats to public health. In turn, it might be argued that counterfeiting of luxury fashion goods (whilst now a sizeable illicit market) is less of a priority for public policy, as it is relatively less severe in its consequences than other crimes demanding a public response and that responsibility for its reduction ought to lie firmly with private organisations, their insurance companies and private security providers (Wall and Large, 2010);

b. Whilst highly controversial, not least because of its explicit prioritisation of policy responses and targets, the harm reduction approach provides a normative as well as empirical framework for the politics and jurisprudence of group offending. It enables deliberation about the necessary prioritisation of alternative policy agendas for criminal, restorative and social justice and for risk management and their relationship to sustainable public protection in contexts of austere public expenditure (Edwards and Hughes, 2012; Edwards, Hughes and Lord, 2013).

6. This broadening of the policy response also implies a concern with the conditions or ‘scenes’ in which scripts are played out resulting in more or less harmful scenarios. The concept of scenes alerts us to the importance of an analytical concern with the conditions that can enable or frustrate scripts and their re-writing:

a. Following the dramaturgical metaphor, it can be acknowledged that scenes provide possibilities for improvisation in the script and are not crudely deterministic of performance. Even so they suggest a certain narrative progression in the script which actors are disciplined to follow and do not completely re-write each time they perform;

b. Disambiguating improvisation and narrative in serious crime scenes is in part a question for ‘concrete’, empirical research, requiring access to the accounts that can be elicited through qualitative interviews with offenders, victims, control agents and other researchers (‘perp talk’, ‘survivor talk’, ‘Don talk’ as well as ‘control talk’) and their construct validation, including the scripts, scenarios and scenes that emerge from cross-examination in court proceedings (Levi, 2008). As a precursor to this it is, however, also possible to engage in abstract research entailing thought experiments about the necessary and contingent social relations that render serious crimes possible
(Edwards and Levi, 2008). An instance of this kind of thinking has been provided by Felson (2006), in which improvisation around narratives is understood in terms of the routine activities enabling the necessary supply of offenders, presence of targets and absence of capable guardians (or presence of more than capable but corrupted guardians);

c. Perhaps this kind of abstract research is what Raufer et al meant through their reference to anticipating serious crime futures through ‘continuous crime trend scanning’ although it sounds more like some inductive exercise in big data mining rather than the kind of theory-driven research advocated here (see also Housley, Procter and Edwards et al, 2014);

d. It is through the more systematic thinking through of these relations in assembling explanations of crime scripts, scenarios and scenes that social research can influence, not just critique, the turn towards anticipatory forms of governing serious crimes.

In this regard there is a need to challenge the language and assumptions of crime ‘analysts’ allied to the policy process and to rehabilitate an older language of social research that renders explicit the different practices necessary at various stages of social scientific work (Keat and Urry, 1981: 248-9, see below). Researching, rather than ‘analysing’, the organisation of serious crimes alters the relationship between social scientists and the policy community. This shifts the policy-research relationship away from a view that social scientists ought to be enrolled into agendas set by policy-makers to service their technical refinement or better communication to broader publics. Conversely, the language of research locates social scientists as constructive critics of these agendas inhabiting a culture of organised scepticism that can pose alternative visions of control. These alternatives may, for example, entail counter-intuitive (for law enforcement agencies) forms of non-enforcement such as triggering self-regulation (Edwards and Gill, 2002).

**Researching the Organisation of Serious Crimes**

Whilst the policy trend towards a focus on the organisation of serious crime remains subordinate to the other policy trends considered above, it is gaining increasing salience amongst the research community. Policy-oriented learning can be understood in relation to the types of research strategy implied by this trend and these can be distinguished in terms of generalizations about ‘organised crime’ as a singular subject, abstraction (or thought experiments) about the processes or mechanisms through which serious crimes can be commissioned and concrete research into empirical cases of how these mechanisms combine in the organisation of particular types of crime in certain social contexts (Keat and Urry, 1981: 248-9). Finally, research could consider the prospects for a synthesis of these research strategies to question whether there are any generic lessons to be drawn from comparative case studies of how particular crimes are organised and any complementarities or inter-dependencies in the commissioning of different crimes (cf. Sayer, 1992: 236-41). Such a synthesis is, for example, the logical implication of critically testing assertions about
the emergence of multi-commodity poly-criminals. The key components of these research strategies and their relationship to one another are illustrated in Figure 1.

**Figure 1. Types of Research Strategy**

These distinctions, taken from methodological debates in the social sciences (Sayer, 1992: 237) are helpful in clarifying how research strategies steer policy-oriented learning towards certain questions and away from others. As a research strategy, generalisation regards the effects of social relations or social events in relatively simple terms, its main purpose being to identify regularities and common properties. It is possible to understand conspiracy theories, illicit enterprise models and threat assessments as exercises in generalisation insofar as they define organised crime in terms of the attributes of organised crime groups (‘utilising commercial or business-like structures’, ‘employing violence and other forms of intimidation’, ‘exerting influence on public authorities through corruption’, ‘ethnically homogenous’, ‘territorially-based’ ‘having a large international presence’ etc., etc.). As suggested in the ‘organisation of serious crimes’ paradigm, however, this is a theoretical failure that reduces organised crime to a singular, simple, thing in order to ask how ‘it’ is organised, rather than focussing on specific criminal activities and how they are organised through various scripts, in certain scenes with variegated scenarios. In this framework, the key questions for research, rather than ‘analysis’, become: How the interaction of scripts, scenes and scenarios can evolve over time, what they tell us about the actual commissioning of crimes and what this suggests for the identification of vulnerabilities that can, in turn, be targeted for the purposes of harm reduction?

To understand the organisation of serious crimes it is necessary to replace generalisations about organised crime groups with a focus on ‘concrete’ crime types and their possible interrelationship or hybridisation. In these terms ‘multi-commodity poly-criminality’ are indications of how scripts, scenes and scenarios are evolving but there is still a need to build explanations of how such scripts are accomplished. As such ‘concrete’ refers to the idea of regarding commissioning processes as ‘unities of diverse determinations’ (Sayer, 1992: 236).
Analysis of crime scripts and scenarios seek to capture the multifarious mechanisms (signified in Figure 1., by M1, M2, M3 ... Mn) that combine to generate different commissioning events (E1, E2, E3 ... En) and that can combine in different ways to produce different crime outcomes (M1 + M2 = E1; M3 + M4 = E2; M4 + M5 = E3; M6 = E4 etc.). To take the example of the manufacture and distribution of Amphetamine-Type Stimulants (ATS) discussed by Chiu et al (2011), it is possible to identify several mechanisms:

M1: Location of laboratory (House, shed);
M2: Getting the goods (legal purchase, illegal purchase, social network);
M3: Storage of goods (Laboratory, rental sheds, storage facilities);
M4: Cooking drug (Test cooks, chemist experts);
M5: Packaging drug;
M6: Distribution of drug (In person, official courier);
M7: Benefits (Personal consumption, money).
(Adapted from Chiu et al, 2011: 362).

These mechanisms can be regarded as the necessary requirements of synthetic drug production and distribution yet whether and how they actually come together to successfully commission this criminal enterprise is contingent on various context-specific factors: the capacity to source and store precursor chemicals (in sufficient quantities at regular intervals), to recruit the necessary expertise to combine these chemicals, to store and distribute the final product in ways that do not attract the attention of the authorities and so forth. In turn this crime script suggests potential vulnerabilities in the commissioning process that might prove more amenable to remediation than laborious and expensive law enforcement strategies targeting perpetrators for the purposes of criminal prosecution and sanctioning. For example, a stricter licensing regime for the legal sale of chemical precursors and monitoring of pharmacies monthly stocks and sales.

Implicit in the analysis of crime scripts and more explicit in the concept of crime scenes and scenarios (which are often less observable), is the importance of thought experiments or ‘abstraction’, to identify possible causal mechanisms. Abstraction fulfils two key analytical purposes. It counters self-referential thinking, for example, the recycling of current political and law enforcement categories and frames of reference, by encouraging researchers to employ other frames of reference such as framing the drug trade as an issue of public health, addiction and compulsive consumption not just ‘rational choice’ or as an issue of thrill-seeking cultural practices and other ‘notes on the script’ (see Hayward and Young, 2004 and Wall and Large, 2010, on counterfeiting of luxury fashion goods as a cultural practice). Secondly, it encourages researchers to think about the social structures that generate these mechanisms and their possible ways of acting (signified in Figure 1., by S1, S2, S3 ...Sn). It encourages researchers to connect social structural trends to crime commissioning processes in, for example, the consequences of substantial sovereign debts for public expenditure on law enforcement and other preventive efforts; the expansion of the drugs trade as an alternative to reduced employment opportunities in legal economies; the increased demand for contraband and counterfeit goods given reductions in disposable income and prices in the formal economy (including increasing costs in commodities such as
the global meat markets); the impact of civil wars and military interventions on governing capacity and as drivers of serious crime to fund (para)military campaigns etc.

Some advocates of crime script analysis eschew this kind of structural analysis as an unnecessary distraction from identifying the situational opportunities for commissioning serious crimes and the more pragmatic, feasible, strategies for prevention implied by a focus on ‘proximate’ factors, rather than the ‘distal’ factors that are the concern of political-economy (Cornish and Clarke, 2002). However, structural analysis remains important for establishing the governing capacity for responding to emerging crimes; what, for example, can ‘capable guardianship’ mean in the context of major reductions in police, municipal government and other statutory services within countries experiencing severe crises of sovereign debt? What else can capable guardianship mean in the context of weak states where criminal enterprises provide what limited employment opportunities and welfare services are available to marginalised populations? How sustainable are crime reductions in a context where, to return to the insights of the Wickersham Commission, capable guardianship has been captured, if not owned, by criminal enterprises? (Edwards and Levi, 2008: 378-81).

The, as yet, untried synthesis of these research strategies suggests a future direction for the policy-research relationship in responding to serious crimes. It addresses a conceptual problem with the offence-specific focus of crime script analyses, which is that interconnections and interdependencies may exist across different crimes, amounting to a cumulative problem, the ‘multi-commodity’ and ‘poly-criminal’ enterprises identified in the EU OCTA (OCTA, 2011). These interconnections are ‘framed-out’ of an analytical focus on the commissioning of specific crimes, notwithstanding the depth of insight that concrete studies of commissioning can yield. For example, some crimes, such as armed robbery or, in the digital age, the less risky enterprise of internet fraud, may be committed as an end in themselves or to fund entry into more lucrative drug markets, which may in turn fund the trafficking of people into the sex industry or other labour markets.

Whether and how these specific crime types are interconnected is a moot point for a research strategy that looks for the mechanisms connecting the commission of different crime types (signified in Figure 1., by the relationship of M4 to both E2 and E3). A significant pay-off from this synthesis could be the identification of particular mechanisms (for example, absent border controls (M4)) that if targeted could yield sustainable reductions in several serious crimes (for example traffic in human beings + narcotics (E2 + E3)). Synthesis also encompasses generalisations, for example regularities in commissioning processes, which might prove important for identifying those causal mechanisms which are ‘super-weak points’ (such as border and port controls) in the commissioning of several serious crime types and which could be employed in strategies aimed at ‘poly-crime’ enterprises.

Synthesis also provides a research strategy for testing propositions about crime deflection or displacement (Pease, 1994) and how these can impact on the reduction of serious crimes. For example, the malign displacement of stable drugs markets into violent turf wars is a renowned criticism of law enforcement interventions within the field of drugs policy (Edwards and Gill, 2002), less clear is the displacement effects of intervention against certain serious crimes (e.g. narcotics trafficking) for driving the diversification of criminal
enterprises into commissioning other crime types (e.g. fraudulent e-commerce; counterfeiting etc.). In these terms, synthesis supports the normative and empirical questions provoked by the harm reduction approach; whether, for example, a strategic policy ought to be adopted for deliberately seeking to deflect the organisation of serious crimes that could be regarded as more severe and more probable onto those with a lower threshold of severity. The broader point is that as a research strategy, synthesis better facilitates the kind of strategic and anticipatory policy-making that is required in ‘austere’ economic conditions where motivations for organising serious crimes are fuelled whilst governing capacity is weakened.

Conclusion

If the aspiration for ‘evidence-based’ policy-making is retained, these methodological considerations become even more significant for public debate. If the aspiration is to escape the self-referential narratives of law enforcement and re-frame policy responses to serious crimes in ways that are more suited to the scenarios presented by the political-economic challenges of the present, current trends in criminological research present grounds for guarded optimism. Although methodological innovations in the analysis of crime scripts, scenes, scenarios and their harms are still nascent, they are already beginning to demonstrate the advantages of broadening policy-oriented learning beyond a preoccupation with actor-oriented accounts to the processes through which serious crimes are actually commissioned and the social structures which generate these processes and imply targets for strategic interventions. The normative dimension of researching commissioning processes and their consequences also provides a basis for deliberation about dilemmas in the politics and jurisprudence of group offending, specifically the evidential grounds for pre-emptive interventions in the pursuit of restorative and social justice driven policy responses relative to admixtures of criminal justice and risk management.
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