



**“I’M GONNA MAKE HIM AN OFFER HE CAN’T REFUSE”
EXAMINING THE INVOLVEMENT PROCESS INTO
ORGANISED CRIMINAL GROUPS WITHIN AUSTRALIA**

by

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*Thesis
Submitted to Flinders University
for the degree of*

Doctor of Philosophy

College of Business, Government and Law
October 2020

Keywords

Organised crime, organised criminal groups, involvement process, recruitment, Australia, offender characteristics, ties, trust, kinship ties, violence and threats, law enforcement, sentencing cases, disengagement, involvement prevention, disengagement strategies

Abstract

Academic research on organised criminal groups is multifaceted, yet our scholarly understanding of the involvement process into organised criminal groups remains limited. Existing research has explored the involvement mechanisms into specific criminal activities (e.g. drug trafficking) and certain criminal groups (e.g. outlaw motorcycle gangs), while also highlighting the importance of trust and ties between offenders. However, there is no existing conceptual framework which can support academic inquiry into this aspect of organised crime. This study examined the involvement process into organised criminal groups within Australia by testing existing knowledge using data obtained from interviews with key police informants and sentencing cases in three Australian states: New South Wales, Queensland and Victoria.

The outcomes of the study indicated that the involvement process conceptual framework consists of three key steps: involvement pathways, establishment of ties and continued engagement or disengagement. While there were distinct similarities between existing knowledge and the data, the study provided the first examination of the involvement process into organised criminal groups within an Australian context. Strategies and initiatives for involvement prevention and disengagement were suggested based on the results of the study and the unique Australian criminal landscape. Based on the findings, the researcher recommended replicating the study in different contexts in order to contribute to the proposed conceptual framework, as well as building a cohesive and comprehensive understanding of the involvement process into organised criminal groups.

Table of Contents

Keywords	i
Abstract	ii
Table of Contents	iii
List of Figures	vii
List of Tables	viii
List of Abbreviations	ix
Statement of Authorship	x
Acknowledgments	xi
Chapter One: Introduction	1
1.1 AIM	2
1.2 RESEARCH QUESTIONS	3
1.3 THESIS STRUCTURE	4
Chapter Two: Explaining Organised Crime	6
2.1 INTRODUCTION	6
2.2 SOCIAL LEARNING THEORIES	6
2.2.1 Differential Association	7
2.2.2 Social Learning	10
2.3 ANOMIE AND STRAIN THEORIES	13
2.3.1 Strain and Anomie	14
2.3.2 Differential Opportunity	17
2.4 SOCIAL STRUCTURE THEORIES	19
2.4.1 Social Disorganisation	19
2.4.2 Social Opportunity Structure	21
2.5 SOCIAL CONTROL THEORY	23
2.6 LIFE COURSE AND CRIMINAL CAREERS	24
2.7 CONCLUSION	29
Chapter Three: Conceptualising Organised Crime and Involvement	31
3.1 INTRODUCTION	31
3.2 ORGANISED CRIME VS ORGANISED CRIMINAL GROUPS	31
3.3 MODELS OF ORGANISED CRIME	37
3.3.1 Hierarchical Models	38
3.3.2 Network Models	41
3.3.3 Market-Based Models	43

3.3.4 Hybrid Models.....	44
3.4 DEFINING RECRUITMENT VS INVOLVEMENT	48
3.5 THE RECRUITMENT PROCESS OF LICIT ORGANISATIONS.....	52
3.5.1 Internal Recruitment.....	53
3.5.2 External Recruitment	54
3.5.3 Selection of Candidates	55
3.6 GANG RECRUITMENT.....	57
3.7 CO-OFFENDING RELATIONSHIPS.....	62
3.8 CONCLUSION.....	64
Chapter Four: Involvement Process Into Organised Criminal Groups	67
4.1 INTRODUCTION.....	67
4.2 CONCEPTUAL FRAMEWORK: INVOLVEMENT PROCESS	68
4.3 INVOLVEMENT PATHWAYS INTO ORGANISED CRIMINAL GROUPS	70
4.3.1 Contacts and Pre-Existing Relationships	71
4.3.2 Familial and Ethnic Ties	73
4.3.3 Targeted Involvement	74
4.3.4 Forced Criminality	77
4.4 ESTABLISHMENT OF TIES IN ORGANISED CRIMINAL GROUPS.....	79
4.4.1 Identification and Displaying Criminal Intentions.....	79
4.4.2 Individualised Trust.....	80
4.4.3 Kinship Ties.....	82
4.4.4 Reputation.....	82
4.4.5 Threats and Violence.....	83
4.5 DISENGAGEMENT FROM ORGANISED CRIMINAL GROUPS	84
4.5.1 Gang Desistance.....	85
4.5.2 Organised Crime Disengagement: Collective Termination	86
4.5.3 Organised Crime Disengagement: Individual Termination.....	87
4.6 DISENGAGEMENT AND INVOLVEMENT PREVENTION	89
4.6.1 Gang Desistance and Involvement Prevention.....	89
4.6.2 Organised Crime Disengagement and Involvement Prevention	91
4.7 CONCLUSION.....	93
Chapter Five: Research Design and Methodology	95
5.1 INTRODUCTION.....	95
5.2 METHODOLOGICAL ISSUES IN ORGANISED CRIME RESEARCH.....	95
5.3 RESEARCH PARADIGM.....	99

5.4 ETHICAL CONSIDERATIONS	102
5.5 INTERVIEW DATA COLLECTION	104
5.6 SENTENCING DECISIONS DATA COLLECTION	107
5.7 ANALYSIS OF INTERVIEW AND SENTENCING DATA	113
5.7.1 Stage One: Data Reduction	114
5.7.2 Stage Two: Data Display.....	115
5.7.3 Stage Three: Drawing Conclusions	116
5.8 VALIDITY, RELIABILITY AND GENERALISABILITY	117
5.8.1 Validity.....	117
5.8.2 Reliability.....	118
5.8.3 Generalisability	118
5.9 CONCLUSION	120
Chapter Six: Organised Crime in Australia	121
6.1 INTRODUCTION	121
6.2 NATURE OF ORGANISED CRIME IN AUSTRALIA	121
6.3 STRUCTURE OF ORGANISED CRIMINAL GROUPS	123
6.3.1 Hierarchical Groups	123
6.3.2 Network-Based Groups.....	125
6.3.3 Familial and Ethnic Ties	127
6.3.4 Business Opportunities and Illicit Profits	129
6.4 TRANSNATIONAL ORGANISED CRIMINAL GROUPS	130
6.5 CRIMINAL MARKETS AND ILLICIT ACTIVITIES	134
6.6 CONCLUSION	135
CHAPTER SEVEN: INVOLVEMENT PROCESS INTO ORGANISED CRIMINAL GROUPS WITHIN AUSTRALIA	137
7.1 INTRODUCTION	137
7.2 OFFENDER CHARACTERISTICS AND RISK FACTORS	137
7.2.1 Offender Age.....	138
7.2.2 Criminality.....	139
7.2.3 Ability.....	141
7.2.4 Networks.....	143
7.2.5 Identity.....	145
7.3 CRIMINAL TRAJECTORY AND CAREERS	148
7.4 THE INVOLVEMENT PROCESS INTO ORGANISED CRIMINAL GROUPS	150
7.4.1 Stage One: Involvement Pathways into Organised Criminal Groups.....	150

7.4.2 Stage Two: Establishment of Ties and Trust.....	168
7.4.3 Stage Three: Continued Engagement or Disengagement from Organised Criminal Groups	173
7.5 ENCOURAGING DISENGAGEMENT AND PREVENTING INVOLVEMENT	180
7.5.1 Potential Strategies.....	180
7.5.2 Potential Challenges.....	182
7.6 CONCLUSION	184
CHAPTER EIGHT: IMPLICATIONS OF THE CONCEPTUAL FRAMEWORK	186
8.1 INTRODUCTION	186
8.2 BACKGROUND	186
8.3 ADDRESSING THE RESEARCH QUESTIONS	187
8.4 RESEARCH DESIGN	188
8.5 INITIAL CONCEPTUAL FRAMEWORK	189
8.6 TESTING THE CONCEPTUAL FRAMEWORK	189
8.6.1 What are the initial involvement pathways into organised criminal groups?	191
8.6.2 How are ties between co-offenders established in organised criminal groups?.....	195
8.6.3 Does disengagement from organised criminal groups occur? If so, how?.....	198
8.7 REVISED CONCEPTUAL FRAMEWORK	199
8.8 IMPLICATIONS FOR THEORY	200
8.8.1 Is a conceptual framework useful for displaying the involvement process?	200
8.8.3 Does an inductive and deductive approach provide an effective analytical framework?	203
8.9 IMPLICATIONS FOR PRACTICE	205
8.10 LIMITATIONS	211
8.11 FUTURE RESEARCH AND DIRECTIONS	213
8.12 CONCLUDING REMARKS	216
REFERENCE LIST	217

List of Figures

Figure 1: Involvement Process Conceptual Framework.....	69
Figure 2 Literature Review Themes	115
Figure 3 Initial Conceptual Framework.....	189
Figure 4 Revised Conceptual Framework	200

List of Tables

Table 1: Keyword Search Results.....	112
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List of Abbreviations

ACC	Australian Crime Commission
ACIC	Australian Criminal Intelligence Commission
ACLEI	Australian Commission for Law Enforcement Integrity
AFP	Australian Federal Police
AHIR	Australian Human Resources Institute
AustLII	Australasian Legal Information Institute
COCSF	Commonwealth Organised Crime Strategic Framework
HREC	Human Research Ethics Committee
IBAC	Independent Broad-based Anti-corruption Commission
NCA UK	National Crime Authority United Kingdom
NHMRC	National Health and Medical Research Council
NSECHR	National Statement on Ethical Conduct in Human Research
NSWPF	New South Wales Police Force
OMCG	Outlaw Motorcycle Gangs
QLDPS	Queensland Police Service
VICP	Victoria Police
VLAD	Vicious Lawless Association Disestablishment Act
UNODC	United Nations Office on Drugs and Crime
UNTOC	United Nations Convention against Transnational Organised Crime

Statement of Authorship

I certify that this thesis does not incorporate without acknowledgment any material previously submitted for a degree or diploma in any university; and that to the best of my knowledge and belief it does not contain any material previously published or written by another person except where due reference is made in the text.

Signature: Adrian Leiva

Date: 26 June 2020

Acknowledgments

“It takes many steppingstones, you know, for a man to rise. None can do it unaided”- This quote by crime boss Joe Bonanno rings particularly true in the completion of a PhD thesis. I would like to acknowledge and thank the following:

Firstly, I would like to offer my thanks and gratitude to my supervisor Dr. David Bright. I am very fortunate to have a supervisor dedicated enough to guide me through both an Honours and PhD thesis. Your knowledge, expertise and experience has been invaluable. Thank you for your unwavering support, advice, guidance and most importantly patience throughout this journey. Despite some obstacles along the way, I thank you for your commitment and devotion to my thesis.

To my associate supervisor, Dr. Andrew Goldsmith, I thank you for jumping on board and lending your knowledge and expertise. Your insight, advice and feedback has been invaluable to my work and I thank you for the contribution you have made to this thesis.

I would like to thank the informants from the NSWPF, QLDPS and VICP for being a part of this study. Without their contribution this thesis would not be possible.

To my mum and sister, thank you for your support throughout the completion of this thesis. Thank you for always being there and listening to my problems, no matter how small they seemed. Your faith in me, and the help you provided along the way, was invaluable and for that I cannot thank you enough.

To my partner Grace, I thank you for your resolute belief in me. Your love and faith helped me get through some challenging periods while completing this PhD. Although at times you had no idea what I was talking about, you were the rock that I could depend on and talk to. Your support made me confident that I could complete this thesis and there is no one else I would rather have by my side.

To my close friends Daniel, Albert, Mark, Dan and Stephen. Thank you for giving me an outlet from the stress of completing a PhD. From our games of Warhammer to our strongman training sessions and nights out drinking, you guys have helped me reach the end of this journey relatively sane.

Chapter One: Introduction

“As far back as I can remember I always wanted to be a gangster.” – Henry Hill

Organised crime generates between \$1.6 trillion to \$2.2 trillion in illicit profits every year globally (Clough 2017). The activities of organised criminal groups are not just limited to illicit activities, but also extends to ‘legitimate’ ventures undermining national, economic and social security. Within Australia, the fight against organised crime has an estimated cost of \$36 billion a year (ACIC 2017), this ranges from street level drug dealing to political donations for influence, to commercial quantity importations of illicit commodities. Activities in both illicit and legitimate markets provide organised criminal groups with the ability to generate profits that match those of multinational corporations, something which requires close cooperation and planning between co-offenders. At their most basic level organised criminal groups depend on criminally inclined individuals who can provide them with access to co-offenders, buyers and suppliers (See Kleemans and Van de Bunt 1999; Morselli 2005). Such individuals become involved for various reasons and involvement is often the result of personal ties, individual risk factors, and social, political and economic environments (van Koppen 2013). This thesis aims to understand how involvement in organised criminal groups occurs using data collected within an Australia context. But the questions asked in this thesis go further than that. The broader aim is to develop a conceptual framework which consolidates existing knowledge with new data in order to conceptualise the involvement process that leads individuals to become part of the activities of organised criminal groups. The thesis addresses this key aim by exploring the environment in which organised criminal groups operate and how this can influence the dynamics by which individuals become involved in organised crime. In doing so, the connections between environment (social, political and economic), criminal careers and involvement in organised criminal groups can be identified.

Yet, it is interesting to note that while the ties and working relationships between offenders is an essential part of organised crime, detailed examinations of this key factor are rarely conducted in the field of criminology (See von Lampe 2012). The limited knowledge on the processes and factors leading to involvement in organised criminal groups, whether by active recruitment or through influence of social environment, can hinder the development of strategies aimed at preventing involvement or encourage the cessation of criminal activity. Development of strategies in these areas would potentially restrict the capacity for groups to maintain and expand themselves over time. The basis of the thesis was achieved by conducting interviews with a small sample of key informants from state policing agencies, who had experience investigating organised criminal groups, and by examining sentencing data from court cases where the accused was involved in an

organised criminal group. The aim was to examine the involvement process into organised criminal groups by combining a law enforcement perspective, the judicial history of offenders and existing literature. The primary empirical data collected and analysed in this research thesis forms the basis of this original and unique contribution that explains how involvement in organised criminal groups occurs within Australia. At its core, this is a narrative about the ways in which individuals are drawn into or seek out organised criminal groups, the environment in which it occurs, how co-offending relationships are established and maintained, and the potential for desistance. It is shown that understandings of organised criminal groups are contingent on our knowledge of their modus operandi, environment, potential markets (both illicit and legitimate) and the adaptability of these groups to changing circumstances. All these will be viewed through the lens of the involvement process into organised criminal groups.

1.1 AIM

The aim of this research is to understand the involvement process into organised criminal groups, with a specific focus on Australian data. This includes an examination of the environment in which involvement occurs, the establishment of ties between offenders, and the potential for disengagement from organised criminal groups. This is a unique contribution to the literature and is an important focus given the paucity of research on recruitment and involvement into organised criminal groups within an Australian and international context. A key part of the thesis aim is to test existing knowledge on organised criminal groups using data sampled within an Australian context in order to assess its applicability in Australian context. This will result in the development of a robust conceptual framework that will capture the conceptual complexity of involvement into organised criminal groups. While other key elements of organised crime have been systematically researched and theoretically conceptualised, including models of organised criminal groups (See von Lampe 2003; Le 2012) and criminal markets (See Smith 1980; Ritter 2005), there is no existing conceptual framework focused on how individuals become involved in organised criminal groups. The development of a conceptual framework will provide the foundation for future research, while also assisting in the development of strategies and initiatives that aim at encouraging disengagement from criminal organisations or alternatively prevent initial involvement in organised criminal groups.

In order to understand the involvement process into organised criminal groups the methodology of the research will be ethnomethodologically, legally and scholastically inspired. Hughes and Sharrock (2007) define 'method' as the techniques adopted to collect data about an object of inquiry. Kinash (2006) explains that "*methodology is the discipline, or body of knowledge, that*

utilises these methods” (p. 6). However, it is important to note that methods and methodology do not provide insight into a particular phenomenon but rather provide the framework for understanding them (See Latour and Woolgar 1986; Law 2004). The research methods used here are qualitative in nature and involved drawing from a range of data sources and perspectives, as well as comparing and integrating differing accounts of the involvement process into organised criminal groups. With access to several data sources and posteriori knowledge in approaching the data analysis, the path towards addressing the aims of the present research developed from a comprehensive understanding of the existing literature and theory. The combination of ethnomethodology, analysis of judicial proceedings, and a review of academic literature can be characterised as a ‘theory building’ approach to research. ‘Theory building’ is the ongoing process of producing, confirming, applying and adapting theory in response to new data and perspectives (Lynham 2000; 2002). By combining literature, theory and data into a conceptual framework the researcher undertook the process of theory building to understand the involvement process into organised criminal groups within Australia.

1.2 RESEARCH QUESTIONS

With consideration for the aims of the present study, the following research questions are the focus of the research described in this thesis:

- 1) What is the involvement process by which individuals become involved in organised criminal groups?
 - i) What are the initial involvement pathways into organised criminal groups?
 - ii) How is trust established between co-offenders in organised criminal groups?
 - iii) Does disengagement from organised criminal groups occur? If so, how?
- 2) What is the involvement process into organised criminal groups within Australia and does it differ from the current academic understanding as conceptualised in the framework?
- 3) What are the implications of the findings to the proposed conceptual framework and criminological theory?
- 4) What initiatives can be implemented to encourage disengagement and prevent involvement in organised criminal groups?

The research questions will contribute to the small body of literature on the involvement process into organised criminal groups, while also theoretically conceptualising the complexities of the involvement process within a framework.

1.3 THESIS STRUCTURE

This thesis is divided into eight chapters.

The present chapter provides an introduction to the context, content and structure of the thesis. The aim is to examine the involvement process into organised criminal groups and in doing so contribute to the paucity of literature through the development of a conceptual framework.

Chapter Two situates the concept of organised crime and the phenomena of organised criminal groups within the discipline of criminology. No single criminological theory can be used to explain organised crime and involvement in organised criminal groups. Although no specific criminological theories have been developed to explain organised crime and organised criminal groups, a combination of theories are applied to explain the motivation and factors that underpin involvement and engagement in criminal behaviour. This chapter provides the theoretical framework for the ensuing discussion on involvement into organised criminal groups.

Chapter Three conceptualises organised crime, organised criminal groups and involvement through an extensive literature review. The chapter begins with a discussion on the conceptual differences between 'organised crime' and 'organised criminal groups', which remains a key area of debate between academics and practitioners. This chapter will also present a genealogy of organised crime models to explain the structure and modus operandi of organised criminal groups. Furthermore, Chapter Three examines the conceptual differences between 'recruitment' and 'involvement' and provides an overview of the recruitment process into licit organisations and illicit organisations (i.e. gangs).

Chapter Four reviews the available literature on organised crime, with a focus on the key involvement pathways into organised criminal groups and illicit activities. This chapter also examines the establishment of ties between offenders in organised criminal groups, based on the concept of trust. Chapter Four concludes by discussing the potential for disengagement, or desistance, from gangs and organised criminal groups, which the researcher conceptualised as the final stage of the involvement process.

Chapter Five contains the research design of the thesis, outlining and establishing the rationale for data collection and analysis. The research paradigm, method and methodology are discussed. Ethical considerations and their impact on data collection and presentation are also described. The methodology for the primary data collection (informant interviews and sentencing data), including sampling procedure, criteria, details of the sample, interview questions, and search

terms, are presented. The analytical methods are also described. Within the paradigm of the research, issues surrounding generalisability, reliability and validity are considered.

Chapter Six presents the results from the present study, within the context of the available literature on organised crime and organised criminal groups in Australia. The chapter begins with an overview of the nature of organised crime and organised criminal groups in Australia. This is followed by a brief overview of transnational organised crime and its impact on Australia, especially in regard to involvement. This will be followed by an examination of the key criminal markets in Australia and the role of organised criminal groups within them. Chapter Six will also discuss the structure of organised criminal groups, with a focus on groups operating in Australia.

Chapter Seven provides a detailed discussion of the involvement process into organised criminal groups by examining the data collected through the informant interviews and sentencing cases. This chapter begins with a discussion on the characteristics of individuals involved in organised criminal groups and the risk factors which lead to involvement. Through an inductive and deductive approach existing knowledge on involvement was tested within an Australian context and new knowledge frameworks were uncovered. The data and literature review will result in a conceptual framework which showcases three key steps in the involvement process: initial involvement pathways, establishment of interpersonal ties and continued engagement or, alternatively, disengagement. Although the research data mirrors some of the available information, the Australian environment offers new insight on the involvement process into organised criminal groups.

Chapter Eight discusses the major conclusions of the research, including the implication for theory and practitioners. It will also look at the limitations of the present study as well as potential future research. This chapter will highlight the significance of the current study within the context of criminological research on organised crime and organised criminal groups. Potential strategies and initiatives aimed at preventing involvement and encouraging disengagement are also discussed.

Chapter Two: Explaining Organised Crime

"The best way to enter our business is to be born into it."- Joseph Massino

2.1 INTRODUCTION

Over the last century, academics from various schools of thought have developed theories to explain criminal and delinquent behaviour, known broadly as the 'general theories of crime'. From the outset it is important to note that criminological theory has overwhelmingly focused on volume crimes (e.g. theft and assault) and individual offenders, as opposed to the broader activities and structures of organised criminal groups. This could be due to the notion that the complexities of organised criminal groups cannot be addressed and explained using a single theoretical perspective. As the upcoming chapter will demonstrate, it is important to approach organised criminal groups, as well as the processes by which individuals become involved in them, through a spectrum of theoretical perspectives. By examining the involvement process into organised criminal groups through the lens of various criminological theories, the researcher combined existing knowledge with general theories of crime to explain why certain individuals are drawn into or seek out organised criminal groups and the environment in which it occurs. By focusing on social learning theories, anomie and strain theories, social structure, social control as well as criminal careers, this chapter will provide theoretical insight on the personal and environmental factors that can lead to involvement in organised criminal groups, as well as the ensuing establishment of criminal ties and relationships.

2.2 SOCIAL LEARNING THEORIES

Social learning theorists argue that criminal and deviant behaviour are learned and adopted through interactions with others in one's social environment (Sutherland 1973; Akers, 1985; Piquero et al. 2007; Carrington 2009; Abadinsky 2010). Much like other behaviour in most parts of one's normal life, criminal behaviour is learned behaviour and social interaction with criminally-inclined individuals plays a significant role in the development of criminal motivations. Social ties and networks play a key role within organised criminal groups, especially within the involvement process (e.g. Ianni 1974; Paoli 1998; Cook et al. 2005; Malm et al. 2010; van Koppen 2013). Of importance to the present thesis are the criminological theories of 'differential association' and 'social learning' which provide insight on involvement into organised criminal groups based on learned criminal behaviour.

2.2.1 Differential Association

The theory of 'differential association' is based on the notion that criminal behaviour is learned, or adopted, through relationships or ties with others. This provides the foundation for understanding the transmission of criminal behaviour, knowledge, and motivation found within organised criminal groups and co-offending relationships. According to Sutherland (1973), all behaviour, both legitimate and criminal, is primarily learned through an individual's intimate groups and social networks. What is learned through these personal ties depends on the intensity, frequency, and duration of the ties. For example, random or sporadic associations are unlikely to lead to criminal behaviour whereas more intense and ongoing associations will do so (See Sutherland 1973; Abadinsky 2010). When these variables are sufficiently intense and ongoing and the ties and associations are criminal in nature, an individual learns the skills and techniques required to engage in criminal behaviour. This is often accompanied by the adoption of attitudes and beliefs that favour criminal and deviant behaviour. When pro-criminal attitudes are favoured in one's intimate group over non-criminal attitudes then an individual is likely to engage in criminal behaviour (Sutherland 1973). Thus, the theory of differential association argues that close ties and relationships (e.g. family and friends) provide the building blocks for the adoption of deviant and criminal traits (See Piquero et al. 2007; Carrington 2009). Theorists argue that individuals become inspired to engage in criminal behaviour through close ties with others or through stimuli that encourages deviancy: known as the process of 'cultural transmission' and 'construction' (See McCarthy 1996; Warr 2005). Additionally, Sutherland (1973) argued that the concept of differential association, combined with 'differential social organisation', can be applied to the individual and the social network respectively to understand how criminal behaviour occurs.

While close ties and relationships are required for differential association to occur, the learning of criminal behaviour also requires a suitable environment in order for it to take place: *"ecological niches or enclaves where delinquent or criminal subcultures flourish, and this education is available"* (Abadinsky 2010 p.19). Criminal and delinquent subcultures emerge in societies and communities where individuals experience a significant amount of strain, or anomie, as well as differential association. With no access to the accepted pathways to achieve success via society's standards and in an environment that disregards accepted ethical standards, such environments become breeding grounds for organised criminal groups. These often depend on differential association and anomie in order to thrive. Within these communities, and distinct subcultures, some individuals, instead of conforming to noncriminal conventional norms, *"organise their behaviour according to the norms of a delinquent or criminal group to which they belong or with which they identify"* (Abadinsky 2010 p.19). This is likely to occur in communities where social disorganisation is relatively high and familial and

communal control is ineffective at enforcing conventional behavioural norms within a population. Differential association is common in 'defended' communities where 'social disorganisation' and delinquent and criminal subcultures are also present. Such communities provide a fertile breeding ground for organised crime and organised criminal groups, where:

"various types of people tend to seek out others like themselves and live close together. Located within these distinctive clusters are specialised commercial enterprises and institutions that support the inhabitants' special ways of life" (Abrahamson 1996 pp.1-3).

It is within defended communities that strong deviant or criminal ties are formed between offenders that can provide the foundation for the establishment of organised criminal groups (See Abrahamson 1996; Abadinsky 2010).

Sutherland (1973) expanded upon the theory of 'differential association' by presenting a series of propositions that provide further insight the process of learned behaviour through close relationships. The propositions presented by Sutherland (1973), when applied to organised crime, can assist researchers in understanding the involvement process into organised criminal groups. Firstly, it is posited that criminal behaviour is learned through external influences and is not 'inherited' nor 'invented' by people on their own. Within the context of organised crime, it is understood that the crimes that result from this behaviour are often quite complex and require significant planning and specific knowledge (van Koppen 2013). Therefore, criminal behaviour relevant to organised crime is likely to be learnt through close ties and relationships with offenders already involved in illicit activities. This is supported by the second proposition, which notes that criminal behaviour is learned through continuous interactions with individuals who already hold criminal attitudes and knowledge. Such behaviour is learned through a process of communication and interaction, both verbally and physically (Sutherland 1973). The third proposition notes that a key aspect of 'differential association' is that criminal behaviour is learned through intimate personal groups. This approach to learning criminal behaviour is common in organised criminal groups, whereby individuals gain knowledge, skills and motivation from offenders within their intimate social networks. The other propositions presented by Sutherland (1973) also emphasises the importance of personal relationships in the establishment of pro-criminal attitudes and behaviour. However, proposition nine notes that criminal behaviour is an expression of an individual's needs and values, highlighting a distinct correlation between criminal behaviour and attitudes and the anomic experience of certain individuals.

While the theory of differential association can explain why certain individuals may gravitate towards criminal behaviour, there are also certain limitations with the theory (See Warr

2005; Wierman and Smeenk 2005; Carrington 2009). Essentially, Sutherland's theory of differential association (1973) is effective at explaining organised crime and gang crime within certain communities and through personal groups and networks: whereby criminal behaviour and motivations are learned or adopted through ties with other offenders. However, Sutherland's theory fails to explain individual crimes or crimes of passion, as the individual has not been in a position or in an intimate group which would allow the learning and adoption of 'criminal' definitions, behaviour and values (Vold and Bernard 1986). This is a key limitation of 'differential association' theory, as it has been noted that some individuals do engage in solitary offending prior to involvement in an organised criminal group (See Moffitt 2003; Farrington 2003). Therefore, differential association theory fails to explain how individuals whose offenses were more 'spontaneous' learned and adopted criminal behaviours and attitudes prior to engagement in organised crime. Furthermore, some individuals, especially younger offenders, are drawn to organised criminal groups for the assumed power, money and respect that they can achieve (See Saviano 2006). However, this is often an individual decision and not dependent on personal ties and relationships, and thus this type of involvement cannot be completely explained using differential association theory. While Sutherland has been criticised for developing a theory of crime that is far too broad for explaining different types of crime, it is particularly useful for explaining group crime (i.e. organised crime, gang crime) which is the focus of this thesis.

Within the context of this thesis, differential association theory provides some key insight on involvement in organised criminal groups. As discussed above differential association theory posits that criminal behaviour is learned through relationships and ties with those who are criminally inclined. Involvement in organised criminal groups is often based on pre-existing relationships and ties with individuals already involved in organised criminal groups (See Desroches 2005; Decker and Chapman 2008; van Koppen 2013). Unlike conventional crimes, without these pre-existing relationships and ties, there are numerous barriers in place that prevent involvement in organised criminal groups. Involvement is often dependent on criminal ties that can provide access to illicit commodities, criminal networks, and illicit markets (discussed further in Chapter 4). Van Koppen (2013) notes that:

“most crimes are fairly easy to commit and are the result of impulsiveness when self-control is low. However, the complexities associated with organised crime make impulsive criminal behaviour a barrier to involvement. Organised crime is less accessible than most general crimes, and activities require close cooperation between offenders” (p.75).

Furthermore, the complexity of organised crime often requires the exchange of information, knowledge and expertise which can occur through differential association (See Gambetta 2009). The applicability of differential association theory is also evident in the role of trust within organised criminal groups, whereby a certain level of trust is required prior to any engagement in illicit activities (See Misztal, 1996; Gambetta 2009; Gambetta and Ermisch 2010) (discussed further in Chapter 4). Therefore, differential association theory supports the notion that pre-existing relationships and ties are essential prior to an individual's involvement in an organised criminal group.

2.2.2 Social Learning

The theory of 'social learning' attempts to explain criminal behaviour by focusing on the close ties between certain individuals and those who engage in deviant behaviour, or at least reinforce deviancy (Akers, 1985). Social learning theory was an attempt to combine Sutherland's (1973) theory of 'differential association' with some of the key principles of behavioural psychology (Nicholson and Higgins 2017). Akers (2009) describes social learning theory as:

"the probability that persons will engage in criminal and deviant behaviour is increased and the probability of conforming to the norm is decreased when they differentially associate with others who commit criminal behaviour and espouse definitions favourable to it, are relatively more exposed in-person or symbolically to salient criminal- or deviant- models, define it as desirable- or justified in a situation discriminative for the behaviour, and have received in the past and anticipate in the current or future situation relatively greater reward than punishment for the behaviour" (p.50).

Fundamentally, social learning theory aims to explain the process in which criminal behaviour and attitude is learned in the first place, in an effort to elaborate on Sutherland's (1973) original theory of 'differential association'. In response to some of the limitations present in earlier theories Burgess and Akers (1966) presented several principles that make up the social learning process of criminal behaviour:

1. Criminal and deviant behaviour is learned through a process of operant conditioning, often through positive reinforcement from others;
2. Criminal and deviant behaviour can be learned in both social and non-social situations, whereby there is stimuli or other persons who reinforce or encourage criminal behaviour;
3. Criminal and deviant behaviour is primarily learned within social and intimate circles, or groups, that reinforce or encourage the individual's behaviour;

4. The learning of criminal behaviour, including specific knowledge, techniques, and attitude is based on the availability and effectiveness of social and intimate groups that can teach and reinforce the behaviour;
5. The type of criminal behaviour learned and the frequency in which they occur within intimate groups are the result of the availability and effectiveness of 'social learning', coupled with rules and attitudes that reinforce the criminal behaviour;
6. Criminal behaviour is the result of attitudes that encourage deviancy, alongside a lack of support for non-criminal behaviour; and
7. The seriousness of the criminal and delinquent behaviour is a direct result of the amount, frequency, and likelihood of its reinforcement from others.

While the aforementioned principles still hold some relevance, theorists have moved away from this framework and have instead focused on Bandura's theory of 'social behaviourism' (1969) and its four key elements that would later come to underpin contemporary social learning theory. Akers (2009) conceptualises these four key elements as: differential association, definitions, differential reinforcement and deviant imitation. Essentially, these four elements provide a refined understanding of the principles of the social learning process outlined by Burgess and Akers (1966). These four key elements are based on the concept of 'differential association' whereby close ties and frequent interaction such as those between family members, friends and workplace associates provide fertile ground for learning criminal behaviour. According to Akers (2009), interaction with individuals who encourage criminal attitudes and behaviour provides the foundation for which the 'social learning' of criminal behaviour can occur. Much like Sutherland (1973), Akers's theory considers the importance of intimate personal groups for social learning due to their ability to influence certain individuals. This is particularly evident in organised criminal groups, whereby involvement and participation generally occur through familial and social settings (see Chapter Four). Furthermore, social learning theory contends that these groups are vital for passing on definitions of criminality and also providing positive models of criminal behaviour, which individuals can mimic. Additionally, Akers (2009) discusses the importance of continuous interaction and time spent within these groups, as this contributes to the ratio of criminal and non-criminal attitudes and associations.

The 'definition' element of social learning is associated with an individual's own beliefs and attitudes towards certain behaviour, in this case criminal and delinquent behaviour. According to Akers (2009), definitions can include the orientations, rationalisations and attitudes towards a

situation that can label behaviour as right or wrong. In the case of organised crime an individual can justify their engagement in criminal markets through rationalisations of their illicit behaviour. Social learning theory expands upon the concept of ‘definition’ by differentiating between ‘general’ and ‘specific’ definitions. General definitions are widely held or conventional societal norms and attitudes -often in the form of community beliefs or attitudes- that are either favourable or unfavourable to criminal behaviour. On the other hand, specific definitions refer to how individuals may feel about specific behaviour or acts in terms of ethics and morality. As an example, individuals involved in organised criminal groups may perceive illicit drug distribution as an acceptable livelihood, even though it is generally considered morally and ethically wrong. Akers (2009) posits that general and specific definitions operate on a ‘spectrum’:

“definitions favourable to deviance include weakly held general beliefs and more strongly held deviant justifications and definitions of situations [and] those unfavourable to deviance include more strongly held conventional beliefs and deviant definitions that are weakly subscribed to, or two parallel continua running in opposite directions” (p.83).

‘Differential reinforcement’, as noted by Akers (2009), refers to the cost-benefit outcomes, or the anticipated or actual rewards and punishments that may result from potential criminal behaviour. The concept of risk and reward is personified in the phenomenon of organised crime, whereby individuals generally engage in illicit activities in order to obtain a monetary profit. Therefore, according to the theory presented by Akers (2009), individuals are more likely to engage in criminal behaviour based on certain desirable results involving potential rewards. Fundamentally, ‘differential reinforcement’ is based on Skinner’s (1953) model of ‘operant conditioning’, which focuses on the power of positive and negative reinforcement of learned behaviour. Thus, organised crime -which generally offers- more frequent rewards such as including monetary profit, status and instant gratification- can be positively related with the commission of criminal behaviour. Lastly, the concept of ‘deviancy imitation’ assumes that criminal behaviour is modelled on similar behaviour that has been observed in others. This is associated with Bandura’s (1979) concept of ‘vicarious reinforcement’, whereby individuals observe the behaviours of others and at the same time understand the consequences of that behaviour. For example, an individual may witness a criminal act and recognise the rewards the offender gained, or the punishment incurred. This can lead to the observer feeling either encouraged to imitate the behaviour or become disheartened. ‘Deviancy imitation’ can result from both direct observations of others in intimate or personal networks or less intimate indirect observations based on what is seen in the media (Abadinsky 2010). This is particularly evident in organised crime, where the potential for

large rewards may encourage certain individuals to imitate family or friends involved in organised crime.

In terms of the involvement process into organised criminal groups, 'social learning' theory can provide considerable insight into how individuals become involved and learn, or adopt, the criminal skills necessary to engage in organised criminal groups. The four key concepts underpinning 'social learning' theory (i.e. differential association, definitions, differential reinforcement, and deviant imitations) can be used to understand aspects of the involvement process. Fundamentally, 'social learning' theory notes that criminal behaviour is learned or adopted through intimate relations with others already involved in illicit activities- something which is highly evident in organised crime. Familial and social ties are important for involvement in organised criminal groups. However, for 'differential association' to occur, an individual must adopt criminal motivations or 'definitions' which are supportive of illicit behaviour, which are often adopted through intimate social and familial ties within organised criminal groups. Supporting these two concepts are 'differential reinforcement' and 'imitation', whereby criminal behaviour is reinforced through a cost-benefit analysis and by witnessing the monetary benefits reaped by others. The idea of profits and risk-reward are important in understanding involvement into organised criminal groups, whereby participation is often the result of seeking monetary rewards. By combining the key elements of 'social learning' theory, involvement in organised criminal groups can be viewed as the result of learning and adopting criminal behaviour and definitions through social networks that provide opportunities to engage in criminal behaviour. At the same time consideration is given to the importance of reinforcement and imitations which are the result of ties between offenders and the potential rewards of engaging in illicit behaviour.

2.3 ANOMIE AND STRAIN THEORIES

Anomie and strain theorists posit that some individuals who experience anomic conditions view criminal behaviour as a favourable option for social advancement (Merton 1938; Cohen 1955; Jang and Agnew 2015). If individuals are unable to achieve 'acceptable' societal goals through legitimate means and experience blocked opportunities for success, the resulting strain can lead to criminal and deviant behaviour. However, much like legitimate opportunities for success, illegitimate opportunities for success are not available to everyone, with social ties playing a key role in the availability of criminal opportunities (See Van Koppen 2013). 'Strain and anomie' and 'differential opportunity' theory offer an explanation for involvement in organised criminal groups.

2.3.1 Strain and Anomie

‘Strain and anomie’ theory was first proposed by Merton (1938) to explain criminal and delinquent behaviour in capitalist societies. Merton (1938) argues that all citizens of capitalist societies, in particular Western societies, are encouraged to strive for and work towards the cultural goals of monetary and societal success. However, many individuals in lower socio-economic classes are often unable to achieve these pre-defined goals due to employment and educational limitations. Therefore, such individuals often experience social and cultural feelings of strain and anomie that results from a disjunction between the pre-defined social and cultural goals and access to legitimate means to achieve them. In order to cope with the cultural and social strain imposed on them by society, Merton (1938) argues that individuals can often respond in three distinct ways: individuals may attempt to achieve cultural and social success through illegitimate channels, such as participation in an organised criminal group; they may engage in drug use to alleviate their frustration which can result in isolation from society; or alternatively they may reject the social and cultural goals of society and instead focus on other goals or achievements (which may also involve illicit aims). Using Merton’s theory of strain and anomie (1938), participation in organised criminal groups can be understood as an individual’s response to a lack of legitimate means or pathways for monetary success. While there are other factors involved, such as close ties between offenders, profit driven crimes are viewed as a rational response to the strains experienced by some individuals.

While Merton’s theory of ‘strain and anomie’ (1938) provides insight into the potential for success and economic mobility through illegitimate means, Cohen (1955) argued that it should also include the concept of ‘social class’. Using the expanded theory, Cohen (1955) examined and explained the emergence of adolescent gangs in urban communities. As a starting point Cohen argued that individuals in the lower classes desire middle-class status and the monetary success and the respect of others which comes with that. However, unlike the monetary success discussed by Merton (1938), social status is not a goal that can be easily achieved through illegitimate behaviour: i.e. one cannot steal or illegally obtain middle-class status. Cohen found that due to their inability to obtain a specific social status, adolescents in the lower classes had a tendency to begin to show hostility towards the values and goals of the middle-class and respond by establishing their own class or ‘subculture’. *“This alternative status system takes the form of juvenile gangs, with the gangs rejecting the cultural goal of middle-class status and substituting new, criminally oriented goals in its place”* (Jang and Agnew 2015 p.495). However, any discussion of strain and social class needs to consider Cloward and Ohlin’s (1960) theory of ‘differential opportunity’, whereby *“any explanation of crime must consider not only the individual’s opportunities to achieve conventional success goals but also the individual’s illegitimate*

opportunities” (Jang and Agnew 2015, p. 495). While certain individuals may wish to move up the social ladder, Cloward and Ohlin’s theory posits that not all individuals have equal access to the illegitimate means to achieve this. Participation in an organised criminal group, for example, requires close ties with offenders who have the skills, knowledge, and contacts to engage in and profit from illicit markets (See Gambetta 2009). So, while an individual may experience strain and wish to move up the social ladder through illegitimate means, they cannot do so on their own and must have ties that are criminal in nature, and which can provide them with opportunities to engage in criminal behaviour.

Despite its relative usefulness, the theory of strain and anomie has come under considerable criticism for its inability to explain crimes that occur in middle, upper-middle, and wealthy ‘social classes’. This is especially the case when the theory is used to explain why middle-class offenders become involved in organised criminal groups, since it is assumed that the strain experienced by such individuals is not great enough to lead to criminal behaviour. However, later theorists have argued that strain and anomie theory can be used to explain the crimes of the wealthy and middle-class, as it is generally understood that the concept of success differs between individuals and is relative rather than absolute (Jang and Agnew 2015). In particular, Passas and Agnew (1997) argue that people look to others in their social group, as well as the local community, when deciding which goals to pursue and evaluating their ability and means to achieve such goals. Therefore, individuals in higher social classes, or those who surround themselves with individuals from higher up the ‘social ladder’, often experience strain as they tend to compare themselves to others more privileged than themselves. More recent applications of the theory have noted that dissatisfaction with one’s monetary status and ability to advance economically are intrinsic aspects of criminal behaviour (See Agnew et al. 1996; 2006). When applied to organised crime, participation can be understood as the result of an individual’s social circles and their goals of social and monetary advancement. If an individual experiences ‘strain’ based on the success of others within their social networks, they may seek out illegitimate means of obtaining success which cannot be obtained through conventional forms. The potential for large, easily obtained profits from illicit ventures provides an avenue for some individuals to achieve the monetary success they desire.

While earlier renditions of strain theory (See Cohen 1955; Agnew 1985; Agnew and Peterson 1989) focused on cultural, social and monetary goals and the strain they inflict on certain individuals, Agnew (1992) elaborated on the theory by proposing a ‘general strain theory’ (GST) of crime and delinquency. The general theory of strain focuses on a much broader range of strains beyond the idea of cultural, social and monetary goals. General Strain Theory proposes three

distinct types of strains that some individuals may experience. First is strain which results from an actual or anticipated failure to achieve 'positively valued goals' (which includes cultural and social success). Secondly is strain which results from the removal or lack of positively valued stimuli (which includes positive social circles). Third is strain which results from the presence of negative stimuli including negative peer influence (Agnew 1992). Furthermore, GST notes that strain often generates negative emotions within individuals such as anger and frustration, which often creates pressure for corrective action: generally, in the form of criminal and delinquent behaviour. Agnew argued that while an individual's experience with strain, along with the negative emotions it generates, might push them towards criminal behaviour, other general theories of crime need to be considered: especially 'social control theory' (Hirschi 1969) and 'social learning theory' (Akers 1985). By examining criminal behaviour through the combined lenses of strain theory, social control theory and social learning theory, it is understood that crime is the result of an individual's general strain coupled with 'negative relationships with others' (Agnew 1992). This posits that while an individual might experience strain, they often require the negative influence of their social networks to actually engage in criminal behaviour. Fundamentally, this aspect of strain theory focuses on how the negative emotions which result from strain, coupled with negative relationships with others, can lead certain individuals to engage in criminal and delinquent behaviour. Therefore, a combination of strain and criminally inclined relationships can provide an individual with a pathway into organised crime and co-offending relationships.

Like differential association theory, strain and anomie theory does not completely explain the involvement process into organised criminal groups. While differential association can explain involvement in organised criminal groups, and the exchange of criminal information, through pre-existing relationships and ties, strain and anomie theory fundamentally explain why individuals choose to become involved in organised crime. Social and economic strain may push certain individuals to engage in organised criminal groups to compensate for a lack of social and economic success. However, without the appropriate criminal relationships and ties (as explained by differential association), there are significant difficulties for individuals seeking to become involved in organised criminal groups and illicit activities. If such relationships and ties are present, and strain and anomie is strong, this can act as a significant factor for involvement in organised criminal groups. For example, disenfranchised youth in street gangs are often targeted by outlaw motorcycle gangs, as they are willing to engage in illicit activities for the perceived status, power and money that comes with it (See Goldsworthy and McGillivray 2017; Jahnsen 2018; Bjorgo 2019). Fundamentally, strain and anomie theory provide insight into why certain individuals are

drawn into organised crime, yet it does not effectively explain how individuals join organised criminal groups.

2.3.2 Differential Opportunity

The theory of ‘differential opportunity’ emerged in response to the limitations and criticisms of ‘differential association’ and ‘anomie’ theory. In response to such limitations, Cloward and Ohlin (1960) put forward that illegitimate opportunities for success, much like legitimate opportunities, are not equally distributed throughout society. Cloward and Ohlin (1960) noted that a societies’ preoccupation with economic success, coupled with rigid socio-economic classes, restricts certain individuals to settings or environments whereby they experience strain and anomie:

“many lower-class male adolescents experience extreme deprivation born of the certainty that their position in the economic structure is relatively fixed and immutable, a desperation made all the more poignant by their exposure to a cultural ideology in which failure to orient oneself upward is regarded as a moral defect and failure to become mobile as proof of it” (p.107).

Individuals who experience severe strain and anomie, and who also have limited access to legitimate means of success and social progression, often reject the cultural goals of socio-economic success in favour of ‘delinquent subcultures’. Cloward and Ohlin (1960) categorised these as:

- ‘Retreatist subculture’: the strain and anomic conditions experienced by certain individuals forces them to reject socio-economic success in favour of easily obtainable ‘goals’, which is often in the form of illicit drug use and drug subculture.
- ‘Conflict subculture’: individuals who reject societies goals may engage in gang activity, which is focused on violence and destructive behaviour as a means to gain status within the subculture.
- ‘Criminal/ rackets subculture’: gang activity evolves and starts to focus on utilitarian criminal pursuits, which lays the foundation for organised crime and organised criminal groups.

While it can be argued that the ‘retreatist’ and ‘conflict’ subcultures are available to most people, the ‘criminal/ racket subcultures’ are not open to everyone. Cloward and Ohlin (1960) argue that there are barriers for individuals who wish to illegitimately seek success: “having decided that he can’t make it legitimately, he cannot simply choose from an array of illegitimate means, all equally available to him” (p.145). Essentially, an individual’s access to illegitimate success is just as

limited as their access to legitimate success. In considering ‘cultural transmission’ (Shaw and McKay 1942) and ‘differential association’ (Sutherland 1973), it is argued that:

“only those neighbourhoods in which crime flourishes as a stable, indigenous institution are fertile learning environments for the young. Because these environments afford integration of different age-levels of offender, selected young people are exposed to ‘differential association’ through which tutelage is provided and criminal values and skills are acquired. To be prepared for the role may not, however, ensure that the individual will ever discharge it. One important limitation is that more youngsters are recruited into these patterns of differential association than the adult criminal structure can possibly absorb. Since there is a surplus of contenders for these elite positions, criteria and mechanisms of selection must be evolved. Hence a certain proportion of those who aspire may not be permitted to engage in the behaviour for which they have prepared themselves” (Cloward and Ohlin 1960 p.148).

While such communities and neighbourhoods continue to play a key role in providing individuals with opportunities for illegitimate success (Abadinsky 2010), opportunities remain intrinsically linked to an individual’s personal ties and relationships.

In the context of the present study, the theory of ‘differential opportunity’ helps to explain why some individuals participate in organised criminal groups while others do not. If an individual is seeking to become involved in an organised criminal group, their opportunities to do so are essentially restricted to personal ties, specialised skills as well as knowledge and access to illicit markets and commodities (i.e. goods, services, and customers) (See Kleemans and de Poot 2008). In terms of opportunity, there are numerous types of conventional, or spontaneous, crimes that are available to most individuals who wish to offend, however *“things are somewhat more complicated where organised crime is concerned”* (Kleemans and de Poot 2008 p.74). In organised crime, and organised criminal groups, social relations are of greater importance than in conventional offending, and illegal business relationships have to be established and built up, as *“not everyone has suitable social ties and building up such relationships takes time and energy”* (Kleemans and de Poot 2008 p.75). Ties between offenders and illegal business relationships are particularly important in transnational criminal activities, which requires close coordination, infiltration of legitimate services, access to sensitive information and credentials, and individuals with specialised skills and knowledge (See Kleemans and de Poot 2008; Van Koppen and de Poot 2013; Van Koppen 2013; NCA UK 2016). Fundamentally, differential opportunity, combined with anomie, cultural transmission and differential association, can help explain involvement in organised criminal groups. Only certain individuals have access, or the opportunity, to become involved in organised

crime, which depends on their criminal ties and relationships, as well as their ability to learn and adopt criminal attitudes and beliefs from others in their community or close social networks.

2.4 SOCIAL STRUCTURE THEORIES

The theories which fall under the category of social structure examine the features of a society which can lead to higher rates of crime within certain communities or social groupings. Of particular note, 'social disorganisation' theorists believe that communities characterised by constant change, movement, high levels of unemployment, corruption and low social welfare are more likely to contain high rates of crime (See Shaw and McKay 1942; Bursik 1988; Kubrin and Weitzer 2003; Xiong 2016; Kubrin and Wo 2016). Such communities lack the social control required to regulate the behaviour of their residents. Other theorists note that the social structure of a community can provide individuals with the opportunity to establish ties or relationships with criminally inclined others, known as the theory of 'social opportunity structure' (Kleemans and De Poot 2008). Social structure theories can be used to explain involvement into organised criminal groups by taking into consideration the environment in which offending occurs and the potential for the establishment of criminally beneficial ties and relationships.

2.4.1 Social Disorganisation

Similar to the theory of 'social structure', the theory of 'social disorganisation' was developed to study and understand the complex relationship between criminal behaviour and the community (See Bursik 1988; Kubrin and Weitzer 2003; Xiong 2016; Kubrin and Wo 2016): with a particular focus on the impact of social stratification on an individual's behaviour, in particular criminal behaviour. Initial research (Shaw and McKay 1942) on the relationship between crime and the community highlighted a strong correlation between criminal behaviour and the economic and social development of a community. Shaw and McKay (1942) concluded that delinquency, and other societal problems, are closely related to the *"process of invasion, dominance, and succession that determines the concentric growth patterns of the city"* (in Xiong 2016). Fundamentally, Shaw and McKay (1942) determined that crime was not the result of the personal characteristics of members of a community but was related to the nature of the community itself. Therefore, 'social disorganisation' refers to a community's inability to maintain effective control over its members. Kornhauser (1978) notes that *"social disorganisation exists in the first instance when the structure and culture of a community are incapable of implementing and expressing the values of its own residents"* (p.63). Therefore, a disorganised community has *"little solidarity among residents and lacks social cohesion or integration"* (Kubrin and Wo 2016 p.122). In comparison, a socially organised community can be characterised

by generally agreed upon norms and values, strong bonds between members of a community and frequent social interaction between members of the community (Kubrin and Wo 2016).

More recent research (See Kornhauser 1978; Bursik 1988) has focused on the link between community deterioration and economic decline to criminality which, as this section will demonstrate, provides an environment in which organised criminal groups and illicit markets can flourish. Kornhauser (1978) focused on two key aspects of earlier iterations of the theory; 'social disorganisation' and 'social subcultures'. Kornhauser argued that disorganised communities are unable to maintain effective social control as local institutions (for example law enforcement, local government) are ineffective, corrupt, or have collapsed entirely. On the other hand, the concept of social subculture posits that criminal behaviour and delinquency are accepted within certain communities, which is underpinned by a shared value of deviancy amongst the communities' residents (See Xiong 2016). Essentially, Kornhauser argues that the research conducted by Shaw and McKay makes evident that communities with poverty, ethnic heterogeneity and frequent movement of residents are difficult to maintain normal social relations and public institutions, and therefore will have a significant rate of crime. This is linked to the concept of 'social structure', which proposes that by understanding an individual's immediate environment, researchers are better able to explain and understand their deviant and criminal behaviour. It is argued that the social structure has an 'organising feature' that indirectly impacts deviant and criminal behaviour (Akers 2009). Furthermore, Akers (1990) explains that the notion of 'social structure' is in direct correlation with crime in the wider community or society and such social structures can include; the age composition of the community and population density.

Within the context of organised crime and organised criminal groups 'social disorganisation' theory posits that criminal groups and illicit markets tend to be prolific in disorganised communities where strain, or anomie is prevalent. This includes high levels of unemployment, a lack of social cohesion, and low levels of trust in law enforcement agencies and the local government. This is particularly evident in the south of Italy (See Paoli 2004; Saviano 2006; Roberti 2008; Gamba et al. 2016), across Mexico (See Shelley 2001; Morris 2012; Beittel 2019), and in parts of the Russian Federation (See Finckenauer and Voronin 2001; Holmes 2008; Shinar 2016), where various organised criminal groups are present, and corruption is high. However, while 'social disorganisation' theory can be used to explain the formation and presence of organised criminal groups in communities with high levels of disorganisation, it cannot adequately explain organised crime in socially organised communities. There are distinct difficulties with testing 'social disorganisation' theory in different communities and this essentially stems from the primitive nature of data analysis that was conducted in the early 1900s. Modern researchers are

unable to replicate and test 'social disorganisation' theory in a modern context (Kubrin and Wo 2016). Nevertheless, 'social disorganisation', when combined with other general theories of crime, can provide some insight into the general phenomenon of organised crime in socially organised communities including 'strain' theory, 'differential association' theory, and 'social learning' theory.

Fundamentally, 'social disorganisation' theory can explain how a socially disorganised community that has limited opportunities for employment and education as well as criminal elements that are likely to draw individuals into criminogenic ties can provide the foundation for involvement in organised criminal groups. However, much like 'strain and anomie' theory, 'social disorganisation' theory provides theoretical insight into why certain individuals are drawn into organised crime (i.e. social and economic strain, social disorganisation), yet is limited in its explanation for how individuals become involved in organised criminal groups (i.e. involvement pathways). The pre-existing relationships and ties that play a key role in involvement can often be formed in communities that are socially disorganised and thus criminogenic in nature. While 'social disorganisation' theory does not explain how involvement occurs, it provides context and theoretical insight into how delinquent and criminal relationships and ties are formed, which often provide the foundation for involvement in organised criminal groups (See Ianni 1974; Paoli 2004; Gambetta 2009; Malm et al. 2010; Campana and Varese 2013; Van Koppen 2013; von Lampe 2016; Varese 2017).

2.4.2 Social Opportunity Structure

'Social opportunity structure' theory refers to the types of relationships between individuals and the institutions in a society through which individuals interact and form relationships (Kleemans and De Poot 2008). These relationships and institutions are crucial for involvement in organised criminal groups and illicit activities. Unlike volume crimes, the criminal activities of organised criminal groups are generally more complex and require a significant level of planning between offenders (See Sieber and Bogel 1993; Cornish and Clarke 2002). Therefore, more co-offenders with specialised skills, knowledge and contacts are required for the crimes to be successfully committed. However, individuals and organised criminal groups must be able to seek out, identify and engage with suitable co-offenders within their environment of operation (See Reiss 1988; Tremblay 1993; Warr 2002; Waring and Weisburd 2002). Generally, organised criminal groups and offenders will rely upon their own social and intimate circles to identify suitable co-offenders, however these ties may not always be sufficient especially in regard to technical skills or access to restricted systems. Therefore, social opportunity structure explores the importance of illicit ties in organised criminal groups and how such ties are critical to engagement in illicit activities.

The first key element of social opportunity structure in regard to organised criminal groups is the importance placed on social relationships and ties (See Kleemans and Van de Bunt 1999, 2008; Morselli 2001, 2003, 2005; Kleemans and De Poot 2008). Social ties can provide individuals with access to profitable criminal opportunities, as well as explain why involvement in organised criminal groups occurs (See Gambetta 2009; Van Koppen 2013). Social relationships and ties within organised criminal groups can provide offenders with valuable suppliers, clients and customers: without such contacts offenders cannot make a start in organised crime. Underpinning these ties and relationships is the concept of trust. Potential co-offenders must trust that the other individual is willing to engage in criminal behaviour and understand the significant financial risks at play (See Potter 1994; Gambetta 2000; Bruinsma and Bernasco 2004; Von Lampe and Johansen 2004; Kleemans and De Poot 2008). Therefore, social opportunity structure suggests that existing social ties provide an entry point for involvement in organised crime, while others have to establish and build up their illegal business relationships. Fundamentally, *“not everyone has suitable social ties and building up such relationships take time and energy”* (Kleemans and De Poot 2008 p.75).

Secondly, the transnational nature of organised crime activities requires access to international contacts and illegal business relationships (See Kleemans 2007; Kleemans and De Poot 2008). It is acknowledged that many types of organised crime activities are focused on international smuggling activities, including drug trafficking, firearms and weapons trafficking, human trafficking and money laundering (Morselli 2009). Without the transnational ties and illegal business relationships, individuals are unable to engage in transnational criminal activities. However, such ties are generally not accessible or established till later in life, where trust is easier to establish (See Kleemans and De Poot 2008). Similarly, the activities of organised criminal groups are generally more complex than high-volume crimes, therefore more offenders are required for the crimes to be successful (See Sieber and Bogel 1993; Cornish and Clarke 2002; Kleemans and De Poot 2008). Hence, social opportunity structure highlights the importance of identifying and involving suitable co-offenders (See Reiss 1988; Tremblay 1993; Warr 2002; Waring and Weisburd 2002; Kleemans and De Poot 2008). As Kleemans and De Poot (2008) posit:

“reliance on co-offenders from within one’s own social circle is not always sufficient, because they may not possess the necessary capabilities. Contacts with the legal world are also important for transport, money transactions and shielding activities from the authorities. Not every offender has such contacts” (p.75).

Social opportunity structure highlights the importance of social ties and relationships within organised criminal groups. Individuals with such ties have access to profitable criminal

opportunities that those involved in volume crimes simply do not. As mentioned, trust and co-offending relationships play a key role within social opportunity structure, where trust forms the foundation of criminal ties and relationships. Furthermore, social opportunity structure can help explain why certain individuals ‘progress’ to certain types of criminal activities and why certain offenders become involved in organised crime much later in life: this helps explain the phenomenon of ‘late on-set’ offending without any previous criminal history (See Kleemans and De Poot 2008; van Koppen et al. 2010).

2.5 SOCIAL CONTROL THEORY

Social control theory refers to the frameworks and processes by which society encourages individuals to conform to non-deviant and conventional forms of behaviour. Fundamentally, social control theorists seek to answer, “Why do most people conform to societal norms?”. In response to this question social control theorists -in particular Hirschi (1969)- argue that criminal careers and *“delinquent acts result when an individual’s bond to society is weak or broken”* (1969 p.16). Similar to the theory of ‘social disorganisation’, Hirschi’s (1969) theory of ‘social control’ argues that criminal behaviour occurs in the absence of positive relationships with family and social peer groups, educational institutions, law enforcement, or the local government bodies that are underpinned by morally defined societal norms. Therefore, social control theory refers to the processes by which an individual’s relationship with the community can influence or encourage their behaviour to conform with the established societal norms. An individual’s bond to society or institutions within a community is determined by both external and internal restraints (Hirschi 1969). These restraints dictate whether an individual is likely to engage in criminal behaviour or instead conform to conventional norms of behaviour. External restraints refer to the social disapproval of certain behaviour from family, friends or the criminal justice system, which is often linked to public shame and humiliation, social ostracism, and a fear of punishment for criminal or deviant behaviour (See Hirschi 1969; Abadinsky 2010). In comparison, internal restraints can include an individual’s sense of self guilt, ethics and moral consciousness. Internal restraints are often developed from childhood through positive relationships with others and form the foundation for non-criminal behaviour (See Hirschi 1969; Abadinsky 2010).

In the context of organised crime and involvement in organised criminal groups, social control theory alone does not explain why most individuals do not engage in organised crime. While an individual may have weak external and internal restraints, this does not automatically ‘open doors’ to involvement in an organised criminal group. As the academic research highlights, *“organised crime is less accessible than most general crimes, and activities require close cooperation between offenders”*

(van Koppen 2013 p.75). Therefore, engagement in organised crime does not directly correlate with weak external and internal restraints. Fundamentally, for involvement in organised criminal groups to take place a number of factors need to be present (See Kleemans and de Poot 2008; Gambetta 2009; van Koppen 2013). Weak external and internal restraints can often be the result of the influence exerted by intimate ties, including family and friends (See Desroches 2005; Decker and Chapman 2008; van Koppen 2013). Such ties play a key part in organised crime and the involvement process into organised criminal groups. In applying ‘social control’ theory to organised crime, it can be understood that the weak external and internal restraints that result from social disorganisation and negative influences within personal relationships with individuals who are already involved in organised crime can lead to involvement in criminal groups and illicit activities. Therefore, without existing organised crime ties, ‘social control’ theory cannot adequately explain involvement in organised criminal groups. Like other general theories of crime, a combination of theories is required to explain involvement in organised criminal groups, which in the case of ‘social control’ theory also requires ‘social disorganisation’, ‘social learning’, and ‘differential association’ to completely understand the phenomenon of organised crime and the involvement process into criminal groups and illicit activities.

2.6 LIFE COURSE AND CRIMINAL CAREERS

Deviant and criminal behaviour generally involves the pursuit of immediate pleasures and there is often very little thought required in terms of effort, planning and preparation: there are also generally no specific skills, knowledge or contacts required to carry out the activity (See van Koppen et al. 2010). Therefore, the profits from high-volume crime such as theft are often minimal and offenders are characterised as impulsive, short-sighted and risk-seeking (See van Koppen et al. 2010). In comparison, the criminal activities of organised criminal groups require a significant level of planning and close cooperation between offenders:

“Organized crime typically is a long-term process, which often requires months of preparation time and consists of multiple activities that are scattered temporally as well as geographically, making coordination necessary. Owing to its relative complexity and logistical requirements, organized crime seems to require a certain intelligence level and specific organizational skills. In addition, the successful execution of organized crime requires close collaboration with co-offenders. Social contacts are important in explaining involvement in organized crime, because they provide access to co-offenders, buyers and suppliers” (van Koppen et al. 2010 p. 357).

Therefore, these distinct requirements for organised crime suggest that some of the general theories of crime cannot adequately explain involvement in organised criminal groups. It is

acknowledged that some criminal activities are generally quite complex and require individuals with specialised skills, knowledge or experience (Kleemans and Van de Bunt 1999; Morselli 2005; van Koppen et al. 2010). Hence, it is likely that individuals who do engage in these complex crimes would have followed a conventional career path that provided them with the opportunity to learn these skills, rather than learning such skills through a life of crime (van Koppen et al. 2010).

Academic research on organised crime and organised criminal groups has primarily focused on organisational structure and their illicit activities (for example Fijnaut et al. 1998; Adamoli et al. 1998; Abadinsky 2010; Schloenhardt 2010; Morselli et al. 2011). Overall, there has been minimal attention on the criminal careers of organised crime offenders. Since there are difficulties with applying the general theories of crime to involvement in organised criminal groups, it is unknown whether knowledge of general criminal careers can be applied to organised crime offenders. Currently, there is no significant body of work which compares the criminal careers of organised crime offenders against those of general offenders (See van Koppen et al. 2010). Yet, academic work has attempted to compare white-collar offenders and general offenders, noting that white-collar offenders, when compared to general offenders, have a later start in offending, engage in fewer criminal offences, have fewer prior arrests and exhibit increased specialisation (See Weisburd et al. 1990; Benson and Moore 1992; Apel and Paternoster 2009; Agnew et al. 2009; Piquero and Weisburd 2009). When compared to general offenders, organised crime offenders are less likely to be first-time offenders at their time of arrest. As noted by van Koppen et al (2010):

“Organized crime offenders, however, did have a more serious criminal history in terms of offence seriousness. For example, the period those involved in organized crime spent in prison was twice as long as those involved in general offending. Most strikingly, this difference in offence seriousness is noticeable from the onset of the criminal career: offenders with a criterion case in organized crime are twice as likely to be sentenced to imprisonment following their first judicial contact than are general offenders” (p.370).

Much like the general theories of crime discussed in this Chapter, knowledge of criminal careers stems from research into juvenile and adolescent offenders and high-volume crime (See Blumstein et al. 1986; LeBlanc and Loeber 1998; Piquero et al. 2003; Farrington 2003, 2005). However, a study on the involvement process into organised criminal groups must consider the life course and criminal careers of offenders who engage in organised crime, especially if the data reveals new insight on the criminal trajectory of individuals. As will be made evident in this section, existing research into life course offending and criminal careers tends to ignore certain types of offenders and certain types of crimes, in particular adult offenders involved in organised crime or

white-collar crimes (See Weisburd et al. 2001; Piquero and Benson 2004; Steffensmeier and Ulmer 2005; Shover and Hochstetler 2006). This remains a key criticism of the theory, whereby there is too much focus on ‘losers’ and ‘bottom-barrel thieves and hustlers’. Research into more successful criminals and more profitable criminal activities might provide new insights (Steffensmeier and Ulmer 2005 p. 293-311). One important aspect of life course and criminal career theory is the strong link identified between age and crime (For example Gottfredson and Hirschi 1990).

Life course and criminal career theory is summed up in the work of Moffit (1993; 2003), who distinguishes between distinct age groups and criminal and anti-social behaviour. The first group Moffit identified was a large group of people who mainly engaged in criminal and anti-social behaviour during adolescence, which were classified as ‘adolescence-limited’ offenders. The available research notes that the prevalence of offending increases dramatically in early adolescence and reaches a key peak between the ages of 15 and 17. After this point, an individual’s likelihood to offend gradually declines over the rest of their life course (See Gottfredson and Hirschi 1990; Farrington 2003, 2005). The second group identified by Moffit consists of a small number of people who were anti-social during their early years of development, engaged in criminal and anti-social behaviour during their adolescence and remained active in crime throughout their lives: known as ‘life-course persistent’. Individuals classified as ‘life-course persistent’ offenders often have certain biological or psychological deficiencies, including low intelligence, low self-control, and high impulsivity (Moffit 1993; 2003). Generally, ‘life-course persistent’ can be identified by early developmental problem behaviour which is likely to continue later into life. While both groups of offenders are known to become involved in organised criminal groups, it is a third group which are more prominent.

‘Late on-set’ offenders are individuals who have little to no history of offending and tend to engage in criminal behaviour much later in life: something which is highly evident in offenders involved in organised criminal groups (see van Koppen et al. 2010). It has been noted that organised crime offenders are not born criminal but instead *“choose to take advantage of their circumstances as a result of opportunities becoming available to them or becoming more appealing to them compared with other alternatives”* (p.371). This pattern of offending and criminal trajectory mirrors the complexities associated with the illicit activities of organised criminal groups. Involvement in organised criminal groups and illicit activities often requires ties that are not generally accessible until later in life, especially in the case of transnational illicit activities, where trust is easier to establish (See Kleemans and De Poot 2008). Research also notes that late-onset organised crime offenders tend to be more serious criminal from the outset and is less concentrated at the start of their criminal careers and *“therefore seems more persistent, organized crime offenders do not show a record of*

early problem behaviour” (van Koppen et al. 2010, p.371). Fundamentally, it can be argued that the *“likely candidates to explain the criminal career patterns of organized crime offenders seem to be the circumstances experienced during adulthood”* (van Koppen et al 2010, p.371).

Theorists of life-course criminology and criminal careers have devoted a considerable amount of time to understanding and explaining the start, development and end of criminal careers (For example Piquero et al. 2003; Farrington 2005; Laub and Sampson 2006; Laub et al. 2006). For example, desistance from a criminal career is generally explained through the occurrence of key life events, for example developing a stable relationship, receiving an education or having children (See Laub and Sampson 2001, 2006). However, this research and insight has limited applicability when attempting to explain criminal careers in organised criminal groups. It has been noted that the criminal activities of individuals involved in organised often take place later in life. Furthermore, numerous organised crime offenders often have an education, a stable job, a partner and/ or children (Laub and Sampson 2001, 2006; Kleemans and De Poot 2008). Fundamentally, the issue with examining the criminal careers of organised crime offenders with existing theoretical knowledge is that more often than not the criminal behaviour does not *“wear off by themselves in due course”* (Kleemans and De Poot 2008, p.74), especially when individuals have the opportunity to develop and engage in highly profitable activities (Steffensmeier and Ulmer 2005; Kleemans and De Poot 2008).

What separates organised crime from high-volume crimes is the notion that crimes committed by organised criminal groups are far more complex and generally require a significant amount of planning and logistics (See Sieber and Bogel 1993; Cornish and Clarke 2002; Morselli 2009; van Koppen 2013). This helps explain the connection between co-offending relationships and criminal careers in organised crime. For organised criminal groups to successfully engage in certain illicit activities, they must be able to identify and recruit suitable co-offenders (See Reiss 1988; Tremblay 1993; Warr 2002; Waring and Weisbud 2002; Gambetta 2009; Morselli 2009; Van Koppen 2013). While organised criminal groups generally rely on close ties, including familial ties and social circles, to identify suitable co-offenders, these ties are often not sufficient for supplying individuals with the necessary skills or contacts to participate in criminal endeavours. Therefore, organised criminal groups will sometimes have to establish ties with individuals involved in legitimate industries. However not all offenders have such contacts and ties. Therefore, a career in organised crime is highly dependent on an individual’s personal ties and networks in order to become involved. Without these criminal contacts individuals are essentially restricted from involvement. However, many of these contacts are established later in life and can provide insight into the phenomenon of late-onset offending.

Research conducted by Kleemans and de Poot (2008) suggests that more research is needed on older offenders and particular types of crimes (such as organised crime) as this might provide insight on the impact of ‘social context’ and ‘co-offenders’ in promoting certain pathways into crime. Co-offending is still considered an under studied aspect in criminal career research (Kleemans and de Poot 2008). Furthermore, it should be understood that social ties and contacts often cross the boundaries between licit and illicit, therefore it is important to examine and understand an individual’s social ties, work relationships, leisure activities and life events all of which can all create opportunities for involvement in organised crime even when there is no criminal history present (Kleemans and de Poot 2008). The study also noted the importance of not only focusing on adolescence but also on later stages in life. Kleemans and de Poot (2008) notes that important changes occur within criminal careers as a result of age, even after stabilising life events have occurred, including; finding a job, finding a partner and having children.

Furthermore, the available literature notes that organised crime offenders are generally imprisoned three times longer than high-volume offenders (Kleemans and de Poot 2008; van Koppen et al. 2010). However, organised crime offenders and general offenders tend to be criminally active in their late thirties and show hardly any differences in regard to their age distribution *“of their first judicial contacts, and the average age of first conviction is 24 years. Organized crime offenders do seem to have a more persistent offending pattern than common criminals, whose intermittency periods get longer as they get older”* (van Koppen et al. 2010, p. 371). What is noted in the literature is that organised crime offenders tend to differ from general offenders at the start of their careers not in terms of age of offending or frequency of arrests but in regard to the seriousness of their criminal behaviour. Research conducted by van Koppen et al. (2010) summarises some of the distinct differences between organised crime offenders and general offenders:

“Despite their offending seriousness and relatively flat rate of offending, having their first judicial contact in their mid-twenties means that organized crime offenders do not fit the standard image of persistent offenders as individuals who lack self-control or problematic children whose anti-social behaviour grows from bad to worse with age. Instead, our results seem to support the idea central to middle-ground theory: OC offenders are not born criminals but choose to take advantage of their circumstances as a result of opportunities becoming available to them or becoming more appealing to them compared with other alternatives” (p.371).

In discussing criminal careers, it is also important to examine the culmination of one’s career, generally conceptualised as disengagement or desistance (discussed further in Chapter 4). Previous analyses note that desistance from illicit activities should not be examined within the

context of key life stages. It is argued that desistance cannot be explained by an individual's adherence to or re-adoption of societal norms. As well, the importance of limited profitable criminal opportunities remains understated (See Steffensmeier and Ulmer 2005; Kleemans and de Poot 2008). This is particularly evident at stages in life when "*making money is more important than it is in adolescence*" (Kleemans and de Poot 2008). The importance of relationships between those in organised criminal groups is underlined by the fact that desistance can be delayed by mentors who can provide individuals with access to profitable criminal activities, as well as help with coping with the risks associated to a life of crime (See Morselli et al. 2006). Others note that networks or ties that are conducive to criminal behaviour might encourage involvement in organised criminal groups and thus make desistance or disengagement less attractive due to the potential 'negative social repercussions' (van Koppen et al. 2010). Therefore, criminal careers in organised crime emphasise the importance of access to criminal ties and relationships, while also highlighting the critical nature of circumstances experienced by organised crime offenders during adulthood.

2.7 CONCLUSION

Although not developed with organised crime in mind, traditional criminological theories (i.e. the 'general theories of crime') can provide useful insight on involvement into organised criminal groups. In stitching together, the ideas that underpin social learning theory, anomie and strain theory, social structure, social control as well as criminal careers, the researcher was able to position the present study within the broad discipline of criminological research. The theories examined in this chapter highlight the importance of social ties within organised criminal groups. 'Differential association' and 'cultural transmission' emphasise the diffusion of criminal motivation and knowledge amongst organised crime offenders. Criminally inclined ties are also dependent on certain environments and social structures. If an environment is anomic in nature and individuals experience strain, they are likely to be drawn into criminal behaviour in order to achieve 'socially accepted' goals. However, anomic conditions can only lead to involvement in organised criminal groups if the requisite social ties are available. Therefore, if social control is also weak and the necessary social structures are in place, involvement in organised criminal groups can occur. However, these criminological theories also have significant limitations. As mentioned, these theories were developed to explain the behaviour of high-volume offenders. For example, anomie and strain theory cannot adequately explain involvement in organised criminal groups by individuals from middle-class and wealthy communities. Similarly, social control theory does not take into account individuals with strong internal and external restraints who engage in organised crime. Nevertheless, these theories can be adapted to explain involvement in organised criminal groups. This focus on high-volume offenders is also evident in research on life course and criminal

careers. Previous analyses note that organised crime offenders differ significantly from high-volume offenders. Individuals involved in organised criminal groups tend to engage in illicit behaviour later in life (i.e. late-onset offending) when criminal ties and contacts become available. Unlike high-volume offenders, those involved in organised crime engage in more serious offending and are more likely to spend time in prison. These differences highlight a divergence within criminological research in regard to high-volume offenders and organised crime offenders. While this chapter has demonstrated the applicability of traditional criminological theories in examining organised crime, more recent criminological research has focused on specific aspects of this broad phenomena. The following chapter takes this as a point of departure and looks at the way in which organised crime, organised criminal groups and involvement is conceptualised.

Chapter Three: Conceptualising Organised Crime and Involvement

"I'm like any other man. All I do is supply and demand" - Al Capone

3.1 INTRODUCTION

The purpose of the present chapter is to canvass the work that had previously been completed in order to conceptualise the broad phenomena of organised crime. As there are many social, political and economic complexities surrounding organised crime and organised criminal groups, the aim is to examine the ways in which this phenomenon had been approached and examined within the criminological literature. Due to the definitional issues surrounding organised crime (see Finckenauer 2005; Levi 2007), the paucity of specific organised crime theory, plus the emergence of more recent research, it is important to situate the research project within the current landscape of criminological thought in regard to the phenomena of organised criminal groups. Academic and theoretical focus on organised crime was ignited by Cressey's (1969) publication *Theft of the Nation*. Cressey (1969; 1972) depicted the American Cosa Nostra as a hierarchically structured organisation with a rigid division of labour, formalised laws and rituals as well as strict organisational oversight. This work inspired a number of theorists who approached organised crime from various perspectives, including: the patron-client model (Albini 1971); kinship ties and family business model (Ianni 1972); illicit enterprise model (Smith 1971; 1980; Haller 1990; 1992); and criminal networks (Morselli 2005; 2009). More recently, academic inquiry has extended to the threat of transnational organised crime and the opportunities offered by globalisation. It is within this spectrum of criminological thought that this research thesis attempts to understand the involvement pathways into organised criminal groups.

3.2 ORGANISED CRIME VS ORGANISED CRIMINAL GROUPS

Prior to any examination of an individual's involvement process into organised criminal groups, it is important to distinguish between the concept of 'organised crime' and the phenomena of 'organised criminal groups'. Defining the social, political and criminological phenomenon of organised crime remains a significant debate amongst scholars and is often linked to the *"failure to realise that there are diverse ways to conceptualise organised crime and that each approach can lead to different assessments of the very same situation"* (von Lampe 2015, p.34). Academic definitions of 'organised crime' and 'organised criminal groups' are essentially influenced by the focus of particular research, including the type of organised criminal group under investigation or illicit activity (or commodity) being examined. Using this perspective, even though definitions tend to focus on a specific element (e.g. ties between offenders), it is important to note that organised crime is not a static

phenomenon but is a fluid and diverse phenomenon (Fijnaut and Paoli 2006). The distinct differences between definitions raises questions of whether to make “*structure of activity or structure of association*” the focal point for organised crime definitions (Cohen 1977, p.98): with different definitions often giving priority to one aspect over the other. A focus on the illicit activities of organised criminal groups, or the organising of crime, have become prominent viewpoints in the academic literature, as opposed to ‘organised crime’ or a focus on ‘organised criminal groups’ (see Block and Chambliss 1981; Van Duyne 1996; Cornish and Clarke 2002; Levi 2007; Edwards and Levi 2008). The following statement by von Lampe (2002) highlights the ‘elusive’ nature of organised crime definitions:

“Organised crime is neither a clearly discernible empirical phenomenon, nor do we find an agreement on what its ‘essence’ or ‘nature’ might be. Rather, a broad range of people, structures, and events are in varying degrees and combinations subsumed under this umbrella concept. Due to this elusiveness, the phrase ‘organised crime’ was allowed to take on an existence of its own quite independent from the social reality it supposedly relates to. Social scientists, then, not only face the challenge of nailing a ‘conceptual pudding’ to the wall. They also have to deal with the duality of organized crime as a facet of social reality and as a social construct. In the latter capacity its associative and luring power strongly influences public perceptions, policy making and law enforcement towards a warlike attitude” (p.191).

The difficulties with conceptualising and defining ‘organised crime’ lays with the number of definitions available and the differences that exist between them. This is exemplified by Von Lampe’s website that lists “*more than 150 definitions of organised crime used by governments, national and international organisations, and academics from around the world... [with] much of the confusion [arising] over whether ‘organised crime’ refers to crime groups or to their activities*” (Ayling and Broadhurst 2012, p.38). With the range of definitions available, Paoli (2002) describes organised crime as “*an ambiguous conflated concept, produced by a stratification of different meanings which have been attributed to the term...over the years*” (p.52). Even though there is no generally accepted definition or understanding of organised crime, attempts to conceptualise the phenomenon remain critical to scholarly inquiry and are a “*rallying point for scholarly debate*” (von Lampe 2011, p.149). These varied definitions can be considered a “*unifying concept*” (Ayling and Broadhurst 2012, p.38) for a “*diverse and analytically distinct range of actors, activities, and harmful consequences*” (Edwards and Levi 2008, p.384). As this thesis will examine involvement into ‘organised criminal groups’ it is important to understand what is meant by the term, both from a theoretical and practical perspective, and how it differs from the broad term of ‘organised crime’. Therefore, this section will present and discuss the various viewpoints and perspectives in regards to defining ‘organised crime’ and ‘organised criminal groups’, the latter

often encompassing a variety of elements, including criminal activities for material benefit, criminal groups that engage in extreme violence, corruption of public officials (including law enforcement and government officials), penetration of the legitimate economy and interference in the political process (Kenney and Finckenauer 1995).

Attempts to define 'organised crime' began in the 1920s and 1930s and typically referred to the criminal activities associated with organised racketeering. Dorr and Simpson (1931) presented one of the first definitions of organised crime, positing that 'organised crime' consists of two key illicit activities: criminal fraud and protection rackets. Other early inquiries into organised crime and gangs (Thrasher 1963) argued that definitions should consider the relationship between offenders within criminal groups, which were often quite fluid with a surprising level of organisation. These early iterations provided the groundwork for more robust definitions of organised crime, in particular Cressey's (1969) definition which focused on the rigid division of labour within organised criminal groups; "...an organised crime is any crime committed by a person, occupying in an established division of labour, a position designed for the commission of crimes providing that such divisions of labour include at least one position for a corrupter, one position for a corruptee, and one position for an enforcer" (p.319). Other definitions have also focused on the relationship and ties between offenders in organised criminal groups. Albin (1971) notes that organised crime should be viewed as a system of fluid relationships based on a patron-client system, while Ianni (1972) explained that organised crime should be viewed in terms of the shared kinship and cultural ties that bind groups together. Relationships between offenders, often in the form of rigid structures and hierarchical elements, are evident in the academic literature, with a particular focus on a division of labour and specialised positions (Ayling and Broadhurst 2012).

However, other scholars (e.g. Smith 1975; Maltz 1976) have argued that any definition of organised crime needs to focus on the actual activities of the criminal group rather than the individuals involved and the ties that bind them together: "*organised crime is essentially an ongoing economic operation whose business is to provide illegal goods and services*" (Finckenauer 2005, p.71). For example, Maltz (1976) focused on the process of 'organising' and committing offences by defining organised crime as criminal activities that require some form of planning and are committed by offenders in co-offending relationships. Other theorists (Adamoli et al. 1998) have also focused on the processes or methods of committing a crime, rather than a distinct type of crime or criminal. Shelley (1995) had added that modern organised crime should be defined according to three key elements: based in one state, commit crimes in numerous countries as opportunities arise and engaging in illicit activities while avoiding law enforcement attention. This approach to organised crime is exemplified in the definition presented by Albanese et al. (2003), who noted that

definitions should list the common features of organised crime, including: planned criminal activity for a profit; a conspiracy of a continuing enterprise formed around social, ethnic, or business relationships or around a certain product or opportunity; use of violence, threats, and intimidation to achieve goals; and lastly the use of corruption to protect its interests and avoid arrest and prosecution. This definition and others discussed highlight the organisational nature of ‘organised crime’, whereby illicit activities require considerable planning between a group of co-offenders in order to be successful. Such activities generally require resourceful ties between offenders and often strategies and tactics that are criminal in nature (e.g. corruption).

Any contemporary scholarly understanding and thus definitions of ‘organised crime’ and ‘organised criminal groups’ needs to consider two significant changes that have occurred over the past century. Firstly, organised criminal groups have broadened their range of operation. Secondly, they no longer operate wholly in competition with each other but have demonstrated a willingness and an ability to work together (Schloenhardt 2010). The definition proposed by Bersten (1990), whereby organised crime is defined as the fields of transactions materially connected to markets in illegal goods and services is applicable to any given social, historical, and political situation. This is supported by von Lampe (2008) who argues that definitions of organised crime should include three notions on the nature of illicit enterprises. Von Lampe (2008) states that organised crime is primarily about crime and therefore, organised crime is *“seen as a specific type of criminal activity characterised, for example, by a certain level of sophistication, continuity, and rationality in contrast to sporadic and impulsive criminal behaviour”* (p.7). Von Lampe also highlights the importance of the concept of ‘organised’, whereby the emphasis shouldn’t be on what criminals do, but how they are linked or associated to one another. Therefore, organised crime can be characterised and defined as offences carried out by criminal organisations in contrast to lone or opportunistic offenders. Essentially, organised crime definitions do not have to focus on *“specific forms of criminal activities or specific collective forms of crime, but with the concentration of power, either in the form of an underworld government and/ or in the form of an alliance between criminals and political and economic elites”* (von Lampe 2008, p.12).

Using the academic perspectives presented above, ‘organised crime’ can be understood as a system in which offenders, tied together through a criminal group, cooperate in order to engage in criminal offences that require a level of ‘organisation’. However, the United Nations Convention against Transnational Organised Crime (2003) focuses on defining ‘organised criminal group’ and does not define the term ‘organised crime’. This is due to the Convention’s requirement that signatory nations criminalise and prosecute participation in organised criminal groups within their domestic legislation (Schloenhardt 2010). Therefore, for the purpose of the Convention, the United Nations states that an ‘organised criminal group’ *“shall mean a structured group of three or more*

persons, existing for a period of time and acting in concert with the aim of committing one or more serious crimes or offences established in accordance with this Convention, in order to obtain, directly or indirectly, a financial or other material benefit” (UNTOC Article 2, 2003). Furthermore, the UNTOC focuses on the concept of a ‘structured group’, which means a *“group that is not randomly formed for the immediate commission of an offence and that does not need to have formally defined roles for its members, continuity of its membership or a developed structure”* (UNTOC Article 2, 2003). Fundamentally, the Convention focuses on the ‘organised criminal group’ element of ‘organised crime’ whereby groups of offenders engage in profit driven crimes. However, this distinction between ‘organised crime’ and ‘organised criminal group’ has provided the groundwork for further scholarly debate on how best to define and conceptualise this complex phenomenon.

In defining ‘organised crime’, scholars have attempted to differentiate between the phenomenon of ‘organised crime’ and the physical entities involved in criminal markets: the ‘organised criminal groups’ themselves. Natarajan (2006) posits that it might be more accurate to view crimes committed by organised criminal groups not as ‘organised crime’ but instead as ‘crimes that are organised’ (see Potter 1994; Zabludoff 1997; Finckenauer and Waring 1998; Hobbs 2013). In differentiating between organised crime and organised criminal group, it has been suggested *“that the description of a criminal group be based upon the nature of a specific criminal act which it has committed at any given time, not on the basis of its possession of certain traits”* (Albini, 1971 p.49). Furthermore, Natarajan (2006) argues that this approach to defining the phenomenon *“represents a new paradigm for understanding... organised crime in general”* (p.173) (see Zhang and Chin 2003; Clarke and Brown 2003; Hobbs 2013). Finckenaur (2005) differentiates between ‘organised crime’ and ‘criminal organisation’ and argues that a crime can be committed by an individual or a criminal group depending on the nature of the crime itself and that certain crimes cannot be committed by lone offenders due to its complexity or transnational nature. Furthermore, both Finckenauer (2005) and Hagan (2006) note that the availability of potential partners and the nature of the situation can also influence whether a crime is committed by an individual or a criminal group.

The complexity of a criminal offence will often influence how offenders and criminal behaviour are conceptualised and thus how ‘organised crime’ and ‘organised criminal group’ are defined. Therefore:

“if the nature of the crime and the situation demand it, and there are willing partners available, the crime may be carried out by a group. Further, this group can be considered to be a criminal network. What is important, however, is that unless the members of that network go beyond this single or limited criminal opportunity and actually organize themselves to continue to commit

crimes; unless they actually view themselves as a criminal organization; unless they have or develop durability and reputation; and unless they have continuity both over time and over crimes, they are not a true criminal organization” (Finckenauer 2005, p. 75).

Essentially, some criminal offences “*may be extremely complex and highly organised in their commission, but which are not committed by criminal organisations*” (Finckenauer 2005, p.76). For example, Natarajan and Belanger’s (1998) examination of drug trafficking networks found a number of enterprises involved in drug supply that did not fit the traditional conception of ‘organised crime’ or ‘organised criminal group’ as they include ‘freelance’ suppliers and ‘communal businesses’. Other theorists (Hagan 2006; Allum et al. 2010) have attempted to differentiate between ‘organised crime’ and ‘crime that is organised’ by focusing on the complexity of the crime. Hagan (2006), who conducted a content analysis of organised crime definitions, supports the notion that ‘Organised crime’ should refer to criminal organisations, while ‘organised crime’ should refer to crimes that often require a degree of organisation on behalf of those committing them; “*not all ‘organised crime’ is committed by ‘organised crime’ groups*” (Hagan 2006, p.134). It is this distinction that helps differentiate between the organisational aspect of ‘Organised crime’, with a focus on structure and ties between offenders, and the illicit activities of organised criminal groups, which generally require a significant level of planning and supplementary activities.

Despite the difficulties with developing a generally agreed upon definition for the complex phenomena of organised crime, von Lampe (2016) explains academic definitions of ‘organised crime’ are “*a possible outcome rather than a precondition for the study of organised crime*” (p.13) (also see Kelly 1986). Von Lampe (2009) provides a framework for developing a robust definition of ‘organised crime; “*what are people referring to when they talk about organised crime? Which persons, what events, which situations, places, and so forth? The second step is to examine the corresponding empirical manifestations to separate myth from reality and to develop an understanding of the dynamics and mechanisms at play*” (pp.165-166). In considering the definitions presented above concerning ‘organised crime’ and ‘organised criminal group’, the present study will adopt the definition of an ‘organised crime group’ under Article 2 of the United Nations Convention against Transnational Organized Crime (2003). Based on the aims and focus of the present thesis, the research will utilise the definition provided by the UNTOC Convention as the basis for understanding and defining ‘organised criminal groups’, for the reason that it incorporates both the *structural* and *objective* elements that are present in the academic definitions discussed in this section. Furthermore, the key elements in the Convention’s definition are also evident in law enforcement’s understanding of ‘organised criminal groups’ and relevant state legislation: for example, Victoria Police (2005); Queensland Crime and Misconduct Act (2009); ACIC (2017). Therefore, this definition, while broad, is appropriate for the study of

organised criminal groups in Australia. As a signatory to the Convention, the data collected within an Australian context will be influenced by this definition, therefore it provides a conceptual understanding that is relevant to the present study's focus, framework, and data utilised. Alongside the assortment of definitions of 'organised crime', theorists and practitioner have also proposed a number of models to explain the structure and modus operandi of organised criminal groups.

3.3 MODELS OF ORGANISED CRIME

In examining the involvement process into organised criminal groups, it is important to understand the conceptual models used to explain the structure and modus operandi of organised criminal groups. Models of organised crime can be categorised into three types:

- 1) Models which focus on the organisational and operational structure of organised criminal groups,
- 2) Models that focus on the activities of organised criminal groups, and
- 3) Models which emphasise the social, cultural and historical conditions that facilitate the activities of organised criminal groups (von Lampe 2003).

Models which focus on the organisational and operational structure of organised criminal groups describe them as operating under various forms of hierarchies, networks or an amalgam of the two (von Lampe 2003). Such models are referred to as group focused models due to the emphasis on the structural and organisational aspect of organised crime. (Halstead 1998). Other models examine why organised criminal groups engage in particular criminal activities (Cohen 1977; Halstead 1998; von Lampe 2003; Albanese 2004). Furthermore, a number of models examine how social, cultural and historical conditions facilitate organised crime activity: these focus on factors such as ethnicity, politics as well as market fluctuations and the impact they have on the operation and activities of organised criminal groups (Ianni 1972; von Lampe 2003; Abadinsky 2007; Xia 2008; Albanese 2011).

The United Nations Office on Drugs and Crime (UNODC) has developed its own conceptual models to explain the structure and modus operandi of organised criminal groups. The UNODC conducted a survey of 40 organised criminal groups across 16 countries. From the groups sampled, the UNODC (2002) developed five broad models of organised criminal groups: standard hierarchy model, regional hierarchy model, clustered hierarchy model, core group model, and criminal market model. The UNODC (2002) notes that there are three key reasons for developing a series of structural models on organised criminal groups:

- Models are important for providing greater detail to what is meant by the concept of ‘transnational organised crime’
- Models have important policy implications for law enforcement agencies, as different law enforcement strategies are required to confront the diverse types of organised criminal groups
- Models provide an important mechanism to sort and monitor transnational organised crime trends, by identifying which types are most common in particular social contexts

The purpose of this study is to examine the involvement process into organised criminal groups. Therefore, the following section focuses on the models that classify organised criminals groups based on organisational framework, operational structure and market conditions. Such models can be used to explain variations in the involvement process into organised criminal groups. There is an additional organisational framework that exists which focuses on political models, however a discussion of this is beyond the scope of this thesis. This section discusses organised crime models based on hierarchical, network, market and hybrid forms.

3.3.1 Hierarchical Models

Bureaucratic Model

One of the first conceptual models developed to understand the structure of organised criminal groups was formulated by Cressey (1969). Cressey’s model was largely influenced by contemporary research conducted on ‘La Cosa Nostra’ Mafia operating in America during the late 1960s. This resulted in a conceptual model in which organised criminal groups are based on a formal, rational organisation with a rigid division of labour. This model became known as the ‘hierarchical bureaucratic’ model of organised crime, based on Weber’s (1947) theory on the ‘principle of bureaucracy’. Fundamentally, the ‘hierarchical bureaucratic’ model of organised crime mirrors the structure and organisation of legal enterprises and often include the following characteristics: a complicated hierarchy; an extensive division of labour; positions assigned on the basis of skill; responsibilities carried out in an impersonal manner; extensive written rules and regulations; and communication from the top-down (Abadinsky 2010). Abadinsky (2010) explains that the ‘hierarchical bureaucratic’ structure can provide organised criminal groups with a sense of structural security, whereby:

“members at the operational, or street level, are organised into cells and know only other members of their cells... if the cell is lost the organisation continues to function uninterrupted and the cells is eventually replaced. Cells are bundled under the direction of a controller who is not in direct

contact with, and may not even know, the other controllers; when a controller is killed, or incarcerated, they are quickly replaced by a central command, which is known to operate out of an area of relative safety” (p.11).

While such characteristics may be advantageous for licit enterprises, organised criminal groups may be susceptible to certain weaknesses, which include interception of top-down communication by law enforcement; infiltration through the lower ranks; as well as the exposing of key gaps in the organisation through the death or incarceration of high-ranking members (Albini 1971). Collins (1975) notes that control of key aspects of the organisation becomes more difficult as it grows or expands overseas while also looking to maintain a top-down command. This is supported by Moore (1987), who explains that:

“a highly centralised organisation tends to make the enterprise too dependent on the knowledge and judgement of the top management and wastes the knowledge and imitative of subordinate managers who know more about their own capabilities and how they fit into a local environment of risks and opportunities” (p.11).

Furthermore, Albini (1971) notes that organised criminal groups that adhere to a hierarchical bureaucratic structure are relatively easy targets for law enforcement or rival organisations, as *“all that would be necessary to destroy it would be to remove its top echelon” (p.285)*. This suggests that the true power of a hierarchical bureaucratic organisation rests within the top ranks of an organisation and its successful operation depends on this top-down communication. Without the command, power, and knowledge of the top echelons of a criminal organisation, the hierarchical bureaucratic becomes relatively ineffective, unless the overall organisation can ensure structural safety through compartmentalisation and cells with a similar structure.

Fundamentally, hierarchical models are formed around a rigid division of labour, with semi-autonomous cells and a clear line of command from the top down. The hierarchical bureaucratic model is highly evident in certain criminal groups operating today, in particular Italian Mafia groups. Both the Cosa Nostra of Sicily and the Ndrangheta of Calabria operate using a rigid division of labour, whereby groups are controlled, and decisions are made by the upper echelons of the organisation (see Europol 2013; Catino 2014; 2015). The Cosa Nostra maintains strong familial ties and involvement often occurs through blood ties and commitment to the group is ensured through a ritualistic process of recruitment (see Europol 2013; Catino 2014; 2015). On the other hand, the Ndrangheta maintain a strict division of labour and separation between the upper echelons and lower level cells of the organisation (see Calderoni 2012; Europol 2013; Gozzoli et al. 2014; Sergi 2019). Involvement is influenced by both of these organisational needs

and often involves familial ties in key positions and specialised individuals to support the group's illicit activities. Therefore, this model has a distinct impact on the involvement process into such groups, whereby involvement at the lower levels of an organisation are often impersonal in nature and there is generally limited knowledge of the organisation outside of the semi-autonomous cell. Comparatively, involvement at the upper echelons tends to be based on personal ties, often pre-existing criminal relationships and kinship ties. This highlights the importance of trust between offenders in maintaining security within key aspects of an organisation, while also expanding beyond personal ties to seek individuals that may be advantageous to the group.

Patron-Client Model

In contrast to Cressey's 'hierarchical bureaucratic' model, which was characterised by a vertical division of labour, the 'patron-client' model focuses on the complex relationship between members of an organised criminal group (patron) and their clients (Abadinsky 2007). Traditionally, the underlying basis for a patron-client relationship are shared ethnic and kinship ties, whereby involvement in such criminal group is generally based on pre-existing relationships between offenders including family, friends, and acquaintances (Halstead 1998). Abadinsky (2007) posits that this model of organised crime places a strong emphasis on relationships based on trust and emotional ties, hence the importance of pre-existing relationships as the basis for 'patron-client' groups. According to the 'patron-client' model, criminal activities are facilitated by and depend on patron-client relationships, familial and kinship ties, and informal exchange networks (Paoli 2002). The key tenets of loyalty, respect, and commitment to the group as well as key relationships are maintained through familiarity, the threat of violence, and the actual use of violence (Williams and Godson 2002). The 'patron-client' model is evident in some well-researched organised criminal groups, including various Italian Mafia groups, whereby Albin (1971) and Ianni (1972) found that they were not based on 'rational hierarchies' but a fluid system of power relationships founded upon local and ethnic ties.

Other research has argued that more 'elusive' factors such as trust and group solidarity, which are present in 'patron-client' groups are more relevant when assessing why individuals cooperate in a criminal operation and why groups form and evolve (see Morselli 2009). Van Duyne (2000) argues that trust between offenders must be viewed as critical in relationships which are not governed by a formal, legal regulatory system; *"faced with the ever-present risk of denunciation or identification due to criminal contacts... the decision to cooperate in crime [is] as follows, I only trade with whom I know and trust"* (p.377). Von Lampe and Johansen (2004) add to the argument by noting that the consequence of disloyal behaviour is likely to be far more serious than those involved in legitimate

business, therefore trust within an organised criminal group “*reduces the uncertainty regarding the behaviour of potential accomplices to a tolerable level and thereby stimulate the willingness to co-offend*” (p.2). Similarly, Lupsha (1996) posited that if a criminal group speaks the same language, has the same village roots and abides by the same myths and cultural norms it can function as a unit with greater trust and understanding within that setting. Fundamentally, involvement in patron-client based groups requires trust, loyalty, intimate knowledge of co-offenders and strong pre-existing ties (Morselli 2009). The emphasises on contacts, ties and relationships are also core elements of network-based structures.

3.3.2 Network Models

Network based criminal organisations are often highly flexible and are able to adopt to changes on a domestic and international level. While earlier conceptions of organised crime focused on the hierarchical bureaucratic nature of criminal groups, later theorists noted the prominence of flexible and informal relationships in a network structure (Calderoni 2014). Drawing on research conducted by Albin (1971) and Ianni (1972), it was noted that individuals involved in network based criminal groups did not belong to an organisation as such (in terms of formal memberships), but rather a particular activity dictated the relationships at a particular given time: “*these groups were loosely structured relationships that facilitated the pursuit of the goals sought by each participant*” (Morselli et al. 2010 p.21). However, network-based groups tend to be formed around individuals with pre-existing ties, who are criminally inclined and possess the skills required for the particular illicit activity (Eilstrup-Sangiovanni and Jones 2008). Depending on membership constraints, some networks can be characterised as dense with a significant number of ties, while others are characterised as sparsely linked with minimal ties within the network (Eilstrup-Sangiovanni and Jones 2008). As William (2001) posits:

“networks can be large or small, local, or global, domestic or transnational. A specific network can be narrowly and tightly focused on one goal or broadly oriented toward many goals, and it can be either exclusive or encompassing in its membership” (p.65).

Therefore, limited membership constraints can result in groups who only come together when criminal opportunities arise or are based around a network of pre-existing ties and relationships where trust is a fundamental aspect of the co-offending relationships within the network.

Due to the fluidity and flexibility of network based criminal groups, they are often much more viable for organised crime as it can “*facilitate the flow of information, can adopt to changes in law enforcement responses and have the flexibility to deal with the associated risks inherent in all organised crime*

activities” (Lauchs et al. 2012, p.7). However, due to the lack of a central command or a top echelon of ‘leaders’, network-based groups often tend to be self-enforcing and discipline is maintained through reputation and the threat of violence, as a result “*networks tend to require higher levels of trust than other organisational forms*” (Eilstrup-Sangiovanni and Jones 2008 p.12). To ensure a certain level of trust between co-offenders, involvement is often based on direct personal contacts and are generally composed of individuals with similar backgrounds, occupations, interests, goals, and values (Burt 2005; Eilstrup-Sangiovanni and Jones 2008). Even if an individual is not known to the entire network, other individuals will share information about the reputation of other members in order to improve trust, which is often determined by “*expectations of the person’s future performance based on his or her past performance within the group*” (Lauchs et al. 2012, p.11). In examining the ‘network’ model of organised crime, it is understood that involvement in such groups is dependent on trust and pre-existing ties between offenders, but also based on an individual’s motivation to engage in a particular illicit activities within a network structure.

In regard to the involvement process into organised criminal groups, the network model of organised crime suggests that involvement can occur in a number of ways. The flexible, and often informal, nature of criminal networks that are formed around certain illicit markets and commodities generally requires individuals who possess particular skills, knowledge, or access to specific criminal ties (See Gambetta 2009; Van Koppen 2013; Van Koppen and de Poot 2013; IBAC 2015; NCA UK 2016). As a result, the formation of criminal networks often depends on the involvement of key individuals who play a specific role within the organised criminal group. The importance of trust and pre-existing relationships between offenders in organised criminal groups suggests that involvement is likely to occur through pre-existing criminal relationships and ties (Eilstrup-Sangiovanni and Jones 2008). This is also applicable to involvement via familial and ethnic ties, whereby shared kinship or blood ties improve the bonds of trust that exist between offenders (e.g. Gambetta 1993; Decker and Chapman 2008; van Koppen 2013; Varese 2017). However, due to the complexities of some criminal offences, specialist skills and knowledge are often required yet not easily accessible through pre-existing criminal relationships or familial and ethnic ties. Therefore, organised criminal groups will often target and attempt to corrupt individuals with the necessary skills they require and with the aim of involving them in the illicit activities of the group (See Gambetta 2009; Van Koppen 2013; Van Koppen and de Poot 2013; IBAC 2015; NCA UK 2016). Even if offenders are unknown to each other, trust can be established through reputation, exchange of information, or involvement in illicit activities (See Von Lampe and Johansen 2006; Gambetta 2009, 2011; Van Koppen 2013).

3.3.3 Market-Based Models

‘Criminal markets’ are defined by the UNODC (2002) as the activities of key individuals who engage in illicit activity in often shifting criminal and business alliances. Such individuals may not regard themselves as being members of a criminal group and may not be regarded as being in a criminal group by outsiders. Nevertheless, criminal activities bind these offenders together and the nature and criminal success of such groups is heavily determined by individual characteristics and skill of the offenders involved. Depending on the criminal market, some groups may only be involved in one level of the supply chain within that market, while other criminal groups may control the entire supply chain from sourcing the illicit commodity to high and mid-level distribution of the final product (UNODC 2008). Much like legitimate markets, there is generally competition between groups for control and distribution of commodities, which can often result in violence or the threat of violence. However, certain markets, for example drug markets, tend to be more:

“entrepreneurial and [recognise] that conflict is counter to business... it attracts police attention, [instead] criminal groups are more likely to cooperate irrespective of culture or ethnicity... if there is a buck to be made, irrespective of who you are, and there’s an opportunity to come together, that will happen- they will do the business and then go back to their own stuff” (Ritter et al. 2012, p. 37).

Organised criminal groups usually consist of relatively manageable numbers of individuals, although in many cases different components of the network may not work closely with (or even know each other) but might be connected through another individual or individuals.

Personal loyalties and ties are essential to the maintenance of the network and are a key determinant of relationships between offenders within a group (McKetin et al. 2005). The UNODC (2002) notes that various individuals within the network do not carry the same weight and the network is generally formed around a key series of individuals (or nodal points) through which most of the network’s connections run through. The structure of criminal markets varies considerably depending on location, consumer base and the criminal groups involved in the supply and distribution chain. For example, drug markets are generally viewed as simple vertical structures with ties between distributors, sellers and consumers, however there is actually *“a massive amount of horizontal complexity... [with] a large number of financial transactions, drug exchanges, and connected networks, albeit organised around a small number of key personnel”* (Pearson and Hobbs 2003, p.345). Other research has focused on the relationship between distributors and consumers, whereby markets should be viewed as the meeting place for actors and their relationships should be the focus of examination

rather than the actions of disconnected distributors and consumers (see Johnson et al. 1992; Curtis and Wendel 2000). In regard to involvement within the criminal market model, it is assumed that due to the focus on shifting criminal and business alliances, individuals are likely to engage as a result of targeted involvement. Organised criminal groups will identify, target and corrupt or coerce individuals who they believe have skills that are advantageous to their illicit activities.

3.3.4 Hybrid Models

This section examines several models that incorporate a broad spectrum of organised crime models, ranging from hierarchical to network structures. These models were produced from a study conducted by the UNODC (2002) and includes: three hierarchical types (standard, regional and clustered hierarchy); a hybrid type which incorporates hierarchical and network elements (core group); and a criminal network.

Standard Hierarchy

The 'standard hierarchy' model, as developed by the UNDOC (2002), is characterised by a single leader and a clearly defined hierarchy with clear leadership command. Within a 'standard hierarchy' model, systems of internal discipline are strict and there is a strong social or ethnic identity present within the organisation (but this is not always the case and differs between location and criminal markets). A criminal group with a 'standard hierarchy' has a relatively clear allocation of tasks and often some form of internal code of conduct. For example, various Japanese Yakuza groups will punish their members for disobeying their rules or for 'shaming' the organisation (e.g. Bosmia et al. 2013). Groups which follow the 'standard hierarchy' model will often have a name associated to it which is known by both its members and the general public. For example, the names of the prominent Italian mafia groups are known to members of the group, law enforcement and the general population (e.g. Europol 2013; Etter et al. 2019). Furthermore, the use of violence, including violence against its own members, is relatively common and such groups are active within the legitimate economy. This is seen mainly in the running of, or investment in, private companies (e.g. Cressey 1969; Ianni and Reuss-Ianni 1993; UNODC 2002; Dugato et al. 2015). The emphasis on strong social or ethnic identity has a significant impact on involvement in organised criminal groups that follow a standard hierarchy model. Organised criminal groups that follow this structure often depend on existing kinship or ethnic ties to ensure reliable and trustworthy individuals become involved, this generally through familial networks or the local community (e.g. Kleemans and de Poot 2008; Decker and Chapman 2008; Van Koppen 2013; Van Koppen and de Poot 2013).

Regional Hierarchy

Similar to a ‘standard hierarchy’ group, the ‘regional hierarchy’ model emphasises the strict line of command from the centre, or upper echelons, of an organisation, while also allowing a degree of autonomy for groups under the control of the organisation (UNODC 2002). The autonomy given to ‘cells’ or groups within the organisation varies, but is often limited to day-to-day management issues, including finances, recruitment and illicit activities. In some cases, organisations with a ‘regional hierarchy’ structure operate as a franchise model, in which regional groups pay money and offer their allegiance in order to use the name of a well-known criminal groups thus helping to improve their own influence and position within regional criminal markets (UNDOC 2002). The command structure within the upper echelons of the organisation are often replicated at regional levels, which ensures that internal discipline is high with instructions stemming from ‘central command’ generally overriding any regional autonomous decisions. Key examples of ‘regional hierarchy’ groups include various outlaw motorcycle gangs and the Italian Ndrangheta (e.g. Morselli 2011; Varese 2011; Europol 2013; Lauchs and Gilbert 2017). Unlike the standard hierarchy model, involvement organised criminal groups that follow the regional hierarchy model tend to place less emphasis on kinship or ethnic ties for involvement. Instead, ‘cells’ or groups within the overall organisation will identify and target individuals who they believe will be advantageous to the overall organisation. This can occur through social networks, family, or targeted involvement (e.g. Saviano 2006; Harris 2012). It is assumed that there is no association between individuals which make up the cells, or groups, and those in the upper echelons of the overall organisation, therefore involvement would occur at the lower levels of an organisation. For example, Ndrangheta ‘cells’ will recruit at a micro level based on market conditions and availability of co-offenders (e.g. Sergi 2019).

Clustered Hierarchy

The UNODC (2002) notes that a ‘clustered hierarchy’ model can be described as an association of organised criminal groups with a governing or oversight body. The groups that make up the ‘clustered’ association may themselves have a diversity of structures but generally they adhere to a ‘standard hierarchy’ structure. For ‘clustered’ associations of criminal groups to operate effectively, a governing arrangement is often agreed upon between the various groups. This can range from a flexible umbrella type structure to a more rigid control body. Nevertheless, the degree of autonomy of each of the criminal groups that makes up the ‘cluster’ is relatively high. ‘Clustered hierarchies’ may result when a variety of individual criminal groups come together to divide up

markets or to regular conflict between them. However, overtime the ‘cluster’ assumes some identity of its own, whereby:

“a series of groups coordinating their activities would not be considered a clustered hierarchy if they regard themselves as consisting of completely separate criminal enterprise, which, while attempting to co-ordinate their activities, were often in competition with each other” (UNODC 2002 p.39).

Much like the standard hierarchy model, involvement in an organised criminal group that follows a clustered hierarchy model may depend on pre-existing ties between offenders, especially at the upper echelons of the organisation (e.g. Kleemans and de Poot 2008; Decker and Chapman 2008; Van Koppen 2013; Van Koppen and de Poot 2013). However, due to the autonomy of groups within the overall clustered organisation, involvement can occur in a variety of manners that suit each individual group. Depending on the needs or contacts within the autonomous groups, involvement can occur through pre-existing relationships, kinship and familial ties as well as targeted involvement. Furthermore, there are limited ties between the autonomous groups, therefore involvement is not dependent on the overall needs or ties of the organisation, but instead based on the operation of the smaller autonomous groups (e.g. Morselli 2011; Varese 2011).

Core Group

Encompassing elements of the other conceptual models, the ‘core group’ model is described by the UNODC (2002) as a criminal group which generally consists of a small number of individuals who come together to form a relatively tight and structured group to conduct criminal business. In addition to the ‘core group’ are a large number of criminal associates or network which are used from time to time and depending on the criminal activity in question. ‘Core groups’ are generally quite small (about 20 offenders or less) and are more likely to engage in a single or at least a limited number of criminal activities. There also may be an internal division of activities among the core members. Core groups are generally a small part of a much larger network. This core group of individuals are *“usually the originators of the criminal enterprise, the core members initiate specific criminal activities, arbitrate disputes, and provide direction. Their relationships are often underpinned by bonding mechanisms that help create high degrees of trust and cohesion”* (Williams 2001 p.72). Operating alongside core groups are peripheries, who have less patterns of interaction and looser relationships than individuals within core groups (Morselli et al. 2011). However, a combination of core groups and periphery groups allow a network to *“operate at a far greater distance, both geographically and socially, than would otherwise be the case, facilitating more-extensive operations, more diverse activities, and the capacity to carry out effective intelligence collections”* (Williams 2001 p. 67).

Unlike other organised criminal groups, 'core groups' are most likely to have little or no social identity, are loosely structured and are run purely for the benefit of the small number of individuals in charge. Such groups often have no name, either for those involved or to outsiders. However, similar to other models, internal discipline is maintained through the relatively small size of the group and the use or threat of violence (UNODC 2002; Eilstrup-Sangiovanni and Jones 2008). Much like network-based groups, trust between co-offenders in core groups tends to be based on direct personal ties and relationships and these groups are generally composed of individuals with similar backgrounds, occupations, interests, goals and values (Burt 2005; Eilstrup-Sangiovanni and Jones 2008). In order for core groups to operate effectively within a much larger network, offenders must find enough people they can trust in order to establish the core group (Milward and Raab 2006). The risks associated with finding trustworthy co-offenders can be mitigated by relying on trusted social networks and ties (Erickson 1981). Due to intimate nature of the core group model, involvement is based on pre-existing relationships between offenders. Such relationships or ties are often long-standing or based on kinship ties, which ensures that individuals involved in the 'core group' are trustworthy, reliable and willing to engage in criminal activity (see Desroches 2005; Decker and Chapman 2008; Gambetta 2009; van Koppen 2013). The secretive nature of clandestine operations requires that individuals involved in core groups be able to identify potential co-offenders by overcoming the risks associated with misidentification while maintaining the security of the overall network.

Criminal Network

The UNODC (2002) characterises criminal networks as highly adaptive and fluid and generally comprise of individuals with various skills and characteristics who become involved for the purpose of particular criminal operations (UNODC 2002; Edwards and Gill 2002; 2006). Criminal networks are formed around and depend upon personal ties and relationships between co-offenders in the organised criminal group. It is noted that criminal networks will pool their resources, including individual skills, contacts, knowledge and commodities. This offers a significant advantage when engaging in various domestic and transnational criminal markets (Morselli 2009). For example, Dorn et al. (2005) found that network based organised criminal groups often engage in a process of contracting out key tasks that existing members may not be able to undertake, such as managing investments or money laundering. The UNODC (2002) notes that such individuals are known as 'delinquent professionals' (e.g. dock workers, accountants) and are legitimate professional who use their skills, knowledge and experience to assist organised criminal groups. An example of such a group was formed by an Iranian in the Netherlands, who

recruited a former client of his who established contacts and managed the financial aspects of the operation (UNODC 2002).

3.4 DEFINING RECRUITMENT VS INVOLVEMENT

With a firm theoretical understanding of organised crime and organised criminal groups now established, the thesis shifts to examining the concepts of involvement and recruitment into organisations: both licit and illicit. The following section will discuss the recruitment, or ‘hiring’, process utilised by licit organisations. The techniques and processes used by licit organisations often mirror the involvement process into organised criminal groups. Regardless of the nature of the organisations, the recruitment or involvement of qualified and suitable personnel is essential to the success and continuation of an enterprise. Prior to any discussion on the recruitment process used by licit organisations, it is crucial to define and conceptualise the process of ‘recruitment’ and how it differs from ‘involvement’.

Gusdorf (2008) defines ‘recruitment’ as *“the process of attracting individuals on a timely basis, in sufficient number and with appropriate qualifications, to apply for jobs with an organization”* (p.1), while Richardson (2009) defines ‘recruitment’ as a series of activities and processes used to pool together a sufficient number of qualified candidates *“at the right place and time so that the people and the organisation can select each other in their own best short and long-term interests”* (p.3). Similarly, the Business Dictionary (2020) defines ‘recruitment’ as the process of finding and hiring the most qualified person for an advertised position, which involves *“...analysing the requirement of a job, attracting potential employees to that job, screening and selecting applicants, hiring, and integrating the new employees to the organisation”*. Furthermore, the Australian Human Resources Institute (AHIR) (2017), who define recruitment within an Australian context, list many of the features present in other definitions; which the AHIR view as a process of searching for and gathering a pool of potential candidates with the desired knowledge, skills and experience to allow an organisation to select the most qualified candidate to fill a job vacancy (based upon a previously defined position or job description). While these definitions provide a general understanding of the recruitment process it must be noted that the conceptualisation of ‘recruitment’ depends on the nature of the hiring organisation, the type of employment on offer and the job or position that an organisation or employer is looking to fill. Bratton and Gold (2007) expand upon the aforementioned definitions by highlighting the relationship between the process of ‘recruitment’ and ‘selection’, whereby:

“recruitment is the process of generating a pool of capable people to apply for employment to an organisation. Selection is the process by which managers and others use specific instruments to

choose from a pool of applicants a person, or persons, more likely to succeed in the job(s), given management goals and legal requirements” (p.239).

Despite the numerous definitions available, each definition focuses on similar aspects of the recruitment process and further discussion would result in the repetition of definitions and concepts: therefore, such definitions will not be discussed any further in the present study. Using the definitions outlined above, ‘recruitment’ can be defined as the process of finding and employing the most qualified individual for a position from a pool of potential recruits based on their skills, knowledge, and personal suitability for the position.

However, in order to understand the concept of ‘involvement’ it is important to first examine how key notions such as ‘membership’ and ‘recruitment’ are understood and used within the literature. Broadly speaking, research on participation in organised crime tends to focus on the concept of ‘membership’ to an organised criminal groups (For example Adamoli et al. 1998; Albanese 2004; Paoli 2004; Sergi 2014). However, the concept of membership in an organised criminal group is problematic, both from an academic and legislative perspective (See Ayling 2011; Bolden 2012; 2013; Weerman et al. 2015). Fundamentally, the limitation with the notion of membership stems from the notion that membership to a criminal group can be both ‘formal’ and ‘informal’. The literature indicates that ‘formal’ membership is understood as the process in which an individual pledges allegiance or undertakes a sacred oath to a specific organised criminal group (For example Paoli 2004; Shields 2012; Wright 2013; Sergi 2015; Varese 2017). Formal membership often requires strong ties between offenders, adherence to strict rules of behaviour and respect for the hierarchical structure and chain of command (See Gambetta 2009; Amir 2011; Van Koppen 2013; Barker 2014). This approach to membership is generally associated with organised criminal groups that have a hierarchical or rigid structure and are often formed around familial and ethnic ties (See Paoli 2008; Decker and Chapman 2008; Varese 2011; 2017; Douglas and Smith 2018).

Alternatively, organised criminal groups with a loose network-based structure tend to have weak ties between offenders and thus membership is viewed as ‘informal’ or of no importance. Informal membership can be characterised by a lack of formal initiations processes, weak ties between offenders and no publicly identifiable name or insignia associated with the group (See UNODC 2010). The structure of network-based groups suggests that some individuals may only be a part of the group and its criminal activities for a short period of time (Douglas and Smith 2018). The involvement of such individuals is generally transient in nature and they will often move between groups based on a need for their specialised skills, knowledge, contacts, or access to

restricted systems (Morselli 2009). Furthermore, some individuals may not even consider themselves to be a part of an organised criminal group or network. Such individuals may only see a small portion of the entire operation or only interact with other co-offenders online (Paoli 2002). For example, a truck driver and café owner in the Netherlands, who was involved in drug distribution, was able to facilitate connections and establish an informal network between his customers and his professional contacts (van Koppen and de Poot 2013). Although the network consisted of several offenders, contact was limited and knowledge of the network incomplete. The distinct differences between organised criminal groups makes it difficult to determine what constitutes as 'membership'. It is with this examination of formal and informal memberships that issues surrounding terminology arises.

Another key concept identified in the literature is that of 'recruitment' into organised criminal groups. Recruitment is not specifically defined in the literature and is often interchangeably used with terms such as 'involvement', 'engagement' and 'participation' (For example Desroches 2005; Decker and Chapman 2008). Such terms are not defined within the organised crime literature and are generally used to mean the same thing. Considering the interchangeable nature of such terms, it is important to select one which best describes the process under investigation. For example, by drawing upon the literature on 'recruitment' into licit organisations, it is clear that there are difficulties with applying this concept to organised crime (See Sherman et al. 1998; Armstrong 2000; Duggan and Croy 2004; Sutherland and Canwell 2008; Keshav 2013). Definitions suggest that recruitment is a formal one-way, process whereby organisations implement an active search strategy to identify and recruit the most qualified individuals. While some organised criminal groups may utilise a similar approach (See Morselli 2009), involvement is often more sporadic or random in nature and can stem from: informal familial or ethnic ties, random encounters and coercion. Fundamentally, the term 'recruitment' suggests a formal, one-sided process that involves an organised criminal seeking to enlist suitable co-offenders. However, since it does not consider the often informal, random and sporadic nature of involvement I have chosen not to use the concept in the present study. Other terms used in the literature such as 'engagement' and 'participation' are not explicitly defined so there are difficulties in ascertaining what is meant by these terms within the context of organised crime and organised criminal groups: however, they are generally used to mean 'involvement' and vice versa.

Focusing now on the term 'involvement' which is commonly used to define engagement in organised criminal groups and criminal activities, especially when concepts such as 'membership' or 'recruitment' are not applicable (See Decker and Chapman 2008; Van Koppen 2012; Douglas and Smith 2018). It must be noted that previous studies do not define what is meant by the concept

of involvement and is used interchangeably to mean ‘engagement’ or ‘participation’ in a criminal group. For example, Decker and Chapman (2008) explain that most of their subjects *“got involved in drug smuggling because of their friendships with or relational links to individuals already involved in smuggling”* (p.96). Similarly, Van Koppen (2013) used the concept of ‘involvement mechanisms’ to mean the processes by which individuals engage in organised crime activities: for example, *“in a number of cases, offenders clearly became involved in organised crime through their own company”* (p.15). Although Van Koppen’s study examined involvement into organised crime activities, as opposed to organised criminal groups specifically, it is understood that involvement in certain criminal activities generally requires membership to an organised criminal group or ties to certain offenders.

Alternatively, research conducted by Douglas and Smith (2018) used the concept of involvement to examine ‘disengagement’ from organised crime. By surveying existing literature on organised crime and organised criminal groups, Douglas and Smith (2018) argue that the concept of ‘membership’ (as discussed above) is problematic and terms such as involvement should be used to mean membership (formal or informal) to an organised criminal group: *“membership is not a clear status. It is difficult to determine what membership really is, it is also difficult to determine what disassociation is and when it occurs”* (p.6). Therefore, the term involvement is used to overcome many of the limitations associated with the concept of membership to an organised criminal group. ‘Involvement’ is also used in government reports to describe engagement in or membership of organised criminal groups. Government reports from the UK focus on the ‘pathways’ and ‘risk factors’ that underpin ‘involvement’ in criminal groups (Bedfordshire Police and Mooney 2015; NCAUK 2016). Furthermore, involvement is commonly used in judges sentencing comments to describe an individual’s participation in an organised criminal group and criminal activity. While not widely used in the literature, this researcher argues that the term ‘involvement’ can be effectively used to describe the various ways in which individuals engage and participate in organised criminal groups and criminal activities.

The aforementioned definitions highlight the distinct differences between ‘recruitment’ and ‘involvement’, especially within the context of organised criminal groups. Recruitment suggests a formal process whereby organisations implement an active search strategy to identify and enlist the most qualified individuals. Alternatively, the present thesis will use the term ‘involvement’ to describe the process by which individuals engage in organised criminal groups and criminal activities. The term was selected due to its broad application and meaning. For example, ‘involvement’ can be used to mean ‘recruitment’, ‘engagement’ and ‘participation’. The generalisability of the term overcomes many of the issues associated with the conceptualisation of ‘membership’. Due to differences in the way organised criminal groups operate, membership may

be viewed as 'formal' or 'informal' and a term must be selected that encompasses both types of memberships, as well formal and informal 'recruitment process'. Some organised criminal groups may seek individuals with specialised skills and knowledge or utilise a formal recruitment process that consolidates an individual's membership, which is evident in Italian Mafia groups (for example Merlino 2014; Catino 2015) and outlaw motorcycle gangs (see Harris 2012; Bjorgo 2019). Other groups will involve co-offenders through informal approaches, including personal, social and familial ties or opportunistic participation. Furthermore, the notion of recruitment indicates a sense of permanency, where employment or membership endures over a substantial period of time. However, due to the transient nature of organised crime, 'involvement' is more applicable to the present study as it can include any type of membership or participation within any type of organised criminal group. Therefore, the term involvement can be broadly applied to signify 'recruitment', 'engagement' or 'participation' in criminal activity, as well as 'membership' to an organised criminal group. The concept of 'recruitment' is best understood when discussed as part of the recruitment process of licit organisations, which can be compared to the involvement process into organised criminal groups.

3.5 THE RECRUITMENT PROCESS OF LICIT ORGANISATIONS

Focusing now on the recruitment process of licit organisations, this section will begin by examining the various sources of recruitment licit organisations can tap into and benefit from. While their methods of profit making are considerably different to that of licit organisations, organised criminal groups will often employ involvement/recruitment processes that mirror those of licit organisations. For example, seeking out and identifying suitable employees/co-offenders. Considering the organisational similarities of licit corporations and some organised criminal groups, and the importance of suitable 'employees', the recruitment process of licit organisations must be examined. Generally, licit organisations can approach the recruitment of new personnel in three distinct ways. First by attracting and hiring the most qualified person by advertising a particular job or position; second by 'head-hunting' or specifically identifying and selecting personnel from other organisations who is well suited to a particular job or position; or thirdly by employing family members, or friends, to assist in a small or 'family-owned' business. Despite these unique approaches, organisations will often draw upon both 'internal' and 'external' recruitment sources to identify and select the most suitable candidate for a job or position. In this section this researcher will examine 'internal recruitment sources' and their benefits for organisations and employers. This will be followed by a discussion on 'external recruitment sources' and the applicability of these concepts in understanding involvement pathways into organised criminal groups.

3.5.1 Internal Recruitment

An internal recruitment source refers to a pool of potential candidates that are currently employed within the organisation seeking to fill a job or position vacancy (see Armstrong, 2000; DeVaro 2016). The available literature indicates that internal sources are the most common recruitment method utilised by organisations and can include a number of approaches, including promotions, internal transfers and internal job advertisements. Firstly, promotions generally refer to the upgrading of existing employees to a higher position within the organisation, often accompanied with increased responsibilities, status and pay (DeVaro 2016). This is perhaps the most common method used by organisations and employers who need to fill 'higher' job or position vacancies, as a promotion can signify a reward for an employee's performance for the company and also can encourage continual performance and effort (see Sherman et al., 1998). On the other hand, an organisation or employer may move existing employees from one position to another, usually horizontally to a position with similar responsibilities, status, and pay (DeVaro 2016). Langseth (1995) notes that internal transfers are often utilised when the need for employees in one department is reduced or increased and thereby employees may be relocated to another department where they have sufficient tasks to perform. Additionally, internal recruitment may also occur through the use of job advertisements that are directed at existing employees that meet the requirements of the job or position (DeVaro 2016). According to Keshav (2013), this is the most common method used by organisations and employers due to the low costs associated with attracting and pooling together potential applicants.

There are a number of key advantages for organisations and employers who use internal recruitment to fill vacant jobs or positions. Firstly, the turnover or resignation of valuable employees is significantly reduced by reassigning them to a department within the organisation where their skills and experience can be utilised (see Sutherland and Canwell 2008). Additionally, internal recruitment can decrease the time and costs involved with filling a vacant job or position, as an organisation or employer will not have to invest in external advertisements, recruitment agencies or 'head-hunting' (Sutherland and Canwell 2008). Internal recruitment is particularly effective in competitive job markets, as it allows an organisation or employer to identify and recruit qualified internal employees, while also reducing the costs associated with job advertising through an external agency to assigning staff resources for interviewing and selecting external candidates (Keshav 2013). One advantage of internal recruits is that they are already familiar with an organisation's culture, policies and procedures so are more likely to 'fit-in' to a new position compared to an external applicant (Keshav 2013). Also, their work performance will already have been reviewed and assessed internally over their time within the company. However, there are also

some disadvantages associated with internal recruitment, with the most significant being the potential for limited options for skilled or experienced personnel (Langseth 1995). Internal recruitment provides an organisation with a limited choice of employee talent in comparison to the pool of potential candidates in the general population. Therefore, it is highly likely that some external recruits may be better suited to the vacant position with the necessary experience, skills or knowledge required (Sutherland and Canwell, 2008; Keshav, 2013). Thus, the need to hire skilled individuals for a job or position is weighed against the potential costs associated with external recruitment, which, as the next section will demonstrate, has its own advantages and disadvantages.

3.5.2 External Recruitment

External recruitment involves attracting, identifying and selecting potential candidates from outside the organisation to fill a vacant job or position (Cober and Brown 2006; Beardwell and Claydon 2007). External recruitment methods vary between organisations and can include advertising, e-recruitment, use of employment agencies or recruitment firms and employee referrals (see Cober and Brown 2006; Beardwell and Claydon 2007). Advertising (i.e. job advertisements) is noted as the most common method used for external recruitment where organisations or employers looking to fill vacant jobs or positions will advertise on job websites (and to a lesser extent in newspapers) in order to attract a much larger pool of potential candidates (see Cober and Brown 2006; Beardwell and Claydon 2007; Nel et al. 2009). According to Armstrong (2006), the aim of job advertisements is to attract the attention of potential candidates, create and maintain interest in the job/position and encourage potential applicants to apply. Similarly, e-recruitment is an online approach to recruitment that utilises web tools, such as an organisation's website or social media platforms, to attract potential employees (Armstrong 2006). The e-recruitment process involves attracting, screening, tracking applications and eventually selecting or rejecting applicants (Rotella 2000). Alternatively, employment agencies, and recruitment firms are noted as being an efficient and reliable for external recruitment (Rotella 2000). For a fee, an employment agency or recruitment firm will undertake preliminary recruitment screening on behalf of an organisation or employer (Rotella 2000). Lastly, employee referral is a system in which existing employees recommend a potential applicant for a vacant job or position (Rajarao 2010). Numerous organisations depend on employee referrals, as it helps reduce the costs associated with the active recruitment of external applicants (Rajarao 2010).

External recruitment has a number of distinct advantages for organisations and employers seeking to fill vacant jobs or positions. External recruitment provides organisations and employers access to a larger pool of potential applicants which can greatly increase the probability of

identifying suitable candidates for a position (Adu-Darkoh 2014). Organisations and employers will seek to identify and target individuals who have the necessary skills and experience for a job or position, which is more likely to occur through external recruitment. Furthermore, external recruitment provides an organisation or employer seeking to fill-in a vacant position with a pool of potentially experienced, highly qualified and skilled candidates that will help an organisation achieve its goals and maintain its culture (Adu-Darkoh 2014). However, Duggan and Croy (2004) argue that external recruitment also has some significant limitations. The most obvious limitation surrounds the costs associated with identifying and attracting potential candidates (through job advertisements) and the process of screening for the most suitable applicant (through recruitment firms, agencies, or in-house selection). The recruitment and selection process can be incredibly lengthy and costly for organisations looking to recruit new personnel. Furthermore, Duggan and Croy (2004) state that external recruitment requires an employee to adapt to a new workplace environment and its culture, with many potential employees unable to adapt, something which may impact the long-standing culture of an organisation. This limitation is associated with the argument posited by Manyoni (2011), who believes that external recruitment can lead to a higher rate of personnel turnover, especially when recent employees come to a perception that there is less opportunity for career advancement, or they are unable to adapt to the culture of the new workplace.

3.5.3 Selection of Candidates

Once potential candidates have been identified through internal or external recruitment sources, an organisation selects the most appropriate individual by using a range of methods and techniques to pool together a short-list of potential candidates that can lead to an employment decision (Rees and French 2010). The available literature on recruitment (see Amos et al. 2004; Mathis and Jackson 2006) defines 'selection' as the process by which an organisation or employer selects the most suitable applicant from a pool of potential candidates. The selection process is guided by a predetermined criterion which is influenced by the nature of vacant jobs or positions, including job description, job specification and professional profiling (Amos et al. 2004; Mathis and Jackson 2006). According to Kim et al. (2007), the aim of the selection process is to match a potential candidate's abilities, knowledge, skills and experience with the requirements essential for a specific job or position. During the selection process an organisation will often screen a pool of potential recruits using a selection methodology in order to identify the most suitable applicant based on their identified strengths and weaknesses (Tjosvold and Newman 2003). Selection methodologies include screening, selection tests, reference and background checks, as well as face to face interviews (Adu-Darkoh 2014).

‘Screening’ is generally the first step of the selection process and involves an organisation or employer pooling together and creating a ‘short-list’ of potential employees based on their job application, usually in the form of a CV and cover letter (Tjosvold and Newman 2003). At this stage of the process, job applications received by an organisation or employer are screened and cross-referenced with the requirements of the vacant job or position, and those that meet the requirements are added to the short-list (see Cuming 1994; Nel et al. 2009). Similarly, ‘selection tests’ are commonly used as part of the selection process when there is a large number of potential candidates and therefore it is not possible to ascertain future performance through an interview. Organisations and employers will use selection tests to evaluate the abilities of potential employees and how they might potentially perform in the workplace (see Flippo 1988; Phillips 1998; Adu-Darkoh 2014). Selection tests often take the form of intelligence tests, aptitude and attainments tests plus personality tests (see Flippo 1988; Phillips 1998; Adu-Darkoh 2014).

On the other hand, reference and background checks are used to verify and cross examine the information supplied by potential candidates in the initial stages of the job application (i.e. cover letters and CVs). Reference and background checks can provide an organisation or employer with another employer’s perception of a candidate’s professional ability and skills, which can uncover and provide insight into an applicant’s ability, their adaptability to the culture of a workplace and their ability to work in a team environment (see Mathis and Jackson 2006). Lastly, face to face interviews, which are the most widely used approach to selecting potential candidates (Tansley et al. 2001), are utilised by organisations and employers to gather as much information about the candidate as possible and to use such information to arrive at a decision (Redman and Wilkinson 2001). Organisations and employers may conduct several interviews before deciding on a candidate and can include group interviews or interviews via phone or internet.

The available literature on recruitment into licit organisations highlights the complexities and costs associated with identifying, pooling, screening and selecting new personnel. Organisations are able to utilise a number of internal and external recruitment sources in order to identify potential candidates. Furthermore, organisations and employers also have access to a range of methods that can be utilised to select the most suitable applicant. As the following chapters will demonstrate, involvement into organised criminal groups is often not constrained to the bureaucratic, formal process evident in licit organisations. Nevertheless, there are some distinct parallels between recruitment into licit organisations and involvement into organised criminal groups. Organised criminal groups will generally rely upon ‘internal recruitment’, often in the form of pre-existing relationships and kinship ties between offenders to encourage involvement (e.g. van Koppen 2013). As will be discussed later in the thesis, involvement via ‘internal recruitment’

emphasises the importance of ties and trust between offenders, whereby such individuals are considered trustworthy and ‘safe’ for involvement (e.g. Ianni 1974; Paoli 1998; Malm et al. 2010; Campana 2013; von Lampe 2016; Varese 2017). Alternatively, organised criminal groups will also engage in ‘external recruitment’, whereby individuals with no ties or associations to offenders in the group will become involved in the criminal operations. Organised criminal groups will often use ‘external recruitment’ if they are seeking to locate individuals with specialised knowledge, skills or characteristics that are absent from the group’s pre-existing ties and relationships. (e.g. Van Koppen 2013; Bosmia et al. 2014; NCA UK 2016). Many of these recruitment process and sources are also evident in illicit organisations, such as gangs and organised criminal groups.

3.6 GANG RECRUITMENT

Shifting the focus now to recruitment into illicit organisations, this section will provide conceptual context for involvement into organised criminal groups by examining gang recruitment. While organised crime and gang research have “*traditionally evolved in parallel*” (Calderoni et al. 2020 p.2), they also share a number of key elements including: the negative consequences of joining a gang, the use of violence or threatened violence, subcultures and group identities, and engagement in illicit activities (Decker et al. 1998; Decker and Curry 2002; Decker and Pyrooz 2015; Calderoni et al. 2020). With a paucity of academic inquiry into the involvement process into organised criminal groups, literature on gang recruitment can provide insight on the factors that lead to engagement in illicit organisations as well as offer a comparison to the recruitment process in licit organisations. While the aims and modus operandi of gangs (including street gangs, youth gangs, prison gangs), is relatively different from that of organised criminal groups, there are distinct parallels in regard to the recruitment and involvement process into these illicit groups. Much like the concept of organised crime and the phenomenon of organised criminal groups, there is no generally accepted definition for the criminal phenomenon of gangs and there is little agreement between academics and law enforcement on a general definition. There are numerous definitions that can be used to define the phenomena of gangs. The following definition by the US Federal Bureau of Justice Assistance (2002) provides a suitable working definition for the ensuing discussion on recruitment:

“1) 3 or more individuals associate periodically as an ongoing criminal group or organisation, whether loosely or tightly structured, 2) the group has identifiable leaders, although the leader for one type of criminal activity may be different than the leader for another, 3) the group has a name or identifying symbol 4) the organisation’s members, individually, or collectively, currently engage in, or have engaged in, violent or other criminal activity and 5) the group frequently identifies itself

with, or claims control over specific territory (turf) in the community, wears distinctive dress and colours, and communicates through graffiti and hand signs among other means”.

Academic studies on the recruitment process into gang membership emphasises the importance of a ‘selection model’ (see Thornberry et al. 2003; Lacourse et al. 2003; Gordon et al. 2004; Gatti et al. 2005; Densley 2012). The selection model argues that gangs tend to seek out and recruit individuals who, like the gang members themselves, are already delinquent or at least have a high propensity for delinquency. The available literature suggests that the selection model, and gangs themselves, are often a product of disorganised communities and low-trust environments where disenfranchised, alienated and delinquent individuals are present (Sanchez- Janckowski 1991). Within disorganised and criminogenic environments scholars argue that there are several risk factors associated with recruitment into gangs, notably; critical life events (such as serious illness or injury, disruption to intimate relationships), non-delinquent problem behaviours (such as risk-taking, impulsivity and anti-social tendencies), delinquent beliefs (such as acceptance of anti-social behaviour, lack of guilt), weak parental relationship, peer delinquency and negative peer influence (Maxson and Klein 1997). These risk factors mirror those evident in offenders involved in organised criminal groups and are often accentuated within certain environments.

Although disorganised and criminogenic environments provide gangs with a pool of potential recruits, much like a licit enterprise and organised criminal groups, the operation and size of a gang will determine the type of individual they will target and recruit. Using the gang selection and recruitment framework, Dones argues that in order to understand the recruitment process it is important to first examine a gang’s modus operandi and criminal enterprise (Dones 2012). Fundamentally, the selection and recruitment of individuals is based on a group’s criminal demographics and recruitment should serve to support two key functions within a gang; integration and expansion (Dones 2012; Densley 2012; Smith et al. 2013). Gangs will seek individuals that can easily integrate into gang life while also supporting the overall expansion and criminal activities of the group, which requires a pool of potential recruits and illicit markets (Dones 2012; Densley 2012; Smith et al. 2013). This is also evident in the involvement process into organised criminal groups and the selection process used by licit enterprises. For example, a licit business looking to expand its operation will attract, identify and recruit individuals with the knowledge and skills that will be advantageous to organisations plans (e.g. Cober and Brown 2006; Beardwell and Claydon 2007).

Juveniles and young offenders remain the primary target for recruitment into gangs. The available literature notes that gangs tend to recruit delinquent youths who are disenfranchised and

those seeking purpose or a place to belong (Dones 2012; Ooms et al. 2013; Gallupe and Gravel 2017). Furthermore, gangs also tend to recruit juveniles and young offenders who possess knowledge and skills that founding or older members may not have, such as a basic high school education and experience with new technology (Dones 2012; Ooms et al. 2013; Gallupe and Gravel 2017). In order to achieve this, gangs will often send younger members to university campuses in order to identify potential recruits that may be advantageous to a gang's criminal endeavours or plans for expansion (Ooms et al. 2013). According to Ooms et al. (2013), younger gang members who attend university will maintain a certain status within social circles formed around drug use which provides them with access to individuals who are criminally inclined. Similar to the recruitment and employment of high achieving high school students by licit organisations, *"college students are also a valuable target for their knowledge and future access to professional services"* (Ooms et al. 2013 p. 5). A study conducted by Levitt and Vankatesh (2000) provides credence to the tactics used by gangs, whereby it was found that 17.4% of gang members had some college education, while 4.7% held a bachelor's degree or higher. The study also found that nearly 50% of the gang members examined had less than a high school diploma.

Gangs, much like organised criminal groups, will attempt to identify and recruit individuals employed in professional sectors. Generally, such individuals are recruited through their own naivety and often do not realise that they are becoming involved with a gang until it is too late (Levitt and Vankatesh 2000; Dones 2012; Densley 2012; Ooms et al. 2013). To effectively recruit individuals within professional sectors *"gangs often cater to the person's interest and provide some goods or services to the individual that can later be used to claim the individual is indebted"* (Dones 2012 p.6). This approach to recruitment and corruption is also evident in the involvement process into organised criminal groups (elaborated in subsequent chapters). Some organised criminal groups will seek out individuals with skills, knowledge, experience or professional privileges that are advantageous to the illicit activities of the group (e.g. van Koppen 2013; IBAC 2015; NCA UK 2016). Often these individuals will need to be enticed and or corrupted to ensure their involvement and participation in illicit activities (e.g. Kleemans and De Poot 2008). For example, organised criminal groups may seek out individuals with IT (Information Technology) knowledge in order to engage in computer-based crimes (for example dark net black markets) (e.g. IBAC 2015; NCA UK 2016). However, the environment in which a gang operates within heavily influences how selection and recruitment occurs: especially the pool of 'specialised' susceptible to corruption. Within such environments, gangs will often look for *"individuals in different industries, basically recruit whoever [they] can [and] then figure out [the] role after"* (Ooms et al. 2013 p.5). For example, a prison gang will have a limited pool

of potential recruits, while a street gang will have access to more specialised individuals and criminal markets (Densley 2012).

Of importance when discussing gang recruitment is the notion that recruitment must not be viewed as a single event but rather as a gradual and lengthy process, much like the recruitment process into a licit organisation. The first step in the gang recruitment process is known as ‘automatic cues’ or signalling theory. Through automatic cues, a gang and potential recruits will signal their intention to engage in illicit behaviour. This ensures that an individual is trustworthy and willing to engage in criminal behaviour, thus preventing mistaken identity in the initial stages of the recruitment process (Densley 2012). Automatic cues are based on personal identity, local familiarity and trust: therefore, recruitment is likely to occur through kinship and social ties which are based on familiarity and conformity (see Misztal 1996). According to Shapiro (2005), gang recruitment is often restricted to individuals who have pre-existing relationships or ties with gang member. This approach reduces the risk of infiltration by law enforcement or rival gang members, and thus reduces the risks associated with ‘mistaken selection’ while also strengthening the ties between offenders (see Gambetta 2009). Additionally, Shapiro (2005) found that some gang members:

“considered gang membership a family tradition to the extent that they actively encouraged their relatives to join; much like university educated parents encourage their children to attend their alma maters. Kinship and friendship ties overlap and increased information about an individual, thus reducing uncertainty. In simple terms, family and friends have track records and reputations, which later afford a rich array of sanctions for the errant gang member” (p.276).

However, when automatic cues are used outside of familiar settings or environments, both parties must find themselves in a situation where an exchange of signals and criminal intentions is possible: known as ‘narrowing the pool’. Therefore, gang recruitment typically occurs in setting where individuals can display their criminal intentions and observe the behaviours of others in the natural course of their daily interactions (Gambetta 2009). For example, recruitment may occur within the prison system or in a gym where gang members train together. Neighbourhoods that are high in social disorganisation are essential for ‘narrowing the pool’ in the gang recruitment process; as well as for organised crime groups (See Whyte 1943; Lombardo 1994). This is due to the argument that neighbourhoods high in social disorganisation create trust among offenders who operate in a close-knit environment. Like families, local communities produce trust through familiarity and conformity (Luhmann 1988); while individuals in ‘defended neighbourhoods’

(Suttles 1972) are by definition considered trustworthy, while outsiders are seen as threatening and thus untrustworthy. This is particularly evident in communities with strong ethnic ties.

Once a potential recruit has been identified, a gang must determine whether or not an individual is capable of performing the basic duties of a gang member (i.e. anti-social behaviour), this is known as ‘signalling violence potential’ (Gambetta 2009). According to Sanchez- Jankowski (1991), violence is central to a gang’s livelihood, therefore:

“... gang members need to know whether or not a potential member can fight because if they are ever caught in situation where they are required to, they want to feel confident that everyone can carry his or her responsibility... if someone cannot fight well and is overcome quickly, everyone’s back will be exposed and everyone becomes vulnerable” (pg. 49).

Hence gang members are likely to recruit individuals who have a tendency for violence, as they enhance the gang’s collective reputation in the community, which in turn reduces the potential for conflict with rival gangs (Gambetta 1993). The best sign of potential violent behaviour is previous criminal offences (Klein and Maxson 2006). Past criminal behaviour, known as ‘signalling criminality’, is usually inferred from a prison or criminal record which by gang members is considered to be a sign of ‘distinction’ (Gambetta 2009).

Regardless of an individual’s criminal background, it is primarily gang ‘elders’ who monitor and control recruitment into a gang. While any gang member can initiate the recruitment process, only a gang elder or founding member can complete the process (Densley 2012). Once a gang member or gang elder has selected a potential recruit, gangs have to evaluate the commitment and competency of the volunteer. This is known as the ‘screening process’ (Gambetta 2009). The screening process involves testing a potential recruit to determine the similarity of their values and abilities to those of other gang members. Volunteers subject themselves to numerous tests in order to demonstrate their suitability for gang membership (Densley 2012). Densley (2012) states that:

“... by spending more time in the company of a gang and its members, volunteers enable themselves to be monitored and thus create opportunities to signal their loyalty... volunteers are similarly tasked with running general errands for the gang, which can be as innocuous as collecting a food order from a takeaway shop or as risky as handling someone’s backpack filled with drugs” (pg. 314).

Once a potential recruit has been screened by a gang elder, the next stage in the recruitment process involves vouching for the gang volunteer. Vouching within gang can take subtle forms, but, as Densley’s (2012) research reveals, it is often represented by the way in which:

“... gang elders ‘hand down’ their ‘street names’ and known aliases to their protégées with the prefix little or younger attached. When derived from the street name of a gang elder, a volunteer’s street name becomes an honest signal of referral to the gang” (pg. 313).

Once a gang member has been screened and vouched for, they signal their loyalty to the gang by ‘burning bridges’ to their mainstream civilian life (Gambetta 2009). A gang tattoo is a reliable signal of loyalty, as a gang tattoo is a mark of criminality. Such a tattoo makes it difficult for the bearer to live outside the world of the gang and work within the licit labour market (e.g. Gambetta 2009). However, as a permanent signal of gang identity tattoos can hinder the bearers’ ability to create or join a new gang. This is important given the mobility of individuals across gangs and frequent shifting alliances (e.g. Densley 2012), which stems from the concept of co-offending relationships.

3.7 CO-OFFENDING RELATIONSHIPS

Co-offending relationships can be defined as the act of committing criminal offences with one or more accomplices and can also include groups and networks of individuals operating together (Levine 2006). McGloin and Piquero (2010) describe co-offending relationships as a *“unique subset of criminals”* because *“co-offending networks represent a unique deviant group, based on shared offending behaviour (or goals) rather than... friendship”* (p.64). Academic insight into co-offending relationships reveals that groups of offenders (i.e. co-offending relationships) commit more crimes than individual offenders (See Weerman and Smeenk 2005; Stolzenberg and D’Alessio 2008; Andresen and Felson 2009; Carrington 2009). The available research also links prolific criminal co-offending to greater levels of violence as well as increased risk of recidivism and more prolonged criminal careers (See Stolzenberg and D’Alessio 2008; Andresen and Felson 2009) and victimisation (Farrell and Pease 2008). Of note for the present study is importance of co-offending relationships within organised criminal groups (See Morselli 2009; McGloin and Piquero 2010; Malm et al. 2010). Gottfredson and Hirschi’s (1990) ‘general theory of crime’ implies that there is no distinct pattern in regard to the tendency to co-offend over time, much like there is no unique developmental pathway into criminal behaviour: co-offending is understood as the result of delinquent prone individuals who are drawn to each other and express ‘impulsivity collectively’ (Gottfredson and Hirschi 1990). The extent to which this is true in organised crime remains unknown. Furthermore, results from quantitative studies are often based on correlations and therefore speculative in nature. Therefore, caution must be taken when applying these findings to organised crime, especially when used alongside qualitative data. However, the available literature

does indicate that offenders who participate in organised criminal groups often share the same goals and will come together to achieve these goals.

McGloin et al. (2008) found that there is some stability in co-offending relationships over time for frequent offenders, but in general, criminals have a low level of trust and tend not to reuse co-offenders. Warr (1996) found that offenders rarely committed different offences within the same co-offending relationships, instead groups of offenders were relatively specialised, with diverse offenders typically rotating through a number of these groups. Weerman (2003) also notes that co-offender networks are dynamic and transient and are rarely stable over time, and while some individuals are persistent offenders, the same co-offending groups is unlikely to emerge on more than one occasion. However, organised crime does not tend to adhere to these findings, with some organised criminal groups being stable, long standing and resilient. Groups that are not as long standing may break apart and come together again (i.e. re-use offenders) as the need demands (For example Eilstrup-Sangiovanni and Jones 2008; Morselli 2009; Calderoni 2014). Furthermore, Moffit (1993) expands upon the concept of co-offending relationships by examining it within the context of criminal careers. Moffit (1993) argues that “...*unlike adolescence-limited offenders, who appear to need peer support for crime, life course persistent offenders are willing to offend alone*” (p.688). However, Moffit’s argument does not fit the typical criminal career of organised crime offenders. The existing literature on criminal careers in organised crime (See Kleemans and de Poot 2008) suggest that organised crime offenders are either life course persistent offenders that require accomplices to offend, or late-offset offenders who commit crimes much later in life, in co-offending relationships.

In the context of organised crime, Tremblay (1993) explained that due to the importance of co-offenders in organised criminal groups- especially individuals who possess specialised skills and knowledge- there is a need to secure the involvement of individuals who possess the skills and knowledge required to commit an offence. As noted earlier, some organised criminal groups are formed around kinship and cultural ties between offenders, which is based on the principle of homophily which assumes individuals who share similar traits are more likely to trust and connect with one another (see McPherson et al. 2001; Weerman 2003). The use of homophily in co-offending relationships explains why certain individuals are more likely to trust and offend with others who have shared characteristics, such as ethnic ties (for example shared kinship and cultural ties in Mafia groups). However, in some criminal groups, homophily is not present and ties are based on other factors, such as shared interests (e.g. membership of an outlaw motorcycle gangs). Research suggests that offenders will often select co-offenders from within a broader social network of both offenders and non-offenders (see Morselli 2009; Bouchard and Konarski 2014).

This is important given the blurred nature of involvement or membership, the range of pathways into organised criminal groups and the ways in which ties are established between offenders (see Waring and Weisburd 2002; Bouchard and Konarski 2014).

In terms of involvement and criminal careers in organised criminal groups, co-offending networks are an important element of an individual's offending repertoire (McGloin and Piquero 2010 p.67). McAndrew (2000) found that co-offending connections "*can lead to sharing new methods of committing crime, identification of potential targets, information about police activities, and opportunities to be part of specific criminal enterprises*" (p.53). Therefore, individuals involved in non-redundant co-offending connections may benefit from more effective and varied sharing of criminal ties, knowledge and skills (see McGloin and Piquero 2010). The selection of co-offenders and co-offending networks for particular offences and situations generally involves the targeted involvement of individuals who possess characteristics, skills and knowledge that are beneficial for the commission of a particular crime (see Tremblay 1993; van Mastrigt and Farrington 2009; McGloin and Nguyen 2012). Targeted involvement is based on the perception that an individual is more suitable than others who are available from the recruitment pool, much like external recruitment in licit organisations (Tremblay 1993). Therefore, the individuals who become involved in organised criminal groups only represent a small fraction of a group's potential co-offender relationships (see Warr 1996). The literature examined in this section highlights the key elements of co-offending relationships, as well as some of the incompatibility of co-offending theory in regard to current academic understanding of organised criminal groups. Although co-offending relationships are an integral part of the involvement process, it remains underdeveloped in regard to organised crime research.

3.8 CONCLUSION

Successive research has constructed the phenomenon of organised crime in a variety of ways. Debates among scholars and practitioners emerge regarding the distinction between 'organised crime' and 'organised criminal groups'. Definitions of these two terms can be influenced by the type of organised criminal group under investigation or the illicit activity being examined. In considering the multitude of definitions (more than 150 according to Von Lampe), 'organised crime' can be viewed in two distinct ways. Firstly, it can be defined as the relationships between offenders who occupy a position within a rigid and hierarchical organisation (Cressey 1969; Albin 1971; Ianni 1972). Secondly, definitions that highlight the organisational nature of 'organised crime', whereby illicit activities require considerable planning between well-resourced individuals. Fundamentally, Von Lampe (2008) argues that definitions of organised crime should focus on the

concept of 'organised' and should therefore emphasis not what criminal do but instead how they are linked or associated with one another. In differentiating between 'organised crime' and 'organised criminal groups', Hagan (2006) noted that 'Organised crime' should refer to criminal organisations, while 'organised crime' should refer to crimes that often require a degree of organisation on behalf of those committing them. Considering the aims of the present study, the researcher opted to use the definition of 'organised criminal groups' as listed under Article 2 of the United Nations Convention against Transnational Organized Crime (2003). This definitions incorporates both the structural and objective elements present in the definitions examined, while also sharing many similarities with Australian definitions of organised criminal groups.

There has been a range of different lenses through which organised crime and organised criminal groups have been examined. Early theorists examined organised crime and organised criminal groups using hierarchical models. These models focused on the structural organisation of groups, with strong familial ethnic ties (Cressey 1969; Albin 1971) and a fluid system of power relationships between patrons and clients (Ianni 1972; Abadinsky 2007). Theorists then shifted to a focus on network models, where organised criminal groups are highly flexible and personal loyalties and ties are essential to the network (Eilstrup-Sangiovanni and Jones 2008; Morselli et al. 2010). The UNODC (2002) also developed five broad models of organised criminal groups. The range of models proposed by theorists help to explain the organisational structure and modus operandi of organised criminal groups, which is particularly useful when examining the involvement process. In examining, the clandestine nature of organised crime, issues arise in the application of certain terms and concepts. This was the case with the concept of 'recruitment'. Although this concept is used within the organised crime literature, the researcher argued that it does not capture the true essence of illicit ties within organised criminal groups. It was noted that 'recruitment' suggests a formal process whereby organisations will seek out and enlist the most qualified individuals (often a formal process). However, due to the formal and informal nature of organised crime, the term 'involvement' was chosen by the researcher as it can be broadly applied to signify 'recruitment', 'engagement' or 'participation' in criminal activity, as well as 'membership' to an organised criminal group.

Literature on the recruitment process into licit organisations emphasises a formal process which involves identifying, pooling, screening and selecting new personnel. Licit organisations will generally utilise a number of internal and external recruitment sources in order to identify potential candidates. Fundamentally, an organisation will seek to fill a vacant position with an individual with the necessary skills and characteristics. Similarly, the recruitment process into gangs also emphasises the importance of a 'selection model' (see Thornberry et al. 2003; Lacourse et al. 2003;

Gordon et al. 2004; Gatti et al. 2005). Gangs will generally seek out and recruit individuals who are delinquent or have skills that are beneficial to the gang. Individuals susceptible to recruitment will be exposed to certain risk factors (e.g. critical life events). There are distinct similarities with the involvement process into organised criminal groups. The use of internal and external 'recruitment' sources and the identification of individuals who are advantageous to the organised criminal group are important to the overall involvement process. Underpinning this is the concept of co-offending relationships. Co-offending connections are important within organised criminal groups as they provide individuals with the ties required to engage in illicit activities, while also allowing for the sharing of information and criminal motivations (McAndrew 2000; McGloin and Piquero 2010). Although co-offending relationships are an integral part of the involvement process, further research is required. The following chapter builds upon the concepts examined and provides a detailed discussion of the involvement process into organised criminal groups using the available literature.

Chapter Four: Involvement Process Into Organised Criminal Groups

"I'm gonna make him an offer he can't refuse."- Don Corleone

4.1 INTRODUCTION

This chapter will examine the available literature on involvement into organised criminal groups. From the outset, it must be noted that academic inquiry on organised crime and organised criminal groups is extensive, yet concerted efforts to understand the involvement processes into organised criminal groups has been limited. Academic research into organised crime and organised criminal groups is plagued with limitations in regard to data access (this thesis being no different) and methodologies that don't provide definitive conclusions. Due to the aims of this thesis, previous studies that employed a quantitative methodology were not examined, which have validity issues associated with speculative conclusions based on correlations. On the other hand, the researcher acknowledges the issues associated with the validity of the qualitative studies examined throughout this thesis. Without complete data sets, personal histories and the cultural, social and economic factors that shape organised criminal groups, it is difficult to be certain of the involvement process into organised criminal groups. Nevertheless, the researcher aims to overcome the data and methodological issues of previous studies by developing a conceptual framework that aims to make sense of the complexities associated with involvement in organised criminal groups. Unlike conventional or impulsive forms of criminal behaviour (for example assault, rape, theft), the activities of organised criminal groups generally require a significant level of cooperation between offenders (see Gambetta 2009). Van Koppen (2013) highlights the distinct differences between 'conventional crimes' and 'organised crime':

"most crimes are fairly easy to commit and are the result of impulsiveness when self-control is low. However, the complexities associated with organised crime make impulsive criminal behaviour a barrier to involvement. Organised crime is less accessible than most general crimes, and activities require close cooperation between offenders." (p.75).

As a result, organised criminal groups must be able to identify and involve suitable co-offenders in order to be successful in their criminal activities. While there is no comprehensive assessment on the involvement process into organised criminal groups, knowledge in other areas of organised crime research may prove to be insightful. By conducting a review of the literature, the researcher conceptualised involvement into organised criminal groups as a 'process' which consists of three key stages: involvement pathways, establishment of ties, and continued engagement or

disengagement. The overall process and key stages are discussed in detail throughout the chapter. The involvement process into organised criminal groups can be quite complex and often requires certain conditions to be present. These include trust, criminal motivation and social ties (for example Cook et al. 2005; Kleemans and de Poot 2008; Gambetta 2009; Van Koppen 2013). The conceptualised process incorporates the varying factors and conditions that can influence involvement into an organised criminal group, including personal characteristics, group structure and organisation, and operating environment.

4.2 CONCEPTUAL FRAMEWORK: INVOLVEMENT PROCESS

As previously mentioned, the aim of the present study is to test the applicability of current knowledge within an Australian context with the aim of developing a conceptual framework to explain the involvement process into organised criminal groups. Due to the paucity of comprehensive studies on the involvement process, the conceptual framework presented in this chapter is the result of a detailed literature review. The framework is based on the available literature (for example Cook et al. 2005; Kleemans and de Poot 2008; Gambetta 2009; Morselli 2009; Bovenkerk 2011; Van Koppen 2013) and consists of three key stages:

1. Initial involvement pathways into organised criminal groups and subsequent illicit activities
2. The establishment of ties between offenders, before or after engagement in illicit activities
3. Continued engagement or disengagement from organised criminal group and illicit activities.

However, it must be noted that one previous study has attempted to develop a conceptual framework on the recruitment process into organised criminal groups by using a crime script analysis. Smith (2014) explains that there are three key stages in the recruitment process: target identification, establishing trust, and engaging in compliance and enforcement. Within the framework, Smith explains that 'target identification' is one of the initial tasks undertaken by both recruits and targets of recruitment in order to identify a willingness to cooperate and engage in criminal behaviour. Target identification can be undertaken by recruiters or recruitees or through opportune identification which involves the use of signs, non-verbal cues and language. The second stage in Smith's framework involves the establishment of trust, whereby co-offenders will ensure that those they are seeking to recruit are not undercover police officers or someone unwilling to engage in criminal behaviour. The final stage of process involves an individual's successful recruitment to the group. However, in some cases recruitment may be unsuccessful and

fail, in such cases individuals can either be detected by law enforcement or new recruits are suspected of being whistle-blowers or under-cover operatives (Mazur 2009).

While Smith has developed an insightful framework on the recruitment process, the conceptual framework proposed in the present study provides an alternative view. Instead of ‘target identification’, the researcher proposes that the first stage of the process should be the initial ‘involvement pathways’ which explain how individuals are drawn into organised criminal groups. At this stage, the individual comes into contact with an organised criminal group, or offenders, and is drawn into the group through a number of distinct pathways, including contacts, kinship and ethnic ties, targeted involvement, and forced criminality. The second stage of the conceptual framework, much like Smith’s framework, focuses on the establishment of ties between offenders. Ties and trust within organised criminal groups are important for the establishment of co-offending relationships (for example Tremblay 1993; McPherson et al. 2001; Weerman 2003). It is noted that ties can be weak or strong and can be based on a number of factors, including blood ties, shared criminal goals and coercion (for example Desroches 2005; Cook et al. 2005; Decker and Chapman 2008; Gambetta 2009; Malm et al. 2010). The final stage of the involvement process is conceptualised as continued engagement or disengagement. At this stage an individual may be obligated to stay committed to the group and continue engaging in criminal behaviour, or they may wish to back out due to fear or an inability to engage in illicit activity. The conceptual framework developed using the reviewed literature is displayed below and will be tested against the data collected within an Australian context.

Figure 1: Involvement Process Conceptual Framework

Involvement Pathways	<p>The first stage of the involvement process is conceptualised as the initial involvement pathways into OCGs. The pathways represent the factors that lead to involvement. Pathways can be categorised as:</p> <ul style="list-style-type: none"> • Ties and pre-existing relationships- Social, professional, extended, and illicit ties can provide opportunities for involvement; • Familial and ethnic ties- Kinship traditions, expectations and bonds may increase an individual’s likelihood of engagement in organised crime; • Targeted involvement- Individuals with advantageous skills, characteristics or occupations are targeted by OCGs looking to profit from their experience and knowledge; and • Forced criminality- Vulnerable individuals are coerced into OCGs through the use of violence or threats.
Establishment of Ties	<p>The second stage of the involvement process involves the establishment of ties and co-offending relationships. Trust, or in</p>

	<p>some cases lack of, is a key factor at this stage of the process. Ties can be established through:</p> <ul style="list-style-type: none"> • Display of criminal intentions- Individuals who are criminally inclined or demonstrate criminal intentions are more likely to be trusted; • Individualised trust- An individual's pre-existing ties with other offenders, with an emphasis on past behaviour; • Kinship ties- Bonds formed through familial and ethnic relationships can improve trust between co-offenders; • Reputation- An individual's reputation as trustworthy, loyal or criminally inclined; and • Threats and Violence- Intimidation, coercion and violence can be used to establish ties when other options are not available.
<p>Continued Engagement or Disengagement</p>	<p>The final stage of the involvement process focuses on an individual's continued engagement in or disengagement from an OCG. Continued engagement can be attributed to loyalty, violence, ties and a sense of identity. When disengagement does occur, it can be the result of:</p> <ul style="list-style-type: none"> • Collective termination- An OCG can terminate due to law enforcement intervention, internal conflict and legitimisation; • Individual termination- An individual's choice to disengage from an OCG based on maturation, increased risks, and improved ties to legitimate society.

4.3 INVOLVEMENT PATHWAYS INTO ORGANISED CRIMINAL GROUPS

The key involvement pathways into organised criminal groups, based on a review of the available literature, will be discussed in this section. While academic inquiry on the phenomena of 'organised criminal groups' is extensive, less emphasis has been placed on understanding the initial entry pathways into criminal groups. Smith (2014) notes that pathways can be examined from two distinct points of view: those who are seeking to recruit new members (recruiter pathway) and those who wish to be the target of recruitment attempts (recruitee pathway). Smith's analysis provides an oversimplification of the myriad of ways in which individuals become involved in organised criminal groups. Furthermore, it must be noted that while mentioned throughout this chapter, the distinct involvement process into specific organised criminal groups will not be examined in detail. A discussion on the intricacies of the involvement process into individual groups such as the Italian Mafia, Japanese Yakuza, various prison gangs, the Russian Mafya and Latin American cartels are beyond the overall scope of this study. While an examination of specific groups would provide further insight on the involvement process, the aim of the present study is to develop a broad understanding of this process and its application within Australia. It is clear

that the involvement process into specific criminal groups can be influenced by culture, tradition, socio-economic conditions, environment and politics. Given the wide variety of these conditions present for the various groups named such factors are beyond a broad conceptual framework on the involvement process into organised criminal groups. Furthermore, it is worth noting some of the discussions surrounding involvement in outlaw motorcycle gangs (OMCGs) in Australia. Literature in Australia and elsewhere (see Lauchs 2016; Lauchs and Staines 2019) notes that OMCGs are not organised criminal groups, but instead criminogenic environments; essentially, they are groups with criminals in them rather than criminal groups. Therefore, while clubs might have their own 'recruitment' or 'initiation' process, their aim is not to recruit for a criminal purpose like 'traditional' organised criminal groups. Although Australian law enforcement agencies and legislators view OMCGs as organised criminal groups, the researcher acknowledges that not all clubs adhere to this classification. The data presented attempts to explain some of the factors behind involvement in OMCGs without classifying them all as organised criminal groups. Therefore, in conducting an analysis of the available literature four key involvement pathways were identified, conceptualised as: contacts and pre-existing relationships; familial and ethnic ties; targeted involvement; and forced criminality.

4.3.1 Contacts and Pre-Existing Relationships

Previous studies suggest that contacts and pre-existing relationships are a common involvement pathway into organised criminal groups. Academic inquiry has revealed that involvement is often founded on contacts, pre-existing relationships or personal ties between offenders, with previously established ties often a prerequisite for involvement (See Ianni 1974; Paoli 1998; Malm et al. 2010; Campana 2013; von Lampe 2016; Varese 2017). Individuals with extended networks based on illicit behaviour (including social and professional ties) are at an increased likelihood of involvement. Social, professional and criminal connections are often interrelated and mutually reinforcing and can provide individuals with access to "*profitable criminal opportunities*" (Kleemans and de Poot 2008 p.75). This pathway is based on the notion that co-offenders have prior knowledge of each other before engaging in criminal activity. Therefore, it is unlikely that a stranger will be approached on the streets and asked to be involved in an organised criminal group (Ianni 1974). Existing social ties and acquaintances provide the conditions for involvement into organised criminal groups. Offenders often rely on close friends due to the need for familiarity and high levels of trust (See Desroches 2005; Decker and Chapman 2008; van Koppen 2013). These ties are often reinforced by common ethnic, regional or community ties (See Albin 1971; Paoli 2003).

Research conducted by van Koppen (2013) highlights the importance of contacts and pre-existing relationships between offenders. In at least 12 of the groups examined by van Koppen (2013), two or more offenders had known each other right from childhood or had grown up together:

“They lived in the same neighbourhood, used to play soccer together, went to school together, and are now involved in organised crime together. Some contacts even arose in the previous generations, parents of offenders-to-be already knew each other” (p.86).

Essentially, organised criminal groups can rely and depend on pre-existing relationships as a source for reliable co-offenders as *“the deeper and more long standing the friendship, the more the person was regarded as being safe to hire”* (Decker and Chapman 2008 p.99). However, other individuals can develop criminogenic contacts and ties as a result of specific educational background, place of employment or their professional expertise. Certain individuals may come into contact with offenders and organised criminal groups through their work environment, or other licit convergence settings, and this can provide opportunities that may lead to involvement. (See Kleemans and de Poot 2008; Van Koppen and de Poot 2013; Van Koppen 2013; NCA UK 2016). As will be discussed later in this chapter, individuals in certain workplaces or with particular professional expertise are often targeted by organised criminal groups (See Kleemans and de Poot 2008; Van Koppen 2013; NCA UK 2016).

Four primary types of pre-existing relationships can lead to involvement in organised criminal groups: familial relationships (discussed later), intimate partnerships, social relationships and cultural ties (IBAC 2015; NCA UK 2016). While close ties with individuals already involved in organised crime can increase the likelihood for involvement, ties to friends or associates with links to active members of organised criminal groups can also increase the risks associated with involvement (see Desroches 2005; Decker and Chapman 2008; ACLEI 2013; Van Koppen 2013; NCA UK 2016). As previously noted, pre-existing relationships are common amongst organised crime offenders and such ties can stem from childhood friendships, colleagues, clients and social circles (See ACLEI 2013; Van Koppen 2013; NCA UK 2016). In many cases, individuals often become involved in order to assist an ‘old friend’ or they might venture into an opportunity presented to them by an associate: but *“regardless of personal familiarity the true nature of the enterprise is not always revealed”* (NCA UK 2016 p.7). The link between involvement and pre-existing relationships was identified in a network of airport workers involved in drug importations into Australia, which included Australian Customs Service employees and baggage handlers. Each individual had a pre-existing relationship with others in the network, which included school and

community ties (IBAC 2015). Fundamentally, pre-existing relationships can increase the risks associated with involvement, while also providing organised criminal groups with trustworthy and reliable co-offenders.

4.3.2 Familial and Ethnic Ties

Familial and ethnic ties are pervasive in organised criminal groups, with academic inquiry noting the importance of familial bonds and ethnic ties in the establishment of organised criminal groups over the last century (See Landesco 1968; Cressey 1969; Ianni and Reuss- Ianni 1972; Arlacchi 1983; Ciconte 1992; Gambetta 1993; Behan 1996; Decker and Chapman 2008; Lo 2010; van Koppen 2013; Wang 2013; Sciarrone 2014; Arsovka 2015; Salinas and Regadera 2016; Sergi 2016; Brancaccio 2017; Varese 2001, 2011, 2013, 2017). Familial and ethnic ties can increase the opportunities for involvement in criminality, especially if criminal elements are at the centre of such ties (See Kleemans and de Poot, 2008; Decker and Chapman, 2008; Van Koppen, 2013; Home Office UK, 2015). By drawing upon general theories of crime, familial and ethnic ties appear to favour differential association, cultural transmission, criminal motivation and learning processes required for involvement in organised criminal groups (See Gordan 2000; Sergi 2016). It has been noted that exposure to criminality through familial or cultural ties “enables steady mentoring and normalises the activity” to the point that an individual sees no other alternative but involvement in the criminal group (NCA UK 2016 p.6). Therefore, offenders who share familial and ethnic ties are more likely to trust one another based on the notions of familiarity, conformity and loyalty (See Decker and Chapman 2008; Paoli and Reuter 2008; Varese 2011, 2017).

Familial and cultural ties are particularly strong in ethnic-based organised criminal groups, such as the Italian mafias, where family and blood ties form the epicentre of the group. Research on Italian mafias notes that being born in a mafia family determines an individual’s ‘criminal career’ and early involvement in the organisation (See Albin 1971; Hess 1973; Arlacchi 1983; Ciconte 1992; Lupo 1993; Gambetta 1993; Paoli 2003; Sciarrone 2014; Sergi 2016). For example, in the study conducted by Van Koppen (2013) 12 out of 15 organised criminal groups examined, contained two or more offenders who had strong familial ties including: fathers, sons, daughters, brothers, sisters, cousins and brothers-in-law. Furthermore, multiple offenders in the sample groups were either married or partners or were in a relationship prior to offending: on average one third of the offenders had at least one familial tie within the group (Van Koppen 2013). More recent research has highlighted the importance of familial ties that extend beyond traditional and family-based organised criminal groups (for example certain mafia clans). This was evident in the work of Van Dijk et al. (2018) on Dutch organised criminals, who noted that parental involvement in a group increased the probability of an individual also becoming involved. Familial ties, although

based on conformity and familiarity, can often overcome the inherent risks associated with misidentification (See Gambetta 2009; Van Koppen 2013; NCA UK 2016). Essentially, *“families can exert significant influence over an individual’s relationships and activities”* (Home Office UK 2015 p.10).

Much like familial ties, shared ethnicity can also increase the opportunities for involvement in organised criminal groups (See Landesco 1968; Cressey 1969; Hess 1973; Albin 1971; Ciconte 1992; Lupo 1993; Decker and Chapman 2008; Desroches 2009; Varese 2011, 2017). Shared ethnicity, like familial ties, are used by potential co-offenders to overcome the inherent risks associated with the misidentification of a criminal partner (See Gambetta 2009; Van Koppen 2013; NCA UK 2016). A common ethnic origin, often formed through the local community, can strengthen ties between offenders and increase the trust necessary to ensure the survival and continuation of the group (See Arlacchi 1983; Gambetta 1993, 2009; Decker and Chapman 2008; Paoli 2008; Behan 1996; Varese 2011, 2017; Brancaccio 2017). Cultural and ethnic ties can foster co-offending relationships and encourage participation in organised criminal groups, as *“these ties can become a network enabler which allows an individual easier entry into criminality”* (NCA UK 2016 p.7). This emphasis on shared cultural and ethnic ties is evident in the ‘Cosa Nostra’, or the Sicilian Mafia, who till today maintain strict membership requirements. For example, individuals can only be admitted as full members if they were either born in Sicily or are from a mafia family (Paoli and Reuter 2008). Similarly, Colombian drug traffickers are more likely to trust those with shared kinship and ethnic ties (Decker and Chapman 2008; Varese 2011). Fundamentally, these ties emerge from tight knit communities, where the notion of trust is established through familiarity and extensive support networks (see Misztal 1996). This is especially common in ethnic minority communities, who tend to be characterised by a stronger sense of solidarity and trust, which *“...is not only a reflection of greater cohesion in response to outside pressure, it may also reflect suspicions maintained by members of ethnic communities against other ethnic groups”* (Von Lampe and Johansen 2004 p.173).

4.3.3 Targeted Involvement

While some individuals may be drawn into organised criminal groups through personal contacts or familial ties, others are targeted by organised criminal groups due to their vulnerability, skills, knowledge or access to sensitive data and systems. Some organised criminal groups will target and recruit vulnerable youths to rapidly fill their ranks and increase the overall size of the group. Marginalised youth, often through status and social frustration (Cohen 1955), social alienation (Cloward and Ohlin 1960) and social disorganisation (Thrasher 1963; Downes and Rock 1988), are often drawn to organised criminal groups as they are presented with a structure that can provide them with a sense of belonging and identification (See Vagg et al. 1995; NCA UK 2016). This approach is particularly common amongst Triad groups in Hong Kong (e.g. Lo 2010, 2012),

Mexican Cartel groups on the border of the US and Mexico (e.g. Cook 2007; Dean 2012) and outlaw motorcycle gangs in the US (e.g. Shields 2012; Barker 2014; Lauchs 2017); who often target juveniles and vulnerable youths to consolidate their power and increase their influence in certain districts and markets. Similarly, Taiwanese groups (Lo 2012) and Camorra clans in Naples (Saviano 2006) are also known to target vulnerable youth, especially high schoolers, school dropouts and juvenile delinquents. These individuals are drawn to the power, mystique and social status of organised crime which has been personified in films such as the ‘Godfather’ and ‘Scarface’ (Saviano 2006). Finckenauer and Chin (2005) note that a focus on *“students, or dropouts, enables the gang to expand quickly in a short period of time; however, how long these students, and dropouts, belong to the group is questionable”* (p.100).

Some organised criminal groups will target individuals who have specialised skills and knowledge, have access to sensitive data and systems, or are in a vulnerable position (For example Moore 1987; van Koppen 2013; van Koppen and de Poot 2013; IBAC 2015; NCA UK 2016). Individuals with specialised skills and knowledge, known as ‘professional enablers’, have the ability to enable, conceal, or advance the illicit activities of organised criminal groups (see Moore 1987; Kleemans and van de Bunt 2008; Van Koppen 2013; van Koppen and de Poot 2013; IBAC 2015; NCA UK 2016). Organised criminal groups will often target individuals who have access to key sectors important to their criminal activities such as finance, legal and law enforcement (see IBAC 2015; NCA UK 2016). However, targeted involvement -regardless of the needs of the criminal group- requires an individual to be easily coerced and corrupted, which can often be encouraged through personal and kinship ties; this carries less risks than the corruption or coercion of individuals with no pre-existing ties (see IBAC 2015; NCA UK 2016). A study conducted by the Independent Broad-Based Anti-Corruption Commission (Victoria) (2015) found that organised criminal groups will target public sector employees who have access to *“sensitive information or systems, decision-making processes, and property and goods with high resale value or that facilitates criminal activity”* (p.3). A notable example discussed in the study surrounded the supply of information to outlaw motorcycle gang members by public sector employees, which found that one individual had *“proven links to one or more OMCG members”* (IBAC 2015 p.3). On the other hand, some individuals might possess skills that are purely criminal in nature (i.e. forgery, counterfeiting, extortion) and therefore require an organised criminal group to benefit from such skills. Such individuals will seek to become involved in organised criminal in order to take advantage of their specialised skills (See Moore 1987; Kleemans and van de Bunt 2008; Van Koppen 2013; van Koppen and de Poot 2013).

Alternatively, some individuals may also actively seek opportunities to participate in organised criminal groups. Much like targeted involvement, this is particularly common amongst

juveniles who have been exposed and influenced by the supposed wealth, power and respect they perceive is given to individuals involved in organised criminal groups (see Saviano 2006; Lo 2012; Barker 2014; Home Office UK 2015; Bjorgo 2019). Furthermore, data collected by the Home Office (UK) (2015) suggests that some individuals seek a place to 'belong', as they often experience social isolation or may come from a broken family; thus, membership to an organised criminal group can "*provide a strong sense of belonging to individuals who have had a disruptive upbringing*" (p.12). Involvement in an organised criminal group and engagement in criminal behaviour may provide a sense of belonging that is lacking in other aspects of an individual's life (for example family, friends or the community). This is particularly common in outlaw motorcycle gangs, whereby individuals seek membership in order to have a sense of belonging in the 'brotherhood' as well as a sense of power (See Harris 2012; Veno 2012). While the targeted involvement of juveniles may be beneficial to some groups, many individuals do not stay long, and it is the offenders with extensive criminal histories that form the backbone of the group (See Saviano 2006; Finckenaure and Chin 2010; Lo 2012). While pre-existing relationships and kinship ties can be overlooked in the pursuit of profit, "*trust between those involved remains important*" (NCA UK 2016 p.17).

Essentially, individuals targeted by organised criminal groups are vulnerable to involvement due to issues such as addiction (i.e. drug alcohol, gambling), financial hardship, social isolation and difficult upbringing. Addiction and financial hardship often go hand-in-hand and some individuals "*...may perceive that both economically and emotionally they have nothing to lose from engaging in criminality*" (NCA UK 2016 p.7); which relates to the criminological theory of rational choice (Cornish and Clarke 1986). Greed is a key factor in criminality and eventually leads to an offending addiction, whereby individuals view the rewards from offending higher than the risks involved (Kleemans and De Poot 2008). Essentially, this may lead to the development of 'pro-criminal' attitudes where individuals no longer view their criminal behaviour as illegitimate or harmful (Kleemans and De Poot 2008; Ministry of Justice UK 2013; Home Office UK 2015). Literature suggests that individuals who experience anomie (especially from low socio-economic areas) are more vulnerable to involvement in organised criminal groups (Merton 1938; Kleemans and De Poot 2008; Home Office UK 2015). Financial difficulties can be attributed to dramatic events or changes in an individual's life including family breakup, alcohol abuse, relationship breakdown and unemployment (See Kleemans and De Poot 2008; Hobbs 2013; Home Office UK 2015; NCA UK 2016; Calderoni et al. 2020). This was highlighted by the Australian Criminal Intelligence Commission (2017), who noted that organised criminal groups will often utilise a number of deceptive tactics to engage and involve vulnerable individuals as money 'mules' online. To avoid detection and deceive individuals, organised criminal groups will often pose as legitimate

companies seeking to employ for a specific position, such as a ‘fund manager’ or ‘financial agent’. Thus, reinforcing the vulnerability of individuals targeted by organised criminal groups.

4.3.4 Forced Criminality

Unlike the other involvement pathways, there is a paucity of research on forced criminality even though it is evident that involvement in organised criminal groups can occur as a result of forced criminality. While previous studies have focused on voluntary involvement, there is a tendency to overlook involuntary involvement and forced criminality. As stated by McGloin and Nguyen (2012), *“the decision to co-offend is not necessarily a democratic one based on equal levels of motivation and interest”* (p.20). Therefore, it is important to understand what is known about forced criminality and how it can be used to explain involvement in organised criminal groups. From the outset it must be noted that there is no universal definition for ‘forced criminality’, especially in the scholarly literature. According to Anti-Slavery International (2017), forced criminality is a situation in which *“a trafficked person is forced to undertake a range of criminal activities by the person or persons exploiting them”*. Within the available literature, forced criminality is associated with human trafficking, drug trafficking and vulnerability. ‘Vulnerability’ is used to refer to *“those inherent, environmental or contextual factors that increase the susceptibility of an individual or group to be trafficked”* (Gallagher and McAdam 2013). Although vulnerability can refer to a number of factors, within the context of trafficking it is generally used to refer to all factors that contribute to social disorganisation and strain.

Forced criminality is common in organised criminal groups who move young men over the US/ Mexico border (See Slack and Whiteford 2011; Burnett 2011; UNODC 2012; Beasley 2018). Research notes that male migrants are commonly taken by cartel and threatened with death if they refuse to smuggle drugs into the United States (UNODC 2012; Beasley 2018). Male migrants will attempt the journey from Mexico to the US due to economic hardships and better opportunities for life. In the search for economic opportunities, many individuals will turn to drug manufacturing and trafficking, which increases the opportunity for exploitation by cartels on vulnerable local populations and migrants (UNODC 2012; Beasley 2018). It has been argued that *“the drug war has had an impact on the profitability of drug trafficking and has caused the cartels to diversify their income generating activities with robberies and kidnappings”* (Slack and Whiteford 2011). Slack and Whiteford explain that individuals are commonly offered large sums of money by drug cartels as payment if they are willing transport drugs across the border, which is generally easier than attempting to accumulate the money through legitimate means in order to pay a ‘coyote’ (human trafficker) to transport them across the border. They posit that this choice is *“the result of structural violence, and the lack of personal agency and limited choices within a structurally controlled atmosphere causes these migrants to engage with a violent system”* (Slack and Whiteford in Beasley 2018).

Forced criminality is evident in the case of ‘Rodolfo’ and ‘Jose’, who recount that on their way to the United States they were approached by a group of heavily armed who were loyal to a cartel based in Juarez. The two migrants were severely beaten and told that they would be killed if they refused to smuggle drugs for the cartel (Burnett 2011; Beasley 2018). Fundamentally, the criminal groups used force, intimidation and coercion to pull the two migrants into the illicit activities of the group against their will. While cases such as these are probably very common, they are not apparent in the literature. This has been attributed to the argument that the excuse is commonly used in American court rooms and *“those who work in the justice system have grown highly sceptical of those who make this claim”* (Beasley 2018). Ultimately, vulnerable migrants like ‘Rodolfo’ and ‘Jose’ will continue to engage in forced criminality: *“with few laws in place and little belief in them, these young men are trapped in a system that does not care enough about them”* (Burnett 2011). The use of migrants by cartel groups creates a safety net between themselves and law enforcement. While these individuals are engaging in criminal behaviour on behalf of the group, their knowledge of the group is significantly limited: therefore, law enforcement intervention against such individuals is ineffective.

From the reviewed studies, it is evident that there is a paucity of research (only four relevant studies) on forced criminality and its role in organised crime and organised criminal groups. However, the available literature indicates that involvement as a result of forced criminality does occur, yet due to the vulnerability of individuals and lack of support they receive this involvement pathway does not garner the attention it deserves. Within the criminological literature on organised criminal groups and involvement, forced criminality, or the more general notion of coercion, are not mentioned as a pathway for entry. This may be due to confusion surrounding the use of terms such as ‘membership’ and ‘recruitment’. Although individuals who are forced to engage in criminality might not be considered ‘members’ of a criminal group, or display strong ties with other offenders, they nevertheless engaging in criminal behaviour on behalf a criminal group within the structure of the overall organisation or network. Therefore, forced criminality can be viewed as an important involvement pathway, much like familial ties or targeted involvement. While equal levels of motivation might not be present, criminal behaviour is still taking place within a criminal group.

In examining the involvement process into organised criminal groups, it is understood that there are two distinct elements of the journey into co-offending relationships: firstly, the initial involvement pathways into the group and secondly the establishment of ties and trust between co-offenders within a group. The initial pathways have a distinct influence on how ties and trust between offenders are established. For example, involvement via the pre-existing relationship

pathway assumes that ties between offenders are based on familiarity and reputation. In other cases, the pathway of ‘forced criminality’ results in the establishment of ties and trust through threats and violence. As will be discussed in the following section, ties and trust between individuals are important in co-offending relationships as they ensure commitment, a willingness to engage in criminality, and non-cooperation with law enforcement.

4.4 ESTABLISHMENT OF TIES IN ORGANISED CRIMINAL GROUPS

The establishment of ties between offenders is the next step in the involvement process into organised criminal groups. Ties between offenders (also conceptualised as ‘co-offending relationships’) are founded on a system of trust that is established between offenders within an organised criminal group. This stage of the involvement process is based on existing knowledge and the various debates surrounding the concept of ‘trust’ and its applicability within organised crime research (See Gambetta 2000; 2009; Gambetta and Ermisch 2010; Malm et al. 2010; van Koppen 2013; Calderoni et al. 2020). Much like the initial involvement pathways into a criminal group, ties between offenders can be established in a number of ways, including pre-existing relationships prior to involvement; corruption; and the coercion of vulnerable individuals. Studies note that ties and trust between offenders can be established and maintained in several ways and is generally influenced by the initial involvement pathway into the group (See Cook et al. 2005; Gambetta 2009). This section will explore the ways in which ties between offenders are established within organised criminal groups, with a particular focus on identification and criminal intentions, kinship ties, reputation, as well as threats and violence.

4.4.1 Identification and Displaying Criminal Intentions

When an individual participates in an organised criminal group, they must prove their willingness and ability to engage in criminal behaviour (Cook et al. 2005; Gambetta 2009). This is generally done by observing someone committing a criminal offence or coercing an individual to engage in illicit behaviour. Gambetta (2005) posits that individuals can ask a potential co-offender to provide evidence that they have engaged in criminal behaviour. This method of identification is only effective if the criminal behaviour can be visibly observed or it can leave a trace, as *“one cannot say that one has committed a crime...a phoney may have read about it in the paper and simply be claiming to be the perpetrator”* (Gambetta 2009 p.16). Furthermore, during the identification process an individual may ask a potential co-offender to engage in behaviour that a law-abiding citizen would never commit, which is a common method employed by numerous organised criminal groups to establish trust and ties between offenders (see Fiegal 2009; Gambetta 2009; IBAC 2015; NCA UK 2016). However, if a group or individual is unable to correctly identify and establish ties with a

potential co-offender through the observation of criminal behaviour, they will seek out potential co-offenders in ‘convergence settings’ or places where non-criminals are unlikely to be found (see Blumstein et al. 1986; Gambetta 2005, 2009; Morselli 2009; IBAC 2015). Identification through convergence settings is noted as being an effective approach to establishing trust, as “...*adult offenders patronise the same places, make the same kind of transactions, and often reside in the same area. They hang out in bars, gaming dens, boxing gyms, and social clubs full of other men during normal working hours, or late at night, that is, when a common person is otherwise occupied. Or they live in rough neighbourhoods for the same reason well-to-do citizens move out of them, both dreads making encounters of the wrong sort*” (Gambetta 2009 p.9).

The available literature also notes that correctional facilities can act as effective convergence settings and a screening device for identifying potential co-offenders to establish ties (see Gambetta 2009). The length of time an individual has spent in prison, or the number of times sentenced, is a key signifier for identification as no one chooses to spend time in a correctional facility to pose as a criminal. Therefore, it is safe to assume that an incarcerated individual is criminally inclined, ‘trustworthy’ and safe to establish illicit ties with (See Gambetta 2009). However, this form of identification does not require the two offenders to have associated within a correctional facility, as certain individuals can display evidence of their incarceration in a number of ways, including; prison tattoos, criminal records, or prison networks. This is associated with the use of intermediaries and brokers, which can help establish ties and improve trust between offenders, “...*for if one is embedded in a [prison] network, one is in a better position both to refer others and to be referred by them. There is even evident that, unwittingly, unions and organisations that are supposed to help ex-inmates to re-enter mainstream society, also help unreformed criminals in their businesses*” (Gambetta 2009 p.12). Other literature also notes that incarceration and correctional facilities can have a criminogenic effect that may increase an individual’s visibility as a criminal (see Blumstein et al. 1986). Numerous organised criminal groups regard a prison record as a sign of distinction and commitment. For example, this is illustrated by the fact that membership in the Russian Mafya was limited to individuals who had been incarcerated in Russian gulags and who sported tattoos which denoted past criminal behaviour and status within the gulag (see Finckenauer and Voronin 2001).

4.4.2 Individualised Trust

An individual’s involvement in an organised criminal group through the pre-existing relationships pathway assumes that ties between offenders are based on individualised trust, which relates specifically to the trustee as an individual. For example, trust may lie in previous observations of the individual’s behaviour, characteristics, and dispositions, with a rational assumption that the individual will act accordingly in the future (Misztal 1996). Ties based on

individualised trust are generally maintained by expectations of how the trustee will react to sanctions, in the form of potential violence (see Coleman 1990) or affections the trustor feels towards the trustee (see Misztal 1996; Gambetta 1998; Huemer 1998). Similar to other forms of ties between offenders, individualised trust can be mediated whereby an intermediary can take on the role of an advisor, guarantor, or broker between the two offenders (Coleman 1990). The pre-existing relationships pathway provides numerous sources of contacts for offenders involved in organised criminal groups, where trust is intimate and easier to establish. Furthermore, an individual's trustworthiness can be based on the social groups or deviant subcultures they engage with (e.g. Morselli 2003). Therefore, the trustor can establish ties with the trustee based on the presumption that the trustee abides by certain values, norms and principles. For example, it is assumed that members of an organised criminal groups are more likely to follow certain codes of conduct, including mutual support as well as non-cooperation with law enforcement (see Gambetta 2009). Members of organised criminal groups or deviant subcultures in general tend to share a set of criminal norms and values and are likely to have feelings of solidarity in response to a hostile 'outside world' (see Abadinsky 1981; Gambetta 1996; Von Lampe and Johansen 2004).

Organised criminal groups will also employ a range of strategies to establish ties between offenders and build trust. These can vary from short to long term commitment to the group. For example, the Japanese Yakuza and Russian Mafya will utilise 'cutting off options' by forcing members to cover themselves in elaborate body tattoos (Finckenaur and Waring 2001), as "*...body tattoos serve as a cutting off strategy... provided that a certain image is associated with a specific criminal group, the authorities and the general public have knowledge of this association, and tattoos cannot be hidden and/or removed from the body, having a criminal tattoos on one's body means relinquishing the option of going back to a non-criminal life*" (Campana and Varese 2013 p.9). Therefore, an offender sporting highly visible tattoos (with a clear association to criminality) would find it extremely difficult, if not impossible, to join the mainstream world and leave the criminal 'underworld'. Thus, they are limited to a life of criminality as they have been 'cut off' from legitimate employment options (Finckenaur and Waring 2001; Cook et al. 2005; Campana and Varese 2013). Another 'cutting off' strategy, which is also employed by the Japanese Yakuza, involves a highly identifiable form of punishment on members who misbehave or jeopardise the security of the organisation- that being the removal of part of a finger (Campana and Varese 2013). Such punishment, in addition to visible tattoos, serve to the reduce the legitimate options of a Yakuza member if they were to leave the organisation (see Cook et al. 2005). However, 'cutting off' options have a significant disadvantage in that they reveal to law enforcement as well as the general public that an individual is associated with a certain criminal

group. Such a strategy works best when membership to a criminal group is not illegal, as is the case with Yakuza groups in Japan (Cook et al. 2005).

4.4.3 Kinship Ties

Academic literature on involvement pathways into organised criminal groups emphasises the importance of kinship trust in the establishment of ties between offenders, especially familial and ethnic ties. Giddens (1990) notes that “...kinspeople can usually be relied upon to meet a range of obligations more or less regardless of whether they feel personally sympathetic towards specific individuals involved” (p.295). However, the establishment of ties between kinspeople still depends on familiarity, conformity, continuous interaction as well as shared norms and values (see Misztal 1996). As previously noted, Decker and Chapman (2008) posited that criminal ties between offenders with kinship ties is easier to establish. Thus, relatives were a significant source of co-offenders, and many offenders depended on brothers, cousins and children. Although the kinship ties involvement pathway is founded on familiarity and trust, ‘hostage taking’ is a common strategy utilised by organised criminal groups to ensure individuals remain committed to co-offenders and the group (Raub 2004). ‘Hostage taking’ assumes that kinship ties can “...provide the strongest possibility of ensuring trust among persons who cannot rely on the law to protect their rights and obligations within cooperative but outlaw economic activity” (Smith 1980 p.375). Much like adhering to a certain set of criminal codes, or values, kinship ties within organised criminal groups can increase compliance and reduce cooperation with law enforcement. Therefore, if an individual feels dissatisfied with an organised criminal group and wishes to disengage, the offender’s close kinship ties with others in the group will put members of their family at risk. The organised criminal groups will, if necessary, punish (threatened or actual) the individual’s most immediate relatives, who are seen as ‘hostages’ within the kinship structure. This encourages compliance, commitment and trust within the group (see Cook et al. 2005; Gambetta 2009, 2011).

4.4.4 Reputation

An individual’s reputation can assist in the establishment of ties between offenders and is often based on pre-existing relationships between individuals: for example, familial ties between offenders (see Gambetta 2009). Someone with a ‘trustworthy’ reputation is classified as being ‘straight’, which is defined as “...someone who could be trusted, who was not likely to bend under pressure, and who maintained that reputation in the community” (Decker and Chapman 2008 p.99). In order to display their reputation, and thus their trustworthiness and criminal motivation, an individual would in most cases have ties to other offenders established through convergence settings (see Gambetta 2009; Van Koppen 2013) or pre-existing personal ties. This is in accordance with the theory of ‘differential association’ (see Shaw and McKay 1942; Sutherland 1973). Criminal

association, coupled with an individual's reputation, can assist in the development of ties between offenders (Gambetta 2009). This is supported by Van Koppen (2013), who notes that even though offenders might meet spontaneously or are introduced to each other through intermediaries, an individual's reputation of being 'straight' also relies on a publicly formed and held opinion about the trustee which is dependent on the flow of information through the underworld's 'grapevine system' (Thrasher 1963; Dasgupta 1988). When personal ties and public information is limited, an individual can display their 'reputation' by demonstrating that they lack a better alternative outside of the criminal underworld. According to Gambetta (2009), there are several ways to display 'incompetence', all of which consist of displaying some form of limitation, including character, skills, knowledge, and legitimate ties; *"some such limits often exist anyway and, making a virtue out of necessity, one can choose to display rather than hide them, or limits can be self-imposed"* (Gambetta 2009 p.42). However, when ties cannot be established through individualised trust, kinship ties or a criminal reputation, organised criminal groups will draw upon threats and the use of violence to establish 'co-offending' relationships.

4.4.5 Threats and Violence

Within certain organised criminal groups, ties and trust are established using fear, intimidation and violence. These are used to prevent and deter cheating, disengagement, and cooperation with law enforcement. According to Gambetta (2009) *"...the threat of punishment can alter a trustee's payoff in such a way as to make if the trustee's interest to behave, whether or not he is of good character. His interests become incompatible with cheating, not because he will benefit by behaving well but because he will suffer by behaving badly"* (p.33). Violence as a means of control is central to organised criminal groups and theorists often posit (see Cook et al. 2005; Gambetta 2009; Campana and Federico 2013) that it would be impossible to control and govern illegal markets without the ability to inflict violence when needed. While the use of violence may have its disadvantages (i.e. increased law enforcement attention) some organised criminal groups may instead choose to develop a reputation of being violent. If this reputation is well established in the criminal underworld's 'grapevine system' (Thrasher 1963) it may decrease the need for the actual use of violence (Reuter 1983; Gambetta 1993). Therefore, ties between offenders, while fragile, can be established and maintained through a violent reputation.

While violence is not the only mean of establishing ties and punishing individuals in the criminal underworld, Gambetta (2009) argues that since offenders are not able to run prisons or impose fines on one another, violence remains the most effective approach; *"...on the one hand, by threatening violence, one indirectly increases the credibility of the promises of the trustee, if he makes a promise, he is more likely to mean what he says, for he fears punishment. On the other hand, what it does not do is likely increase*

the credibility of the promise of the tough guy. Being violent does not make one generally credible” (Gambetta 2009 p.35). However, when a group is unable to utilise violence as a threat or form of punishment, ‘third party enforcement’ may be used to establish ties between offenders (see Cook et al. 2005; Hobbs 2013). As the literature notes, some organised criminal groups with a reputation in the criminal underworld as ‘enforcers’ are able to provide illegal private protection to other criminal groups, including dispute settlement and the enforcement of contracts or agreements between parties (see Gambetta 1993; Varese 2001; Campana 2011). Organised criminal groups can seek assistance from these ‘enforcer’ groups for these services when they are unable to turn to the legitimate state for help.

At this point in an individual’s journey factors emerge that may see them disengage from an organised criminal group or alternatively remain committed to criminality and the co-offending relationships they have established. The following section will examine the available literature on disengagement from organised criminal groups, with a focus on individual and collective termination.

4.5 DISENGAGEMENT FROM ORGANISED CRIMINAL GROUPS

Once an individual has become involved in an organised criminal group, factors emerge which may encourage them to continue offending within the criminal group or disengage from the criminal ties established within the group. This section will examine the current literature on disengagement from organised criminal groups, with a specific focus on the factors and motivation that lead to disengagement. Within the context of the present study, ‘disengagement’ can be defined as a process in which an individual undergoes personal and social changes, leaves an illicit group, and transitions from co-offender to ex-member (see Gjelsvik and Bjorgo 2012; Sweeten et al. 2013; Douglas and Smith 2018). While academic research on disengagement from organised criminal groups is limited, further insight on how disengagement occurs can provide the framework for the development of strategies to assist individuals seeking to disengage (see Kleemans and de Poot 2008; van Koppen et al. 2010). Organised criminal groups- by their very nature -depend on secrecy, commitment, and a level of trust between offenders in order to be successful and evade detection. Therefore, individuals who seek to disengage from a criminal enterprise, will often face a number of obstacles as the criminal group attempts to maintain coherency and secrecy (Bovenkerk 2011; Harris 2015). The ties that bind offenders together will often prevent individuals from disengaging, including loyalty, violence, social relationships, and identity (see Bovenkerk 2011; Harris 2015; Lindley 2016). Nevertheless, two unique approaches to disengagement are evident in the literature, collective termination and individual termination.

However, prior to any discussion on disengagement from organised criminal groups, a brief examination of gang desistance will be required. Gang desistance literature can provide an alternative perspective on disengagement, as well as support potential disengagement initiatives for individuals involved in organised criminal groups.

4.5.1 Gang Desistance

Gang desistance literature notes that there are difficulties associated with determining at what stage an individual has desisted from a delinquent group and whether their involvement in crime has ceased completely (e.g. Kazemian 2007; Piquero et al. 2007; Pyrooz and Decker 2011). Other problems also emerge in regard to the overall limited studies on gang and organised crime desistance (e.g. Decker and Lauritsen 2002; Pyrooz et al. 2010; Bovenkerk 2011; Gjelsvik and Bjorgo 2012). However, by drawing upon life course criminology, previous studies have examined the potential for desistance from gangs (e.g. Sampson and Laub 1993; Laub and Sampson 2003). Underpinning this approach to gang desistance is the age- crime curve, which demonstrates that offending and delinquent behaviour peaks during adolescents and declines thereafter (Gottfredson & Hirschi 1990). Pyrooz and Decker (2011) note that the key difference between desistance research based on career criminals and research on desistance from criminal groups is that “group involvement is often negatively associated with age” (p. 418). It is argued that while young offenders are more likely to be involved in delinquent and criminal groups, they are often less entrenched within it and thus are more likely to desist as a result of stable relationships and employment (Petersilia 2003; Pyrooz and Decker 2011).

Other researchers instead argue that in order to understand desistance the changing group nature of offending by age must be examined (Reiss 1988; Sarnecki 2001; Warr 2002). Warr for example suggests that changes in peer relationships, rather than social control mechanisms, can have a greater impact on desistance and that factors such as employment and marriage can change a group’s social dynamics (1993, 1996, 1998). Other research on gang desistance has noted similar factors. Decker and Lauritsen (2002) found that gangs members either left the gang abruptly or gradually, which are comparable to the life-course desistance concepts of ‘knifing-off’ and desistance as a developmental process (Bushway et al. 2001; Jacques and Wright 2008). ‘Knifing-off’ involves the removal of factors which may tie an individual to a gang (e.g. relationships with gang associates), thus reducing or eliminating the potential for criminal opportunities (Maruna and Roy 2007). Abrupt desistance can also involve severing ties to a group by leaving the neighbourhood. Without a criminogenic environment, the factors underpinning involvement are removed and desistance can occur (Decker and Lauritsen 2002). On the other hand, gradual desistance involves an individual developing beliefs and commitments that contradict those held

by the gang (Decker and Lauritsen 2002). This is supported by Vigil (1988) who explained that gradual desistance can occur when an individual de-identifies from their gang and becomes more involved in conventional activities, eventually leaving the gang.

Studies have also examined the methods of desistance, which is commonly conceptualised as 'blood in, blood out'. Vigil (1988) found that it was not uncommon for gang members in Los Angeles to be beaten out of their gang. Similarly, Decker and Lauritsen (2002) noted that exiting gang members in St. Louis were often the targets of verbal abuse and threats of violence, as opposed to actual violence. In these cases, individuals simply walk away from the gang, with maturation a key factor. It is noted that gang members who mature and assume certain responsibilities, including employment and having kids, will move away from deviant social circles and into law abiding groups (e.g. Bjorgo 2002; Decker and Lauritsen 2002; Pyrooz and Decker 2011). Maturation and departure is also dependent on other factors, such as position within the gangs and dependence on the gang. For example, older gang members with less embedded ties may have less of a challenge disengaging. This is noted by Horowitz (1983), who explained that core members experience more difficulty disengaging than peripheral members, due to their importance and established ties within the gang. Desistance can also be accelerated by traumatic events experienced while in the gang, often in the form of violence (Decker and Lauritsen 2002).

4.5.2 Organised Crime Disengagement: Collective Termination

Disengagement via 'collective termination' occurs when an organised criminal group ceases to operate (or exist). This can occur in several distinct ways (Cronin 2009). Firstly, an organised criminal group may collectively terminate when its 'leader' (or boss) is imprisoned, killed, or taken out of action. This is likely to occur in groups with a rigid hierarchy centred on an influential leader (Bovenkerk 2011). This type of termination is evident in the splinter and collapse of the Medellin Cartel after the death of Pablo Escobar and the incarceration of other key members (Kenney 2003). Secondly, collective termination can occur when an organised criminal group with strong political elements may be able to reach an agreement or truce with their opposition (usually the government in power) by negotiating terms and incorporating the group into the legal process, thus terminating the group's illicit elements (Bovenkerk 2011; Harris 2015). For example, the political agreement between the Colombian government and FARC (The Revolutionary Armed Forces of Colombia—People's Army) in order to reduce violence and increase the group's involvement in the political process (Segura and Mechoulam 2017). A third type of collective termination may occur when an organised criminal group ceases to exist due to their own decision-making process: this generally occurs when a group's legitimate income outpaces its illegitimate income. When this occurs, offenders choose to avoid the risks associated with criminal behaviour

and potential law enforcement intervention and instead choose to focus on the group's more lucrative and safer legitimate income. Collective termination can also take place when an organised criminal group ceases to exist as a result of internal conflict, distrust amongst offenders, or power struggles within group (Kleemans and de Poot 2008; Bovenkerk 2011). For example, the defragmentation of large monolithic Mexican drug cartels due to internal conflict and power struggles (see Cook 2007; Beittel 2019). Other groups may simply cease to exist due to increased law enforcement intervention and government repression, which is often a response to a group's public display of violence or increased involvement in criminal markets (Bovenkerk, 2011; Harris, 2015).

Fundamentally, the available literature suggests that the potential for disengagement is based on the characteristics of the overall group, therefore disengagement is more difficult in rigid structures but more likely to occur in loose groupings and networks (Bovenkerk 2011; Gjelsvik and Bjorgo 2012). Thus, available literature indicates that disengagement can be encouraged by law enforcement agencies by creating disillusionment and increasing risks (Douglas and Smith 2018). Existing research indicates that collective termination is possible through the introduction of factors that create disillusionment and destabilise the core of the group (Bovenkerk 2011; Harris 2015). Douglas and Smith (2018) note that "*strategies that can interrupt leadership and group efficacy can create internal conflict, thereby reducing embeddedness*" (p.11). Other literature posits that disengagement strategies tend to be more effective when the criminal group is experience significant change (e.g. change of leadership, conflict) (Disley et al. 2012; Bolden 2013; Harris 2015).

4.5.3 Organised Crime Disengagement: Individual Termination

Individual termination, on the other hand, refers to an individual's choice to disengage from an organised criminal group. This approach to disengagement is common amongst juvenile or young offenders who may decide to leave the group once they reach a certain age or maturity level. This is often associated with early on-set limited offending (see Laub and Boonstoppel 2011; McMahon and Jump 2017). Most young offenders eventually want to live a conventional life away from the criminal group and illicit behaviour and thus will gradually disengage from the group as they complete their schooling, move away from home, or find a job and partner (Sampson and Laub 1993; Bovenkerk 2011). However, adult offenders, especially individuals with central or key positions within a group, will often face difficulties leaving of their own accord; "*there is often no way out and anyone who wants to leave will essentially be kept hostage [in the group]*" (Bovenkerk 2011 p. 265). Individual termination draws upon the concept of trust between co-offenders and how compliance within the group is maintained, including hostage taking, violence, punishment, and cutting off options (see Varese 2001; Cook et al. 2005; Gambetta 2009; Campana 2011). However, Bovenkerk

(2011) noted that the existing literature contains limited insight on ‘escape routes’ for individuals from organised criminal groups, with most of the research focusing on why individuals do not leave instead of asking how and why they do so. Essentially, the difficulties faced by individuals looking to disengage from a criminal group are influenced by the same factors that initially lead to involvement in the group (i.e. social and familial ties).

The difficulties associated with individual termination are highlighted by Italian Mafia defector Antonio Calderon, who explains that initiation into the Sicilian Mafia binds members to the organisation through a blood oath, *“you come in with blood and you go out with blood”* (Arlacchi 1992). This is supported by other literature which indicates that most members of organised criminal groups only disengage when they are either killed, wounded, or imprisoned (see Amir 1989; Gambetta 2009). In considering these difficulties and the overall characteristics of criminal groups it can be argued that disengagement strategies should also focus on individual offenders (Bovenkerk 2011; Gjelsvik and Bjorgo 2012) and *“...should be designed with specific [criminal] groups and individuals in mind”* (Douglas Smith, 2018 p.11). Therefore, disengagement can be encouraged by increasing the risks associated with involvement in an organised criminal group (Campbell and Hansen 2012; Gjelsvik and Bjorgo 2012; Harris 2015), whereby *“policies targeting unexplained wealth and asset confiscation have the potential to drastically affect individual members of organised [criminal] groups”* (Douglas and Smith 2018 p.12). Furthermore, Douglas and Smith (2018) note that informal and individual strategies can be more successful in promoting disengagement, including; mentoring by ex-offenders, improving family and community ties, education and employment programs, and reintegration assistance (see McNeill 2002; Kazemian 2007; Bolden 2012; Disley et al. 2012; Gjelsvik and Bjorgo 2012; Harris 2015). Fundamentally, *“the key to disrupting organised crime may be to disrupt the activities and organisation of the group, it seems that supporting and encouraging disengagement through the development of social capital and support for a new identity may be promising if managed in a holistic and community-minded manner”* (Douglas and Smith 2018 p.12).

While literature on disengagement is limited, the available research suggests that disengagement from organised criminal groups is possible both at an individual and collective level. In contrast are those individuals who remain committed to an organised criminal group, and their co-offending relationships, and are reinforced in their criminal behaviour. Knowledge on the extent to which individuals remain committed to organised criminal groups and the reasons why is limited. However, based on the various ways in which ties are established it can be argued that strong ties between offenders can reinforce criminal behaviour while weak ties may lead to disengagement. Individuals who remain committed are a hidden figure from law enforcement until they are identified and arrested, while those who chose to disengage will often seek assistance from

law enforcement agencies: often providing information on criminal activities in exchange for safety and security (e.g. Gambetta 2009; Gjelsvik and Bjorgo 2012; Harris 2015; Douglas and Smith 2018). However, the findings from the reviewed studies can form the basis for the development of strategies and initiatives that encourage disengagement and prevent initial involvement in organised criminal groups. Various jurisdictions have in fact developed and implemented strategies and initiatives to encourage disengagement and prevent involvement in organised criminal groups.

4.6 DISENGAGEMENT AND INVOLVEMENT PREVENTION

A key aim of the present study was to discuss the potential for strategies and initiatives that encourage disengagement and prevent involvement in organised criminal groups. By understanding how certain individuals are drawn into organised criminal groups it may be possible to develop strategies and initiatives that encourage disengagement or prevent involvement. Prior to any discussion on the potential for strategies and initiatives in Australia (discussed in Chapter Eight), it is important to examine the strategies and initiatives adopted in other jurisdictions. It must be noted that documentation on organised crime specific strategies and initiatives is limited. Therefore, this section will also discuss existing strategies and initiatives utilised to encourage desistance and prevent involvement in gangs. By drawing upon existing strategies and initiatives, recommendations will be suggested that may encourage disengagement and prevent involvement in organised criminal groups within Australia.

4.6.1 Gang Desistance and Involvement Prevention

Gangs, like organised criminal groups, can take many different forms (e.g. youth gangs, street gangs, prison gangs), with jurisdictions approaching the issue of involvement in a variety of ways. In Canada, the National Crime Prevention Strategy (NCPS) is focused on developing the country's knowledge base on effective crime prevention programming by addressing the risk factors of specific groups of people, in particular youths, at risk of or involved in gangs (NCPC 2012). The NCPS has funded community-based organisations for youth gang prevention and intervention projects in communities across Canada through the Youth Gang Prevention Fund (YGPF) (NCPC 2012). These initiatives bring together a number of stake holders, community groups and organisations in order to provide the necessary services (NCPC 2012; Moncrieffe 2013). Programs generally focus on family services, mental health, drug rehabilitation and education in order to assist at risk individuals (NCPC 2012; Moncrieffe 2013). Of importance though is the development of programs that provide the appropriate support and resources for the individual at risk (e.g. gender, culture) (NCPC 2012; Moncrieffe 2013).

Alternatively, in America gang prevention programs differ between states and communities, with few gang prevention programs rigorously evaluated (Howell 2010). However, the U.S. Department of Justice released a compilation of findings on how best to approach prevention and intervention activities. The data indicated that in order to prevent involvement, programs must have a balance of prevention, intervention and suppression strategies (See Wyrick and Howell 2004; Spergel et al. 2006; Wyrick 2006; Office of Juvenile Justice and Delinquency Prevention 2008). It was noted that prevention programs must target youth at risk of involvement by implementing a range of services and initiatives, including strengthening families, providing tutoring for students who are underperforming in school, and establishing centres for youth recreation and referrals for services (e.g. Farrington and Welsh 2007). Intervention programs and strategies should focus on proving sanctions and services for youth who are actively involved in gangs in an effort to deter them from criminality (See Wyrick and Howell 2004; Spergel et al. 2006; Wyrick 2006; Office of Juvenile Justice and Delinquency Prevention 2008). Lastly, suppression strategies should be law enforcement focused and should aim to rehabilitate older, violent and more criminally active gang members (See Wyrick and Howell 2004; Spergel et al. 2006; Wyrick 2006; Office of Juvenile Justice and Delinquency Prevention 2008).

In the UK, the government established the Ending Gang and Youth Violence programme in 2011. The programme emphasised the importance of early intervention, in particular the identification of children and young people who may be vulnerable to gang involvement or exploitation by gangs (Waddell 2015). Early evidence from the programme indicates that there are several activities and intervention models that have proven to be successful, these include creating positive changes for the at-risk individual (e.g. improving family life and providing juveniles with the skills to make positive life choices) and school-based initiatives (e.g. seeing a therapist) (Waddell 2015). However, the Ending Gang and Youth Violence programme indicates that there is a lack of programmes specifically designed to prevent gang involvement, as well as mentoring and community-based programmes (Waddell 2015). The lack of specific initiatives and programmes indicates the difficulties associated with developing strategies to prevent involvement in a complex and multifaceted phenomenon.

In light of these strategies and initiatives, it is evident that gang desistance and involvement prevention is overwhelmingly focused on juvenile and young offenders. Although this demographic is not as common within organised criminal groups, such strategies can be adopted to encourage disengagement and prevent involvement amongst adult offenders. By integrating law enforcement initiatives with community-based programs, early intervention might be possible and at-risk individuals might be deterred. Initiatives must focus on providing at-risk individuals with services

that will reduce the severity of the risk factors associated with involvement in organised criminal groups. Furthermore, initiatives and programmes must be tailored to each individual so the appropriate support and services can be provided, with a particular emphasis on their cultural, familial, health and community needs.

4.6.2 Organised Crime Disengagement and Involvement Prevention

Various jurisdictions have introduced various measures to encourage disengagement and prevent involvement in organised criminal groups. The New Zealand government has introduced a number of measures and initiatives across both central and local government, and within communities in an effort to prevent people becoming involved in organised crime (i.e. organised criminal groups). At the centre of these measures is the multi-agency Addressing the Drivers of Crime work programme which includes initiatives to divert young people and low-level offenders from criminality and serious offending (New Zealand Ministry of Justice 2011). According to governmental report, the Ministry for Social Development's Youth Gangs: Local Response Guidelines and the Fresh Start for Young Offenders programme aim to better hold serious and persistent young offenders accountable, address the causes of offending, and reduce the likelihood of young people adopting a life of serious offending. Other efforts are also being undertaken by the Department of Corrections who have introduced measures to reduce the influence of gangs within prisons and to reduce re-offending by gang members. Underpinning these initiatives was the 2009 Gangs and Organised Crime Legislation which introduced tougher penalties and sentencing for participation in a criminal organisation in order to deter participation.

Similarly, the Scottish Government's Serious and Organised Crime strategy is framed around five strategic principles: Divert, Deter, Detect, Disrupt and Develop. Of importance to the present study are the principles of Divert, Deter and Develop, which focus on responding to organised criminal groups at an individual and community level:

"individuals involved in harmful, exploitive or coercive practices are deeply intertwined with the majority of law-abiding residents via families, friendships and other social connections"
(Hamilton-Smith et al. 2018 p.9).

This approach by the Scottish Government acknowledges that the best asset in responding to and combating organised crime is the community itself. It is argued that grassroots, community-level strategies and initiatives should be prioritised *"rather than being led from outside the community"* (Hamilton-Smith et al. 2018 p. 9). Two key community-led strategies are suggested by the Scottish government: addressing vulnerability and broader community partnerships. Firstly, addressing vulnerability should focus on local service providers dealing with various forms of vulnerability

(e.g. housing and social work). Such providers should develop strategies focused on preventing the exploitation of vulnerable residents (Hamilton- Smith et al. 2018). It is noted that *“mapping and targeting support to the most vulnerable is a viable strategy with the potential to create a significant prevention dividend”* (Hamilton- Smith et al. 2018 p. 9). Secondly, broader community partnerships focus on the development of partnerships with families, mentors, schools and community-based policing. These community-based partnerships require ‘enduring infrastructure’, including *“physical focal points like community spaces, services mitigating social exclusion and poverty, and processes for empowerment and dialogue”* (Hamilton- Smith et al. 2018 p. 10). Fundamentally, the services provided aim to reduce the impact of Organised Crime by improving the links between community justice and other community planning.

At a national level, the Scottish Government is attempting to challenge the narrative of organised crime, something that requires a shift in two key areas: first a shift in presenting the issue as the preserve of law enforcement to one for the community at large and second, a shift in presenting organised crime rather than an issue solely for socially and economically disadvantaged communities to one that extends its reach to all areas of society, including those affluent communities where many ‘successful’ organised criminals reside (Hamilton- Smith et al. 2018 p.9). At a community level, effectively challenging the organised crime narrative requires investment in a coherent, authentic and effectively targeted counter narrative. This is likely to involve work which focuses on gathering the personal stories of those involved in organised crime and mapping these stories against more accurate real-world consequences. In doing so, the strategy should seek to profile and share them as a preventative strategy in face to face contexts, such as in schools, or through other means such as social media (Hamilton- Smith et al. 2018). At an individual level, work with convicted offenders and young people, as well individuals on the cusp of becoming involved in organised crime, should attempt to demonstrate the distance between myth and reality in the narrative of organised crime at key transition points. As opposed to supporting the narrative of flash cars and ready cash, these ideas should be challenge and create alternative and authentic stories, involving individuals with lived experience of organised crime, that make sense to young and vulnerable people (Hamilton- Smith et al. 2018).

While not directly aimed at preventing involvement in organised crime, the Channel Programme in the UK could be effectively adapted to safeguard against involvement and encourage disengagement. The UK government defines the Channel Programme as a *“confidential, voluntary multi-agency safeguarding programme that supports people who are vulnerable to radicalisation”* (Home Office UK 2018). The programme is currently run in every local authority in England and Wales and aims to address all types of extremism, including criminality. Fundamentally, the programme

is about early intervention in order to protect vulnerable children and adults who might be susceptible to radicalisation and criminality (Home Office UK 2018; Martin 2018). The Channel Programme is based on an anonymous referral system, whereby any member of the public can make a referral if they are concerned about someone being radicalised or entering into serious criminality (Home Office UK 2018; Martin 2018). Referrals from the general public can be made to the local authority or the local police. Referrals are then passed on to the Channel panel, which consists of the local authority and representatives from different safeguarding areas including health, education and the police. They then meet to discuss the nature and extent of the potential vulnerability of the individual:

“All referrals are carefully assessed. Sometimes the person doesn’t need any help at all, and the referral is closed. In other cases, the panel will offer the individual an appropriate support package tailored to their needs” (Home Office UK 2018)

Support for vulnerable individuals can include assistance with education or employment, health support, as well as ideological mentoring to provide them with the skills to protect themselves from being drawn into committing serious criminal behaviour (Home Office UK 2018; Martin 2018).

Within Australian, organised criminal groups are viewed as a criminal justice/ law enforcement problem and as result strategies and initiatives are generally law enforcement led (See ACC 2009; Schloenhardt 2010; Ayling 2011; Ayling and Broadhurst 2012; ACIC 2017). For example, the anti-consorting laws in New South Wales and Queensland were implemented to prevent known offenders from consorting in public places (See Bartels 2010; McMillan 2016; Loughnan 2019; O’Sullivan 2019). However, such legislation has primarily targeted members of outlaw motorcycle gangs and its impact on organised criminal groups who are less publicly visible remains unknown (See Gray 2009; Bartels 2010; Loughnan 2019; O’Sullivan 2019). While such laws aim to reduce the freedom of certain offenders and subsequently encourage disengagement, there is not sufficient evidence to suggest that such law encourage disengagement and prevent involvement. Due to the lack of current strategies and initiatives in Australia and a paucity of academic inquiry into this aspect of organised crime, the researcher asked police informants to discuss their perspective on the potential for the development of preventative strategies and initiatives that encourage disengagement and prevent involvement (see Chapter Seven).

4.7 CONCLUSION

The state of research on the involvement process into organised criminal groups is limited and lacking in comprehensive findings that are empirically grounded in the data. Overall, research

on organised crime and organised criminal groups suffers from limitations in both data access and methodologies, which don't allow for conclusive results. This is especially the case with research on involvement into organised criminal groups. Although the present study focused on qualitative studies, the researcher acknowledges the lack of comprehensive findings that are empirically grounded. Nevertheless, by bringing together existing knowledge, the proposed conceptual framework presented in this thesis can overcome some of the issues associated with the validity of previous findings. The literature review discussed the involvement process into organised criminal groups, the establishment of ties between offenders and the potential for disengagement from organised criminal groups. To examine the involvement process into organised criminal groups, the literature review identified three distinct stages of the process: the initial involvement pathways into the organised criminal groups, the establishment of ties between offenders and reinforcement of criminal behaviour as well as disengagement from organised criminal groups. Various studies on involvement into organised criminal groups and illicit activities stresses the importance of kinship and familial ties as the foundation for co-offending within the structure of criminal groups. These studies have highlighted a number of key pathways into criminal groups, how ties are established between offenders, and the potential for disengagement from organised criminal groups. However, there is a clear deficiency in research which seeks to examine the involvement process into organised criminal groups in regards the three key stages identified in the literature review. Furthermore, there are a number of issues relating to generalisability and the overall comprehensiveness of the major studies on the involvement process into organised criminal groups. The paucity of research on this involvement process means that there is no comprehensive study or conceptual framework on this aspect of organised criminal groups. The overall lack of a conceptual framework demonstrates the absence of comprehensive and interconnected studies on the involvement process. This presents distinct challenges for researchers examining this aspect of criminal groups, as they lack theories and frameworks to draw upon and thus situate their findings within. Finally, there is a dearth of research on the involvement process in an Australian context. Therefore, the current study aims to develop a general conceptual framework on the involvement process into organised criminal groups by integrating existing knowledge with data collated within an Australian context.

Chapter Five: Research Design and Methodology

"If there is a will, there is always a way my friend" - Richard Kuklinski

5.1 INTRODUCTION

This Chapter outlines the research design and data analysis process of the present study. The research aims to understand the involvement process into organised criminal groups, with a specific focus on Australian data. The researcher developed a conceptual framework using existing knowledge on organised crime to test against the data sampled in the present study. A key part of the research aim is to test existing knowledge on organised crime involvement using data sampled within an Australian context in order to identify similarities and differences: this will result in the development of a robust conceptual framework. The researcher adopted a qualitative research design for the present study which used a 'thematic' and 'content' methodology to identify key themes in the qualitative data sets (i.e. sentencing data and interviews) relevant to the aims of the research through an inductive and deductive process. Chapter Five will begin by outlining the methodological issues associated with organised crime research. The focus will then shift to the research paradigm of the present study and also the ethical considerations of the research design. This will be followed by a detailed discussion of the data collections methods for the interview data and sentencing data. Afterwards, a discussion on the data analysis process and the grounds on which the present study meets criteria for validity, reliability and generalisability are presented.

5.2 METHODOLOGICAL ISSUES IN ORGANISED CRIME RESEARCH

The clandestine nature of organised crime activity creates significant challenges for researchers seeking to conduct reliable empirical research (See Ganapathy and Broadhurst 2008). Academic inquiry on organised crime tends to rely on media sources, interviews and government reports or accounts provided by policing and intelligence agencies (For example Galliher and Cain 1974; Chambliss 1975; Mieczkowski 1990; Van Koppen 2013; Hobbs and Antonopoulos 2014; Leiva and Bright 2015; Brown and Smith 2018). The issue is that these sources are sometimes viewed as unreliable and tend to sensationalise or de-contextualise organised crime activity (See Ganapathy and Broadhurst 2008). However, when these types of sources are used to conduct empirical research, a methodology involving the triangulation of methods and sources is generally recommended (See Ganapathy and Broadhurst 2008). It is noted that the ethical standards of media and policing agencies are often not as rigorous as the ethical standards within social scientific research: this can directly impact on the accuracy of reporting and the legitimacy of sources (Galliher and Cain 1974; Ganapathy and Broadhurst 2008). In addition, access to sensitive data controlled by government, policing and intelligence agencies is impeded by issues relating to

confidentiality, security and bureaucracy (See Kleemans 2007; Ganapathy and Broadhurst 2008; Hobbs and Antonopoulos 2014). Researchers often experience significant difficulties gaining access to data as this involves obtaining ethics approval from both university ethics committees and the research committee of an agency. These committees are often concerned about the safety of researchers and research participants. As well, most law enforcement agencies are understandably often unwilling to share sensitive information, especially about active cases (Ganapathy and Broadhurst 2008). Due to the sensitive and clandestine nature of organised crime, researchers are often faced with a number of challenges attempting to conduct research.

According to von Lampe (2012), research on organised crime and organised criminal groups generally uses three key types of data sources: observations, interviews and information stored electronically or in a hard copy. These data sources generally involve methods such as: ethnographic or observational studies, interviews with offenders, interviews with police/ intelligence/ government informants, information from law enforcement/ intelligence/ government files, analysis of sentencing data, media accounts, and criminal memoirs. Studies on involvement and recruitment into organised criminal groups have been primarily qualitative in methodology (For example van Koppen 2013; van Koppen and de Poot 2013; Calderoni et al. 2020). Such sources are used as they provide researchers with rich qualitative data and tend to be readily available depending upon ethical considerations. Although previous research has been conducted within certain time periods, countries and communities, the findings can be used to examine and understand the involvement process into organised criminal groups in Australia. However, it must be noted that the results produced from these studies are not perfect and the validity of such studies must be questioned. It is evident that studies examined have had a significant impact on the study of involvement into organised criminal groups. However, limitations regarding data collection and methodology can impact the validity of studies. Nevertheless, the researcher acknowledges these limitations as part of the methodological issues associated with academic work on organised crime. This section will now examine previous studies on involvement into organised criminal groups to outline some of the major studies and the methodologies used. These studies will inform and shape the research design of the present study. However, it must be noted that there is a paucity of research and therefore limited methodologies to draw upon when examining the involvement process into organised criminal groups.

Ethnographic methodologies, while not common, have been used to study involvement and recruitment. Hobbs (2013) conducted an ethnographic study (observations and interviews) of British organised crime by focusing on an ethnographic site called 'Dogtown', which was a composite of several overlapping neighbourhoods in East London. Through ethnographic

research and interviews with offenders, Hobbs identified key pathways into organised crime and criminal enterprises. Through familial, social, and community ties, Hobbs revealed ways that individuals are drawn into criminal groups and illicit activities. Similarly, Adler and Adler (1983) spent six years observing and interviewing 65 upper-level marijuana and cocaine traffickers in America. The study examined the criminal career paths of traffickers, with a focus on how potential recruits are *“lured into the drug business by materialism, hedonism, glamour and excitement”* (p.206). Interviews with offenders were also conducted by Kleemans and De Poot (2008), Van Koppen (2013) and Van Koppen and De Poot (2013). These studies examined 1,092 organised crime offenders, which included in-depth interviews with inmates convicted of participation in organised criminal groups. Each of these studies highlighted the potential for rich data which can be mined from ethnographic research, but also the challenges in conducting research of that nature.

Van Koppen’s (2013) study, which has distinct parallels to the present study, aimed to examine the processes which lead to engagement in organised criminal groups. In order to explore these processes, van Koppen used police data to systematically analyse a selection of cases from the Dutch Organised Crime Monitor. This involved 120 large scale police investigations between 1994 and 2006. From the 120 cases analysed, van Koppen selected 15 which best reflected the heterogeneity of organised crime in the Netherlands. Van Koppen analysed the data by focusing on three key points of interest: genesis of the criminal groups and interrelations between offenders, social capital resources, and motivation and life events. The study found that intimate familial and social ties combined with criminal motivations and critical life events may be key factors in propelling certain individuals into organised crime. Other research conducted by van Koppen et al. (2010), which examined criminal trajectories into organised crime, utilised two data sources: qualitative data from the from the Dutch Organised Crime Monitor and judicial sources. The data was supplemented by current theoretical understanding of developmental and life course criminology and existing literature on organised crime.

In examining drug trafficking organisations, Desroches (2005) and Decker and Chapman (2008) employed interviews with incarcerated drug dealers. Desroches (2005) gathered data on drug trafficking operations by conducting interviews with 70 high-level drug traffickers, importers, manufactures and wholesalers of illicit drugs. The participants in the study were individuals convicted of drug offences and serving time in Canadian federal prisons. This methodological approach was supported by police interviews and data, which were particularly useful to determine *“the connections between the various participants”* (p.7). The study provided considerable insight into the ties between offenders and how individuals are recruited into drug trafficking groups. Similarly, Decker and Chapman interviewed offenders convicted of trafficking drugs into the United States

between 1992 and 1998 and who were incarcerated in US prisons. The research used semi-structured, open-ended interviews to collect data from the convicted traffickers. It was argued that *“interviews with high-level drug smugglers are important sources of information”* (p.21). It was noted that recruitment occurred along social, familial and ethnic ties, where trust between offenders was of utmost importance in trafficking operations.

Other studies have used a mixed method approach to examine organised criminal groups and involvement. Saviano (2006), in his study of the Camorra in Naples, used observations, interviews with offenders and government officials and official records to understand the modus operandi of the warring clans and families. Similarly, Lo (2012) conducted interviews with offenders and police informants to explore the involvement of juvenile offenders into Triad groups in Hong Kong. The interviews were supported by judicial and government data on organised criminal groups in the country. Gambetta (2009) analysed how organised criminals communicate and establish co-offending relationships. By drawing upon case studies and the theories underpinning social interactions, Gambetta explored the use of signals, language and intimidation by offenders in order to support their activities. Additionally, Morselli (2005) provided a social network analysis of a number of case studies of organised criminal groups to highlight the structure of illicit operations and the ties and linkages between offenders.

A report compiled by the Independent Broad-Based Anti-Corruption Commission (IBAC) (2015) in the state of Victoria drew upon a range of data sources to investigate and assess the potential for the cultivation of public sector employees by organised criminal groups. The report used IBAC complaint data and investigations, as well as consultations with a range of Victorian, interstate and commonwealth agencies, and open source research organisations. In examining and analysing the data sources, IBAC was able to present a series of case studies that revealed the ways in which organised criminal groups are able to cultivate or recruit public sector employees in Victoria, Australia. The report noted that employees who have access to sensitive or restricted information and services are often targeted by organised criminal groups. The recruitment and corruption of public sector employees generally depends on pre-existing relationships with individuals involved in organised crime: these are often family and friends. The use of agency data and case studies can help reveal the intricacies of involvement into organised criminal groups. However, it must be acknowledged that as a government-backed body IBAC had access to data and information that would not be easily accessible to academic researchers.

The qualitative methodologies adopted in the reviewed studies all produced detailed and insightful data on involvement and recruitment into organised criminal groups. While some of the

methodologies have been adopted into the present study (for example interviews with police informants, sentencing data), there would be difficulties in the utilisation of other methods: for example, obtaining ethics approval for interviews with offenders or prisoners. Furthermore, some of the studies were conducted within a broader project or supported by a major crime research institution, as was the case with several studies conducted at the Netherlands Institute for the Study of Crime and Law Enforcement at the Research and Documentation Centre of the Dutch Ministry of Security and Justice. Therefore, these researchers had ready access to extensive resources, funding and research personnel that would simply not be available to a doctoral student. As will be discussed later in this chapter, it is unlikely that access to police files (including investigation notes and transcripts of wire-tap conversations) would be permitted in this research due to issues concerning confidentiality, sensitivity of operations and strategic police information, and police 'red-tape'. Finally, while common in the studies reviewed the conduct of studies involving ethnographic methods or interviews with offenders poses significant challenges to doctoral research students. Interviews with prisoners and ethnographic research are beyond the timeline of a three-year PhD project, especially when considering the lengthy but necessary ethics approval procedure and data collection process required. The data collection procedure utilised in the present research (i.e. law enforcement interviews and sentencing cases) has proven much more feasible and has provided rich and relevant data. Furthermore, ethical considerations must look at both the personal safety of the researcher and the research participants. University ethics boards might be hesitant to grant a research student permission to conduct ethnographic research or interviews with offenders as it is likely to be viewed as dangerous and might compromise the personal safety of the researcher.

5.3 RESEARCH PARADIGM

Prior to looking at the way in which the research aims, and questions were addressed, and the way data was collected and analysed, the research paradigm must first be considered, as this informed the research design and methodology of the present study. Kinash (2006) defines a research paradigm as the theoretical mindset or collection of beliefs that underlie the research. A paradigm is a combination of beliefs and perceptions that are contextually dependent on the social and historical setting (Foucault 1972). Therefore, paradigms are social rather than individual entities that express the knowledge of a certain time, place and social context (Kinash 2006).

The paradigm of this research project is one of 'social science exploration', which involves an inductive and deductive approach in order to test existing knowledge and develop a conceptual

framework. Stebbins (2011) provides a definition of social science exploration which is line with the aims of the current study:

“Social science exploration is a broad-ranging, purposive, systematic, prearranged undertaking designed to maximise the discovery of generalisations leading to description and understanding of an area of social or psychological life. Such exploration is, depending on the standpoint taken, a distinctive way of conducting science- a scientific process- a special methodological approach (as contrasted with confirmation), and a pervasive personal orientation of the explorer” (p.3).

Since the present study is the first to examine the involvement process into organised criminal groups within an Australian context, an exploratory research paradigm is a useful framework. That’s because there is little to no knowledge about the process under examination yet there is reason to believe that by studying this process, we will find knowledge worth discovering (Stebbins 2011). In order for exploratory research to be effective, a researcher must approach it with two special orientations: *“flexibility in looking for data and open-mindedness about where to find them”* (Stebbins 2011 p.5). Therefore, the aim of exploratory research is the development of ‘inductively derived generalisations’ as well as ‘deductively derived conclusions’.

To test existing knowledge and develop a conceptual framework, the researcher approached the aims of the research using both an inductive and deductive approach. Trochim (2006) refers to two *“broad methods of reasoning as the inductive and deductive approaches”* (p.1). An inductive approach is defined as moving from specific to generalised theory or knowledge, while a deductive approach begins with generalised theory or knowledge and ends with a specific confirmation (Trochim 2006). Creswell and Clark (2007) note that a deductive researcher *“works from the ‘top down’, from a theory to hypotheses to data to add to or contradict the theory”*, while a inductive researcher will work from the *“bottom-up, using the [data] to build broader themes and generate a theory interconnecting the themes”* (p.23). In order to test the existing knowledge on the involvement process into organised criminal groups I used a deductive research approach, which involved developing a framework using the existing literature and testing it against data from the present study: this is understood as the ‘top-down’ approach (Burney and Saleem 2008). On the other hand, the conceptual framework was developed using an inductive approach, which involved analysing the data and developing theory from the ‘bottom-up’ (Burney and Saleem 2008). In combining both approaches, the involvement process into organised criminal groups within an Australian context can be explored.

A key aim of the present study is to develop a conceptual framework on the involvement process. Currently there is a lack of structured research and comprehensive qualitative frameworks

on the involvement process into organised criminal groups, especially within an Australian context. It is understood that a quantitative study would not provide the richness of data required to understand the personal, social and environmental factors that underpin involvement into organised criminal groups. Academic inquiry into organised criminal groups has primarily adopted qualitative methods to investigate and explain their properties, characteristics and illicit behaviour (See Morselli 2001; Desroches 2005; Natarajan 2006; Kenney 2007; Decker and Chapman 2008). Based on previous research conducted, this researcher excluded a number of qualitative methods commonly used in academic research from the present study, such as ethnographic observations (e.g. Saviano 2006; Hobbs 2013), interviews with offenders (e.g. Desroches 2005; Decker and Chapman 2008), and policing data (e.g. Le 2012; van Koppen 2013). These were excluded due to issues associated with ethics approval, access to sensitive information, time constraints, and the personal safety of the researcher. The methods adopted in the present study -informant interviews and sentencing data- will provide rich and detailed insight on the involvement process that will allow for the development of a robust conceptual framework.

For the purpose of the current study, a 'conceptual framework' is understood to be a network of interlinked concepts that when brought together provide a comprehensive understanding of a phenomenon (Jabareen 2009). Similarly, a conceptual framework can be understood as a structure which the researcher believes explains the natural progression of the phenomenon under investigation (Camp 2001). Fundamentally, a conceptual framework "*is linked with the concepts, empirical research and important theories used in promoting and systemising the knowledge espoused by the researcher*" (Adom et al. 2018 p.439). Therefore, this researcher sought to understand and explain the involvement process into organised criminal groups through the development of a conceptual framework: based on a deductive and inductive approach. The testing of existing knowledge takes into account the epistemological notion of "*how things really are*" and "*how things really work*" (Guba and Lincoln 1994 p.108). Jabareen (2009 p.51) identified the seven main features of a qualitative conceptual framework:

- 1) A conceptual framework should not be viewed as an assembly of concepts but, instead, as a construct in which each concept plays a key role (Miles and Huberman 1994);
- 2) A conceptual framework does not provide a theoretical understanding but, rather, an interpretive approach to social reality;
- 3) A conceptual framework provides an understanding rather than a theoretical explanation;
- 4) A conceptual framework does not provide 'hard facts' but, rather 'soft interpretations' of a phenomenon (Levering 2002 p.38);

- 5) A conceptual framework is indeterminist in nature and therefore draws general conclusions, or outcomes cannot be reached (Levering 2002);
- 6) A conceptual framework can be developed and constructed through a process of qualitative analysis; and
- 7) Data from a qualitative analysis becomes the empirical data of the conceptual framework analysis.

Thus, the researcher adopted a conceptual framework approach by analysing two distinct qualitative data sets to examine the involvement pathways into organised criminal groups. The current study is exploratory in nature and will examine and empirically test the conceptual framework by analysing the collated data. By testing the conceptual framework, the researcher aimed to present epistemological knowledge rather than theories and generalisations, the latter being more common in theoretical frameworks (Grant and Osanloo 2014). Data for the conceptual framework as well as informant interviews and sentencing data were collected from the same jurisdictions -New South Wales, Queensland and Victoria- to ensure a comparative analysis of the similarities and differences. The use of a thematic analysis is elaborated upon in the data analysis section, which is introduced later in the Chapter. Once data collation was complete, a conceptual framework was developed and compared to a framework which was constructed using existing knowledge on involvement pathways into organised criminal groups. The following sections will outline the data collection process for policing interviews (from the New South Wales Police Force, Queensland Police Service, and Victoria Police) and court cases (from District, Supreme, and County Courts in New South Wales, Queensland, and Victoria).

5.4 ETHICAL CONSIDERATIONS

Ethical considerations are a key concern for researchers in the research process, as they influence both the 'what' and 'how' of data collection. All human research in Australia is subject to the National Statement on Ethical Conduct in Human Research (NSECHR) as developed by the National Health and Medical Research Council (NHMRC) (Israel 2004). As noted by the NSECHR, an individual seeking to conduct research concerning human subjects must first seek approval from the Human Research Ethics Committee (HREC) at an institutional level. The approval process requires researchers to demonstrate that they have considered, designed, and implemented measures to ensure the appropriate ethical concerns are considered in the research process. Within the context of criminological research there are four key ethical considerations that researchers must consider: confidentiality; informed consent; harms and benefits; and various relationships (Israel 2004). However, such ethical considerations are not limited to criminological

research, but are also present in other areas of social science research such as sociology, anthropology, and psychology (Israel 2004). As this chapter will demonstrate, the main ethical considerations in the present research related to securing informed consent and ensuring the confidentiality of policing informants.

Under the ethical framework of the NSECHR researchers are required to obtain written and informed voluntary consent from all the potential research participants (Israel 2004). This is based on the ethical consideration that potential research participants should understand what involvement in the research would encompass and that they have the right to decide whether or not to participate in the research. They must also feel that there will be no repercussions or feel no fear of repercussions if participation is declined. Before contact with informants could be initiated, research and ethics approval from the research committee of each policing agency was required. Research and ethics approval were required to ensure that the current study's research design aligned with the organisational agenda of the participating policing agencies. Of importance was to ensure that the interview questions did not compare policing agencies, especially in regard to effectiveness, or probe into the policing methods of agencies or their personnel. This process involved correspondence with the research committees to ensure the research design did not breach any policies, protocols, or procedures. Essentially, the research design, in particular the interview questions, needed to focus on each participant's knowledge and experience in regard to the involvement pathways into organised criminal groups.

Upon receiving approval to conduct research with each policing agency, the researcher requested to interview five informants from each agency, with 15 interviews in total. The researcher sought to interview informants who had experience in policing and investigating organised criminal groups. The research committee of each policing agency identified informants who were willing to participate in the research. Informants who agreed to participate were required to print, sign and return (either via mail or e-mail) the signed consent form before an interview could be scheduled. The process of securing formal informed consent (in this case a signed consent document) was required to tick a bureaucratic box, as the informants had already agreed to participate in the research through discussions with the research committee of their corresponding agency. As required by the HREC, informants were also provided on the consent document the opportunity to accept or decline to have their interview recorded and transcribed. All 15 key informants agreed to have their interviews recorded and transcribed. Upon completion of the interview transcripts, informants were presented with the opportunity to confirm and review the accuracy and data of the interviews, which is required by HREC. No informant wished to review their interview transcript.

Furthermore, informants were reassured (both in the formal consent document and in person) that the data collected would be de-identified (See appendix for research participant forms). Confidentiality was a key ethical consideration, especially as the research focused on a sensitive, and often dangerous, topic and generally difficult to reach sample population. All informants asked to be de-identified in the interview transcripts and research thesis, as they are still involved in ongoing investigations within their respective agencies. Informants have been assigned a reference code based on their respective policing agency and interview number (for example NSWPF 1). Ensuring the confidentiality of the research participants possess some challenges since the population sampled from is relatively small. Therefore, it is important to ensure that the identification of the research participants is not possible and that their identities cannot be guessed based on the information presented in the research. The ethical considerations of informed consent and participant confidentiality resulted in a data collection methodology that was limited to the sample recruited, the information discussed in the interviews, the interviews recorded and transcribed, and the identifying information that could be included in the results of the research. The ethical considerations and concerns regarding informed consent and confidentiality are acknowledged and respected within this research.

5.5 INTERVIEW DATA COLLECTION

As the aim was to examine the involvement pathways into organised criminal groups within an Australian context, it was necessary to speak to individuals who had considerable knowledge about Australian organised criminal groups based on their professional experience in law enforcement. The objective was to interview informants from state policing agencies who had experience investigating the activities of organised criminal groups through specialised tactical squads (Note: due to issues of confidentiality the names of such squads were omitted from the research). This was the target population. Criminological research has used data from interviews with policing informants in order to gain considerable insight on the modus operandi of organised criminal groups (For example Pearson and Hobbs 2003; Desroches 2008; Lo 2012). Policing informants can provide researchers with intricate knowledge of organised criminal groups, based on their experience investigating and intervening with offenders and criminal markets. However, access to this population was dependent on first identifying and then securing agreement to participate. In the absence of other practical sampling options, informants were identified by their respective agency as likely candidates for participation in the research. Informants agreed to participate based on the design and ethical considerations of the research, including the interview questions. Within social scientific terms, the interview phase of the data collection consisted of a purposive convenience sampling of research participants. A disadvantage of this approach is that

the sample is non-random and therefore not representative of the target population. However, the research does not seek to be representative but instead aimed to provide further insight on an under-researched aspect of organised criminal groups.

Over a period of 12 months of fieldwork, 15 individuals were recruited and interviewed. The researcher used a sampling approach to target State policing agencies who had squads or taskforces created specifically to deal with organised crime and organised criminal groups. State policing agencies were targeted as they are able to provide a macro and micro understanding of organised criminal groups in Australia, ranging street level involvement to transnational importations. Attempting to interview policing agencies in all States and Territories of Australia would not be logistically feasible within the constraints of the project. Therefore, the researcher opted to focus on the largest, most populated states with known problems with organised crime. This resulted in the exclusion of policing agencies from the Northern Territory, Western Australia, Tasmania and the Australian Capital Territory. The South Australia Police were excluded from the study as permission to conduct research was not provided by the South Australia Police research committee. While the excluded policing agencies could have contributed to the research, it is posited that the three most populated jurisdictions with the largest state policing agencies in Australia would provide considerable insight on the modus operandi of organised criminal groups (the limitations of the research will be discussed in Chapter Eight).

The scope of organisations in which informants represented in this research are the following (the names of specific squads and taskforces were omitted at request of law enforcement agencies to ensure the confidentiality of participants):

- New South Wales Police Force (NSWPF)
- Victoria Police (VICP)
- Queensland Police Service (QLDPS)

The informants who participated in this study have a wealth of experience of organised crime, organised criminal groups and illicit markets. The informants interviewed are at the frontline of policing organised crime at a State level and have experience investigating a range of criminal groups (including outlaw motorcycle gangs, transnational syndicates and family-based group), illicit activities (including drug supply and importation, fraud, vehicle rebirthing) and offenders (ranging from juvenile offenders to late onset offenders). While the information provided by the informants does not provide a whole picture of organised crime (which is not a limitation of the research but rather the direct result of an individual's professional experience), these are some of the most

knowledgeable people able to talk about organised crime and organised criminal groups in an Australian context.

As the aim of the study was to explore the involvement pathways into organised criminal groups, in-depth semi-structured interviews were the most suitable method to adopt. This approach allowed for the discussion and questioning of informant's insights about organised criminal groups based on their professional experience. Prior to the interviews, the researcher developed a set of questions that they wanted to ask the informants (based on the reviewed literature). However, a semi-structured interview approach would provide the researcher with a degree of flexibility to adapt and alter questions depending on the informant's individual experience, ask follow-up questions if an interesting or important idea was raised, and to basically let the informants guide the interview based on their knowledge and experience. While this approach provided considerable insight on organised crime and organised criminal groups, its main disadvantage is that memories are not perfect, and the information provided may not be completely accurate. However, it is argued that the information provided by informants can be cross-examined to ensure accuracy.

The interview questions focused on addressing the aims of the research, in particular the involvement pathways into organised criminal groups. It was important to ensure that the interview questions did not compare policing agencies, especially in regard to effectiveness, or probe into the methods utilised by agencies or informants. Fundamentally, the research questions needed to focus on each participant's knowledge and experience of organised crime and organised criminal groups. The questions were used as a reference point to guide the interviews, but often informants would branch off to discuss other key point that were relevant to the questions. When this occurred, the researcher encouraged informants to elaborate on their responses based on their specific experience or responses to previous questions. Often informants would determine the direction of parts of the interview when the researcher allowed them to discuss points that they thought was important to consider in addressing the research aims. This semi-structured interview format allowed for open discussions with the informants along the lines of the aims and research questions of the study. The semi-structured interview schedule consisted of the following questions, divided into three categories:

General Questions

- What does organised crime look like in Australia today?
- What illicit markets do criminal groups operate within?

- What is the structure of organised criminal groups in Australia?
- What transnational criminal groups, if any, are known to operate in Australia?
- Are organised criminal groups in Australia domestically or transnationally based?
- Are criminal groups known to operate along ethnic or familial ties?

Trust and Organised Crime

- What level of trust exists between offenders involved in organised criminal groups?
- How is trust between offenders established?
- Is trust established along familial or ethnic ties?
- How do individuals develop a criminal reputation? Is it important for trust?

Involvement into Organised Criminal Groups

- How do individuals become involved in organised criminal groups?
- To what extent do individuals seek out involvement into organised criminal groups?
- Are individuals 'recruited' domestically or overseas?
- Do organised criminal groups look for specific offender characteristics or skills/knowledge/ experience?
- What is the average age of individuals who become involved in organised criminal groups?
- Is there any requirement for becoming involved in an organised criminal group?
- Do individuals who become involved in organised criminal groups have prior convictions?
- What does the involvement process into organised criminal groups look like?
- Do individuals desist or disengage from organised criminal groups? How? Why?
- Is it possible to prevent involvement into organised criminal groups? How?

The interviews ranged in duration from forty-five minutes to one hour and thirty minutes, with variances depending on the depth of each informant's responses. All interviews were recorded and transcribed ad verbatim, with the transcribed text then later edited to improve the readability of the interviews by removing hesitations such 'ums', 'mhm' and 'ahs'. This resulted in over one hundred pages of transcribed interview data.

5.6 SENTENCING DECISIONS DATA COLLECTION

Court cases, although not widely used in criminological research on organised criminal groups, are often cited as valid, reliable, and robust sources of information and data (For example Natarajan and Belanger 1998; von Lampe 2003; Kenney 2007; Le 2012; Bright et al. 2012; van

Koppen 2013). Morselli (2009) notes that court cases, especially guilty verdicts, are the most accurate and robust source of information within the criminal justice system:

“the most accurate information that may be compiled from criminal justice data is that confirmed by a guilty verdict. Such precision decrease as we extend from the final court verdict and move toward data based on accusations, arrests, and targeting during an investigation” (p.44).

However, it should be noted that that prosecutors do not have a detailed understanding of the whole organised criminal group, especially in regard to the role of offenders and the relationship between them (Natarajan 2000; Campana and Varese 2013). Therefore, researchers must undertake an analyse of court data (for example a thematic analysis) in order to gain an in-depth understandings of an organisation’s structure, its personnel and the roles played by these individuals in its functioning (Parsons 1967). Von Lampe (2003) supports this viewpoint and notes that court cases are limited by the information that has come to the attention of policing agencies and investigators. Nevertheless, Von Lampe (2003) explains that *“there is no other source that would provide a similarly broad set of standardised data on market participants, their relationships, their modus operandi, and the response from the criminal justice system”* (p.47).

The sentencing data was collected using the AustLII (the Australasian Legal Information Institute) online database. The sentencing data in the present study included court cases and judges’ sentencing remarks. AustLII is an online database which provides free access to primary and secondary legal resources that is maintained by the University of Technology Sydney and the University of New South Wales. The database provides access to court judgments, court cases, and sentencing comments from a range of courts including District, Supreme and County courts. The AustLII online database was the most efficient search engine for locating sentencing data in each jurisdiction, with the data collection method largely influenced by the layout of the AustLII database’s search engine. The advanced search engine option allowed this researcher to use specific keywords and search restrictions to identify relevant court cases. The researcher utilised a purposive sampling method to identify and collate data relevant to the aims and research questions of the present study. Purposive sampling is a type of non-probability sampling that aims to produce a sample that is assumed to be a representation of the population (Lavrakas 2008). Essentially, the researcher decides what needs to be known and sets out to find data that explains the particular phenomenon (Etikan et al. 2016). Therefore, a criterion purposive sampling method was used which involved identifying cases that addressed the aims of the present study.

In order to explore the involvement pathways into organised criminal groups in an Australian context, the researcher used a variety of cases to provide a cross-section of the

numerous ways in which individuals become involved in organised criminal groups (Etikan et al. 2016). The sampling strategy (discussed later in this section) consisted of saturation sampling of sentencing data available on the AustLII database. In line with the research paradigm, the researcher focused on cases where the accused (or co-accused) engaged in illicit activity within an organised criminal group. To ensure data saturation, the researcher examined the broad phenomena of organised criminal groups, as opposed to focusing on cases with ‘hierarchical groups’ only or ‘network-based’ groups only. The following criteria was used to identify sentencing data that was relevant to the present study:

- Individuals must have engaged in illicit activity as part of a group that can be defined as an ‘organised criminal group’.
- The sentencing data must provide information on an individual’s personal background and their initial involvement in organised crime.

For inclusion in the study sentencing data must include criminal groups that consist of three or more offenders engaged in illicit profit driven crimes. This criterion was based on the definition of ‘organised criminal groups’ provided by the UNODC (2011) and State legislation in Australia. The exclusion criterion was sentencing data that involved groups of less than three offenders or groups that engaged in non-profit motivated crimes, such as terrorism or child pornography. Such offences are driven by personal, religious or social goals that do not align with the profit driven goals of organised criminal groups. Therefore, sentencing data which focused on such groups was excluded from the present study as it was not relevant to aims of the research. In defining the phenomena of ‘organised criminal groups’, the researcher used a range of sources to develop a definition that is relevant to the present study and the research paradigm. For the purpose of the present study, ‘organised criminal group’ are defined as *groups of three or more offenders, with or without a particular structure, who cooperate for a period of time in order to engage in profit driven crimes*. Prior to searching for and identifying relevant sentencing data, organised crime legislation in New South Wales, Queensland and Victoria was examined to ensure a sound understanding of how organised criminal groups are contextualised within State legislation. This is of importance, as the criminal justice system responds to organised criminal groups using the definitions and offences outlined in jurisdictional legislation.

In New South Wales, the *Crimes Act 1900 (NSW)* defines a criminal group as:

- Three or more persons (whether or not):
 - Some of them are subordinates or employees of others; or

- Only some of the people involved in it at a particular time are involved in the planning, arrangement, or execution at the time of any particular action, activity, or transaction; or
- Its membership changes from time to time (S98IJ(2))
- A group's objectives can either involve:
 - Obtaining material benefit from serious indictable offences (a) in New South Wales or (b) equivalent elsewhere; or
 - Serious violent offences (c) in New South Wales or (d) equivalent elsewhere.

Furthermore, the *Crimes Act 1900 (NSW)* outlines offences in relation to participation in a criminal group under section S93IK(1):

- Participating in a criminal group (S931IJ(1)), with:
 - Knowledge or recklessness as to whether participation in that group contributes to the occurrence of any criminal activity (b);
 - Knowledge that it is a criminal group (a).

Within Queensland legislation, organised criminal groups are defined under the *Criminal Code (Qld)* S545A (2) as:

- Three or more persons (whether or not):
 - Some of the persons are subordinates or employees of others; or
 - Only some of the people involved in it at a particular time are involved in the planning, arrangement, or execution at that time of any particular action, activity, or transaction; or
 - The group's membership changes from time to time.
- A group's objective can involve either:
 - Obtaining material benefit from offence punishable by at least four years imprisonment (a) in Queensland or (b) equivalent elsewhere; or
 - Commission of serious violence offences (S545A(2)) punishable by ten years imprisonment (c) in Queensland or (d) equivalent elsewhere.

The *Criminal Code (Qld)* also outlines the offences in relation to participation in a criminal group:

- Participating as a member (S545A(2)) of a group, with:
 - Knowing that participation contributes to the occurrence of any criminal activity of the group;
 - Knowing that the group is an organised criminal group (S545A(2)).

In Victorian legislation, organised criminal groups are not expressly defined. Instead emphasis is placed on defining the general phenomenon of ‘organised crime’ and the illicit activities of organised criminal groups. However, the definitions used in New South Wales and Queensland legislation can also be applied to court cases that occurred in Victoria to satisfy the criterion for identifying relevant cases for the current study; i.e. offenders needed to be involved in an enterprise that can be defined as an organised criminal group.

While state legislation uses the term ‘organised criminal group’ to describe a distinct grouping of offenders, policing agencies use a range of alternative terms to describe organised criminal groups. The researcher acknowledges that such variations in terminology stems from the types of organised criminal groups and criminal activities investigated by policing agencies, as well as the experience of policing investigators in each jurisdiction. Therefore, the keywords that were used to generate results in the AustLII database were; ‘criminal syndicate’, ‘criminal network’, ‘criminal organisation’, and ‘organised criminal group’. Such keywords reflect the variety of criminal group typologies, the terminology found in State legislation, as well as vocabulary utilised by policing agencies who investigate and prosecute such organisations. Thus, the selection process involved the researcher examining search results for each keyword used to identify all court cases that contained data on the involvement pathways into a criminal group. Furthermore, cases were limited to those that occurred between 2008 and 2018 to ensure a contemporary understanding of involvement pathways into organised criminal groups.

The keywords ‘criminal syndicate’, ‘criminal network’, ‘criminal organisation’, and ‘organised criminal group’ were entered into the AustLII database and limited to the following ‘court databases’:

- New South Wales
 - District Court
 - Supreme Court
- Victoria
 - County Court
 - Supreme Court
- Queensland
 - District Court
 - Supreme Court

Searches were limited to the above ‘court databases’ as cases involving criminal groups, and their associated activities, are often referred to intermediary and superior courts in each jurisdiction due to the complexity of cases and the severity of crimes committed by criminal groups (UNODC 2012b)

The aforementioned selection of keywords generated a total of 5,318 court cases, distributed as follows:

Table 1: Keyword Search Results

	‘criminal syndicate’	‘criminal network’	‘criminal organisation’	‘organised criminal group’	Total
NSW District Court	65	185	328	169	747
NSW Supreme Court	105	416	966	419	1906
VIC County Court	98	230	526	140	994
VIC Supreme Court	81	256	568	182	1087
QLD District Court	2	39	93	18	152
QLD Supreme Court	12	130	221	69	432
Total	363	1256	2702	997	5318

Due to the number of cases collated using the aforementioned keywords, the researcher used a purposive sampling method which aimed to identify 300 relevant court cases (100 cases from each jurisdiction). Purposive sampling is a non-probability sampling which “*seeks out groups, settings, and individuals where... the processes being studied are most likely to occur*” (Denzin and Lincoln 1994 p.202) and requires the researcher to select cases based on whether they fit into the established criterion (Champion 2006). The process of selecting relevant cases involved identifying

whether a case detailed an offender's involvement pathway into an organised criminal group. This was typically identified by referring to the personal background section of each court case and generally focused on the offender's relationship with others (e.g. pre-existing relationships, familial ties). Once the relevant cases were identified, they were individually examined to determine if the necessary information was present in order to conduct a thematic analysis. Cases were excluded from the final sample if there was insufficient information on the offender's background. A lack of insight into an offender's background made it difficult to draw out and analyse data on involvement pathways into organised criminal groups. A sample of 300 cases would provide considerable insight and thus result in data saturation for the current study.

Although alternative, and more specific, keywords for the AustLII database search were considered, such as 'involvement', 'recruit', 'recruitment' and 'pathway', it was found that a majority of the court cases sampled did not include such words, or variations of, instead opting to describe how offenders became involved in organised criminal groups through an overview of their 'background'. Therefore, the used of keywords such as 'involvement' or 'recruitment' would have excluded a number of relevant cases from the final search results. The court cases sampled through the AustLII database generally focused on the sentencing aspect of a case, rather than the intricacies of the evidence presented in the trial. However, some cases included an overview of the evidence presented before the court which contained information on; the nature of the offence, key individuals involved, the relationship between offenders, and the modus operandi of the criminal group. This information is important for understanding the varied ways in which individuals become involved in organised criminal groups. When analysing cases, the researcher focused on specific themes and details, such as: the offender's age, their role in the organised criminal group, their relationship with other actors or co-offenders, and the offender's background. Other useful or relevant information was also considered, especially if it was seen to be related to an offender's involvement pathway. Such information included: an offender's occupation, their criminal/ offending history, level of education, and citizenship/ resident status in Australia.

5.7 ANALYSIS OF INTERVIEW AND SENTENCING DATA

With the wealth of qualitative data (interview transcripts and sentencing data) collected it was necessary to adopt a method of analysis that enabled the researcher to address the research aims, while at the same time, allow the analysis process to be data driven. In considering the research aims, the data required both interpretation and situation in a body of literature and theories. Given that the data collection process was always informed and directed by the reviewed

literature (the interview questions were informed by the literature), it was impossible to infer results without some degree of prior existing knowledge directing the analytical process. Therefore, both inductive and deductive processes would be required to analyse the qualitative data.

5.7.1 Stage One: Data Reduction

For the first step in the analysis process, the researcher relied on the qualitative research techniques ‘open’ and ‘axial’ coding and ‘content’ and ‘thematic’ analysis. ‘Open’ coding consists of reading through the data and identifying themes, or ‘chunks’ of data, which summarise the phenomenon under investigation (Allen 2017). On the other hand, ‘Axial’ coding consists of identifying relationships between the themes or chunks of data identified (Allen 2017). Content and thematic analysis are methods that are used to meticulously identify, organise, and examine key concepts or themes within a dataset (Joffe and Yardley 2004; Braun and Clarke 2012). Furthermore, a content and thematic analysis can provide a researcher with the methodology to understand an issue, or phenomena, more widely and in-depth (Marks and Yardley 2004). Yet, a key difference is that a thematic analysis “*moves beyond counting explicit words or phrases and focuses on identifying and describing both implicit and explicit ideas*” (Namey et al. 2008 p.138) and allows a researcher to examine the relationship and ties between themes and concepts (Ibrahim 2012). Using the Miles and Huberman (1994) model for a thematic analysis, which can also be applied to a content analysis, the researcher approached the data analysis in three stages; data reduction, data display, and data conclusion.

Data reduction is the first step in a content and thematic analysis and according to the model designed by Miles and Huberman (1994), is understood as “*a form of analysis that sharpens, sorts, focuses, discards, and organises data in such a way that a ‘final’ conclusion can be drawn and verified*” (p.11). Essentially, the process of data reduction can be achieved in a number of ways, including “*through selection, through summary, or paraphrase, through being subsumed in larger patterns*” (Miles and Huberman 1994 p.11). The interview transcripts and sentencing data were initially examined with the view to identify broad themes. Of course, the identification of the themes was shaped by existing literature and the interview questions asked: inherently they are a reflection of the researcher’s own conceptual and empirical knowledge and choices throughout the research process. New themes and ideas stemming from the data were also identified, which is reflective of inductive or open coding. Therefore, the initial stage of the data analysis was both concept drive (deductive) and data driven (inductive). In the final step of the data reduction process, the researcher categorised the data into key themes which would form the basis of the conceptual framework. Miles and Huberman (1994) stress the importance of evaluating the reliability and validity of themes to ensure they represent the data and concepts under examination.

For the purpose of data reduction, the researcher used the involvement process identified through the literature review as the key themes for the content and thematic analysis (see Figure 2). These themes were identified in the data sets by identifying similarities with those concepts in the existing literature. In some cases, themes from the literature were easy to identify in the data sets. For example, any mention of familial ties in the collated data were linked to notions of involvement in organised criminal groups through familial relations. However, in some cases, themes from the literature review were difficult to identify in the collated data. For example, forced criminality was difficult to ascertain in the judges sentencing comments. Fundamentally, the content and thematic analysis were guided by the involvement process identified through the literature review and presented in Figure 2.

Figure 2: Literature Review Themes

Involvement Pathways	<ul style="list-style-type: none"> • Ties and pre-existing relationships • Familial and ethnic ties • Targeted involvement • Forced Criminality
Establishment of Ties	<ul style="list-style-type: none"> • Displaying criminal intentions • Individualised trust • Kinship ties • Reputation • Threats and violence
Continued Engagement or Disengagement	<ul style="list-style-type: none"> • Continued engagement- loyalty, violence, ties and identity • Disengagement- individual and collective termination

5.7.2 Stage Two: Data Display

The next stage of the analysis process involved data display (Miles and Huberman 1994). Essentially, data display is *“the organised, compressed assembly of information”* (p.11) which helps make sense of the data and identify ties and relationships. At this stage, the researcher had read through the data sets multiple times to ensure a firm understanding of the interview transcripts and sentencing data and thus could easily identify key themes and subthemes (Attard and Coulson 2012). Once these themes were identified and the interview transcripts and sentencing data were read and re-read, the data was scoured for evidence of each theme. Through the process of questioning and structuring the data into themes and sub-themes, connections between the themes became evident and the key narrative of the thesis took shape. The results follow the presentation of the themes and sub-themes as structured into the conceptual framework and overall narrative of the thesis. The data was displayed in a conceptual framework to test existing knowledge on

involvement pathways into organised criminal groups while also providing context to explain the data, highlight ties between the themes and subthemes, and compare the themes and data sets (Gibbs 2002; Halldorson 2009).

5.7.3 Stage Three: Drawing Conclusions

The final stage of the analysis involved drawing conclusions (Miles and Huberman 1994). At this stage of the analysis a conceptual framework was established that would form the backbone of thesis: the analysis, interpretation and presentation of the results would align with the conceptual framework throughout the thesis. By using the themes and subthemes identified, the researcher developed the conceptual framework using the suggestions presented by Miles and Huberman (1994) and Ibrahim (2012) for building a robust framework, including:

- The identification of similarities and differences between patterns or themes
- The establishment of categories and grouping for similar information
- Identification of interrelating themes, patterns, and variables
- Development of conceptual coherency and consistency which can be used to test the validity and reliability of the themes within the theoretical framework of the current study.

The researcher tested the conceptual framework against existing literature and theories to understand the involvement pathways into organised criminal groups within an Australian context. This was undertaken by comparing key themes extracted from the reviewed literature with those identified in the data. A comparison of themes highlighted any distinct similarities or differences between the literature and the data. While similarities demonstrate the applicability of existing knowledge within an Australian context, differences highlight gaps between the literature and the Australian data. Jabareen (2009) notes that there are two key stages of a conceptual framework analysis: ‘validating’ and ‘rethinking’. Validating and rethinking a conceptual framework go hand-in-hand. Fundamentally, a conceptual framework can be validated when it *“makes sense not only to the researcher but also to other scholars and practitioners”* (p.54). While it is difficult to validate the conceptual framework with other scholars or practitioners, a comparison of the themes and subthemes with current literature and theories allows for validation to occur. This comparison will affirm that the themes and subthemes identified through deductive and inductive processes can be contextualised in existing knowledges and theories. Furthermore, any differences that arose would be provide me with the opportunity to ‘rework’ the conceptual framework and thus present a robust understanding of the involvement pathways into organised criminal groups. In considering the research design of the present study, it is often commonplace to combine the discussion with the data presentation. However, due to the wealth of data collected, this researcher

will separate the data and discussion chapters instead of integrating them with the literature and theory to interpret and explain the data. This will improve readability, while also making a clear connection between the literature, theories and data generated by the research.

5.8 VALIDITY, RELIABILITY AND GENERALISABILITY

This section considers three important qualities of empirical research: validity, reliability and generalisability. A combination of these three qualities demonstrates the rigour and robustness of the research (Berg 2009). It is necessary to explain each of these qualities because they can influence judgments about the overall value of the research.

5.8.1 Validity

The concept of validity refers to whether the *“intended object of measurement actually is measured”* (Stenbacka 2001). Within the paradigm of qualitative research, it is assumed that there are multiple local truths or realities (Healy and Perry 2000). In this research the data that the researcher needed to ensure is valid is the data from the informant interviews and the sentencing decisions of the study. Lincoln (1995) posits that this is generally achieved through the process of data triangulation. The present study relies on data triangulation to confirm the accuracy of the study by utilising two distinct, yet complimentary, data sets: police interviews and sentencing data. When presented together, the two data sets improve the validity of the present study. Individually, each data set has already undergone a process of data triangulation that improves its validity:

“...“the process of data triangulation is already undertaken by police investigators in gathering evidence before a trial. The evidence presented in a trial and ultimately, recorded in a court judgement, is the culmination of police investigations efforts. Such methods may include records of police interviews with offenders and other related parties, deciphering wire taps or examining field notes from other police investigators... also apparent through the assessment of evidence from the police, via the adversarial court process and finally, to the judge or jury” (Le 2013 p.150).

Another way of ensuring the validity of the research is the presentation of the findings as rich descriptions of an informant’s knowledge and experience as well as an offender’s criminal history through sentencing data. Furthermore, the validity of the present research was solidified through the process of asking interview participants to provide their perspectives and allowing them to direct parts of the interview and guide the data collection process. Fundamentally, Stenbacka (2001) notes that *“validity is therefore achieved when using the method of non-forcing interviews with strategically well-chosen informants”* (p.552). Of importance to validity of the present study was to ensure that the research findings were considered credible to the wider academic and policing community. Therefore, I presented the preliminary findings of the research at the 2017 Organised

Crime Research Forum and the 2018 Illicit Network Workshop. The aim was to obtain feedback and discuss the findings with members of the academic and law enforcement community. This was another way of cross-validating, or triangulating, the insights generated by the research with experts in the field.

5.8.2 Reliability

The concept of reliability refers repeatability of results and dependability over time, place and researcher. However, qualitative research designs are often scrutinised in terms of sample representativeness and the extent to which the findings can be considered 'reliable'. Stenbacka (2001) notes that *"if a qualitative study is discussed with reliability as a criterion, the consequence is rather that the study is not good"* (p.552). This is based on the assumption that the reliability of a study is reliant on its repeatability and dependability over time, place and researcher. However, this assumption that the results of a research can be obtained time and again negates the importance of a specific context, the individual research and the method used (Stenbacka 2001). In order to ensure that the present study is reliable the method was detailed at length and the results are presented in a way in which others can evaluate and see the link between the data and this researcher's interpretation, conclusions, and analytical generalisations. According to Stenbacka (2001) *"a thorough description of the whole [research] process, enabling conditional intersubjectivity, is what indicates good quality when using a qualitative method"* (p.552). Furthermore, the present study can be replicated by applying the same research design on a new data set to investigate the involvement process into organised criminal groups (outside of an Australian context). The only identifiable issue with the reliability of the present study is in regard to how other jurisdictions and policing agencies define the concept of 'organised crime' and the phenomena of 'organised criminal groups': as an Australian definition and perspective was adopted for the research. However, this issue with reliability can be overcome through the reconceptualization of the phenomena to better suit the context and study. With a clear overview of the research methods and a connection between the data and analysis ensures the present study is reliable and can be replicated, even within a different context.

5.8.3 Generalisability

The quality of generalisability (or external validity) commonly refers to a researcher's ability to generalise or make inference from the data collected and studied and apply it to a larger population. In order for external validity to occur the results of the study is applicable, or can be 'transferred', to another setting or context (Trochim 2006). However, studies that have use a qualitative research design are often scrutinised in terms of sample representativeness and the extent to which findings and results can be generalised. Therefore, Yin (2009) suggests that qualitative studies should aim for analytical generalisability by contextualising the findings from a

study to broader concept or phenomena as opposed to a broader population. This is also the reason for adopting theoretical sampling methods in order to select informants and cases that are relevant to study's research question and conceptual framework. The present study's findings can be generalised within an Australian context. Due to the relatively small population of Australia and thus the small number of organised crime offenders, it is likely that the data and subsequent conceptual framework can be applied to other jurisdictions not sampled in the present study. Although the study used a data sample limited to Australian organised crime, this study's findings can be generalised beyond an Australian context at a micro level through to organised criminal groups as a whole. The theories and literature examined throughout this study were mostly generated in a North American and European contexts, yet their findings can be applied to different contexts. Therefore, the findings from the present research, and the conceptual framework, have the same generalisability while using Australian data.

In order to enhance generalisability to it is essential to select a proportionally large cross-section of the target population to study: by means of random sampling techniques (Berg 2009). However, for qualitative researchers this can often be difficult, especially for those who purposely seek to study small(er) samples in great(er) depth through non-random sampling methods in order to make assumptions about the statistical generalisability and external validity of the results of their study. This point is of relevance to the current study. Although interviews with 15 informants may be considered a small sample, it was selected using a different criteria than the commonly used sample size approach: a purposive non-random sampling method. The sample used in the study was not a representative sample but instead was used to get a sense of space across the jurisdictions under examination. It is worth noting that the target sample population was likely to be limited from the start (which was expected when interviewing high ranking organised crime investigators), which was evident when data saturation occurred after the 8th interview. Based on the knowledge of the informants interviewed it is unlikely that more interviews would provide new data on the involvement process into organised criminal groups. Therefore, a sample of 15 individuals may be highly representative of law enforcement's knowledge of organised criminal groups in Australia. Furthermore, a sample of 300 court cases resulted in data saturation and thus it is unlikely that cases from other jurisdictions would contribute new knowledge to the conceptual framework. Due to the cross jurisdictional nature of organised crime, informant interviews and sentencing data provided insight into groups and offenders who were not in the sampled jurisdictions. However, these cases did not contribute new knowledge or fresh data to the conceptual framework.

5.9 CONCLUSION

In examining the involvement process into organised criminal groups within an Australian context there are certain limitations regarding to the research design and the methodological approaches that the researcher could use in the present study. Research on organised crime and the phenomena of organised criminal groups raises a number of challenges and issues, especially concerning access to information and data, ethical considerations, the researcher's personal safety, and the unreliability of sources (including media sources, government agencies and the perspective of informants). In the present study I adopted a qualitative, conceptual framework and thematic analysis approach to examine two data sets: informant interviews and sentencing data. As evidenced in earlier Chapters, there is a paucity of academic research on the involvement process into organised criminal groups, therefore an analysis of two distinct data sets will present a robust understanding of the involvement process within an Australian context. The findings will be presented in a conceptual framework using key themes extracted from the existing literature and data sampled within the present study. The qualitative validity of the current project is also considered, which is critical when conducting qualitative criminological research. The validity of the present research meets the criterion presented by Lincoln (1995) for valid and reliable qualitative research: validity, reliability and generalisability.

Chapter Six: Organised Crime in Australia

"Keep your friends close and your enemies closer." - Michael Corleone

6.1 INTRODUCTION

With the involvement process into organised criminal groups explored and a conceptual framework proposed, the thesis now turns to understanding how this knowledge translates into an Australian context. That is, how does existing knowledge assist us in understanding the involvement process into organised criminal groups within Australia? Given this, Chapter Six combines data from the informant interviews with the available literature in order to examine the environment in which involvement occurs and thus provide necessary context for later chapters on involvement. This chapter will begin by examining the nature of organised crime and organised criminal groups in Australia. This will be followed by a discussion on the structure of organised criminal groups in Australia, which will draw upon the conceptual models from Chapter Two. Next the issue of transnational organised criminal groups in Australia will be examined. This chapter then concludes with a discussion on the key criminal markets in Australia. It is important to note that this chapter does not aim to provide a detailed account of organised crime in Australia, as this was not the aim of the study nor a focus of the data collection process, but instead will provide context for the upcoming discussion on the involvement process into organised criminal groups in Chapters Seven and Eight.

6.2 NATURE OF ORGANISED CRIME IN AUSTRALIA

Australia has a storied history of outlaws and organised crime that has its origins in the early bush ranging gangs, including the 'Kelly Gang', and the urban-based gangs of Sydney and Melbourne (notably the 'Rocks Push Gang' and the 'Razor Gang') of the 1800s and early 1900s. Since then, the Australian criminal landscape has seen the emergence of the Calabrian Mafia (e.g. Sergi 2015, 2019b), outlaw motorcycle gangs (e.g. Bartels 2010; Lauchs and Staines 2019), and the more recent Middle Eastern criminal groups in the western suburbs of Sydney (e.g. Bashan 2016). Despite almost 200 years of organised crime in Australia, significant academic inquiry into the phenomena has only occurred in recent years, which creates hurdles for researchers attempting to examine the nature of organised crime and organised criminal groups in Australia. Although it has been suggested that Australia *"has not provided the economically and politically chaotic environment preferred by organised crime as a sanctuary and headquarters from their activities"* (Morrison 2002 p.4), the available literature indicates that organised criminal groups are prolific, successful and known to engage in a variety of illicit markets at both a domestic and transnational level (See Schloenhardt 2010; Ayling and Broadhurst 2012; ACIC 2017; AFP 2019).

According to the Australian Criminal Intelligence Commission (2017), serious and organised crime costs Australia between \$10 and \$15 billion every year. Indirect costs such as those associated with illicit drug addiction, forced prostitution, and community violence are also significant. Organised criminal groups can be found in most major cities and towns across the country with regional centres and remotes communities not immune to their illicit activities (See Schloenhardt 2010; Small and Gilling 2010; Ayling and Broadhurst 2012). This suggests a phenomena that is widespread and deeply entrenched within certain parts of the community, with organised criminal groups engaged in illicit markets and supply chains across the country (See Dwyer and Moore 2010; Bright et al. 2012; ACC 2015). As a result, the structure and modus operandi of organised criminal groups in Australia can vary greatly, depending on market conditions, position within the supply chain and local environment. An informant from QLDPS noted that organised criminal groups can be “loose, frequently disorganised and competitive at some lower levels [and] highly organised, sophisticated and disciplined at other higher levels” (QLDPS 2). The spectrum of organised crime in Australia is summed up by an informant from the NSW Police Force, who explained that:

“It varies from extremely low level crime, and when I say low level crime, I’m talking about street level drug dealing, which involves a group of people or an individual person who buys drugs in larger quantities then sells those drugs to customers for the benefit of securing a financial profit, and then the upper echelons of organised crime move towards the drug importations of large quantities of drugs, which involve millions and millions of dollars of profits... so when you talk about organised crime, as I said, it starts from street level drug dealers all the way up to major drug syndicates involved in very sophisticated methods” (NSWPF 2).

Within this spectrum is a variety of organised criminal groups that involve a *highly interconnected milieu of criminally minded groups and individual, who come together as opportunities arise... [and] groups vary significantly in sophistication, structure, and modus operandi, dependent on their perceptions of the opportunities and threats that exist at the time*” (ACC 2011 p.28). Informants also expressed similar viewpoints, noting that organised crime and organised criminal groups are essentially a ‘collection’ of individuals who work together and engage in criminal activity as part of an ‘organised crime entity’ (NSWPF 1). Of note are ‘well-connected criminally minded individuals’. These individuals are known to operate in organised criminal groups that range from highly structured hierarchical organisations to highly flexible criminal networks (See ACC 2011; Mann and Ayling 2012; Le 2013; ACIC 2017). Organised crime in Australia is perpetuated by both sophisticated organised criminal

groups who have a long-term strategy and goal and groups of like-minded individuals who may only work together for short periods of time to achieve a specific purpose. Likewise, “these groups are fluid and although may have a core group of individuals at the centre, other members within the organised group may come and go or even move between groups” (QLDPS 1). Based on the informant interviews, organised crime in Australia is marked by well-connected criminally inclined individuals who are known to operate in highly structured criminal groups and flexible criminal networks. A more in-depth discussion on the structure of organised criminal groups in Australia is presented in the following section.

6.3 STRUCTURE OF ORGANISED CRIMINAL GROUPS

As discussed in Chapter Three, the structure and modus operandi of organised criminal groups varies considerably, with operating environments and market conditions having a significant impact. Although the Australian environment differs from jurisdictions elsewhere, with regards to the available criminal markets and law enforcement capabilities, the data suggests that the structure of organised criminal groups mirrors existing conceptual models. This structure can range from highly structured and complex criminal organisation to fluid network-based groups. Factors relating to ethnic and familial ties and criminal markets also prevalent. It must be noted that the interviewed informants were not aware of the theoretical models used to describe the structure of organised criminal groups. However, when informants were asked to describe the structure of organised criminal groups in Australia their responses mirrored some of the general theoretical models: i.e. hierarchical groups and network-based groups. Without further research, this suggests one of two things. Firstly, most interviewed informants had an incomplete picture of the organised criminal groups they investigated. Without knowledge of all the participants involved and their relationship to one another, it is difficult to ascertain the structure (and modus operandi) of an organised criminal group. For example, some groups may operate through patron-client relationships. Secondly, it suggests that the Australian criminal environment has led to the formation of organised criminal groups that operate following either a hierarchical or network-based structure. Although the present thesis does not provide an answer, the following section will present the informant responses in order to provide context for the ensuing discussion on the involvement process into organised criminal groups.

6.3.1 Hierarchical Groups

Informant responses indicated that some organised criminal groups in Australia are highly structured, with a complex and hierarchical division of labour. Mirroring the conceptual model discussed in Chapter Three, these groups generally have a structured hierarchy that consists of a

leader (or boss) and a number of other key individuals who have specific roles and responsibilities within the group's operation. An informant from the NSW Police Force (NSWPF 2) used the example of a specific drug trafficking organisation to highlight the structure and modus operandi of hierarchical organised criminal groups. The informant noted that the group had a leader (or boss) that did not actively take part in the illicit activities. The leader was not 'hands on' and would never deal drugs personally, however they would have a group of people working below them with specific responsibilities. Below the leader would be people responsible for the importing of illicit drugs into Australia, as well as couriers who would pick up the drugs from inter-state and bring them into NSW. These individuals would be supported by mid-level drug dealers who would receive the drugs and pass them onto the 'runners', who would then sell the drugs on the streets. The running of a hierarchical organisation "definitely involves a whole team and generally speaking one person who is the leader of that group would facilitate all those areas" (NSWPF 2).

Another informant from the NSW Police Force (NSWPF 3) expressed similar viewpoints on the structure of hierarchical organised criminal groups. The informant explained that such groups are generally well-structured with a clearly defined hierarchy. Essentially, there is a person at the top and 'underlings' below them. At the lower levels of the organisations are individuals labelled as 'gofers', who engage in minor offences and are less trusted within the overall organisation. The informant also highlighted the importance of trust within hierarchical organised criminal groups. It was noted that there is a significant level of trust between individuals in the upper echelons of an organisation. These individuals are generally 'very tight knit' and have either known each other for a long time, whether that be in Australia or overseas, or may have served time together in jail. Either way, it appears that co-offending relationships in the upper echelons of an organisation are established through long-standing pre-existing relationships, where trust is built up over a significant period of time. This is in stark contrast to the 'gofers' at the lower levels of the organisation, where trust between co-offenders is limited or non-existent. The importance of familial and ethnic ties within hierarchical groups is also noted as important in the establishment of ties between co-offenders.

Hierarchical groups, as noted in the literature, tend to have an "institutional identity of their own" (UNODC 2010 p.27). This identity is often associated with a name that is known by both its members and the general public. Based on the collated data, it would appear that outlaw motorcycle gangs (OMCGs) fit this criteria. They are noted as being the most 'common' and 'visibly public' organised criminal groups in Australia (VICP 3). Informants explained that OMCGs generally adhere to a rigid hierarchy, with specific roles and responsibilities, while also utilising a number of 'buffer' tactics in order to insulate its core members and take advantage of

street level ‘gofers’. Although these tactics are not unique to OMCGs (e.g. Kelly 1987; Saviano 2006; Beittel 2019), informants noted that they were commonly used by OMCG members. Organised criminal groups, like OMCGs, will use associates (i.e. not group ‘members’) to engage in criminal offences. This creates a disconnect between the group and the offences committed, thereby protecting the core members and their livelihood: “you can’t have members out there directly involved, because then it’s going to come back on the club” (VICP 3). Members will normally have four or five associates who will commit offences on behalf of that member or the club, “so money gets funnelled back into the hierarchy, but they’ve insulated the club” (VICP 3).

Although the collated data provided limited insight on hierarchical organised criminal groups in Australia, the informant responses offered some context for the ensuing discussion on the involvement process. While there appears to be no direct relationship between hierarchically structured groups and a specific involvement process, the data makes evident some key points. Firstly, trust between co-offenders plays a crucial role. The data suggests that there is a significant level of trust between core ‘members’ of a group, especially within the upper echelons. Trust becomes less of a defining factor at the lower-levels of an organisation, especially amongst associates and ‘gofers’. This indicates that an individual’s involvement pathway into hierarchically structured groups is dependent on their position within the organisation. Core individuals may rely on pre-existing relationships or familial ties for involvement. At the lower levels involvement may occur through pathways that require lower levels of trust, for example targeted involvement. Furthermore, ties between offenders may dictate an individual’s ability to disengage from a hierarchical organised criminal group. Core individuals may face significant challenges disengaging from organised crime, while lower level offenders may come and go depending on the needs of the criminal group (discussed in further detail in Chapter Seven).

6.3.2 Network-Based Groups

The network model of organised crime suggests a phenomenon that is fluid, highly flexible and formed around a core group of criminally inclined individuals (See William 2001; Eilstrup-Sangiovanni and Jones 2008; Morselli et al. 2010; Lauchs et al. 2012). In contrast to the hierarchical groups discussed above, the data suggests that network-based groups are often a loose association of individuals who come together depending on the commodities available and the profitability of criminal markets (NSWPF 3). While network-based groups can be characterised as a ‘loose collection of individuals’, the data suggests that there is generally a hierarchy, albeit less stringent than that of hierarchically structured groups, that is dependent on who has access to a particular commodity. So, if an individual comes into possession of a large amount of drugs, or other illicit commodities (e.g. cars, cash), they have a leading role in the group. However, once that is gone,

they drop back down to second or third tier (NSWPF 4). Of note within this pseudo hierarchy is the use of violence. A propensity for violence puts people at the top of a hierarchy, regardless of who has access to a particular illicit commodity (NSWPF 4). Once on top, individuals will use violence to maintain control, enforce a set of rules and compliance with what the group is trying to achieve (NSWPF 1).

Informants explained that there has been a shift away from rigid organisational structures, where there is one overarching leader or person in charge followed by a sub hierarchy (i.e. the traditional Mafia structure). Instead, the trend is towards the creation of small networks that inter-operate with one another, who will utilise people with certain skills or assets in order to facilitate the criminal activity that they're endeavouring to achieve (VICP 1). For example, networks of individuals with shared criminal goals may come together in order to set up a clandestine laboratory. This network may do a couple of cooks together and then go off on their own way (VICP 1). These inter-operational networks are particularly common amongst Asian organised criminal groups. Although these groups are fiercely familial at their core, they have established very cooperative relationships with one another where drugs are supplied like a community market garden: "with suppliers speaking to other suppliers if they are short and unable to meet a delivery" (QLDPS 5). This is in contrast to the data on hierarchical groups, who are not noted as developing cooperative relationships with one another. Despite the occasional conflict between network-based groups, "there is also a lot of co-operation between groups [and] these networks readily extend to international contacts" (QLDPS 6).

The data also noted the presence of familial and ethnic ties within network-based groups (elaborated upon in the next section). While the importance of such ties varies from group to group, informants explained that familial and ethnic ties are common in network-based groups. For example, amongst Asian organised crime, Chinese and Vietnamese groups maintain strong familial and ethnic identities within their network structure. (VICP 2). Such groups generally involve several generations of family members, with second generation family members more readily accepted and trusted (QLDPS 6). The presence of familial and ethnic ties within network-based groups highlights the importance of such ties within organised crime. These ties can provide well connected individuals with a pathway into organised criminal groups. However, unlike hierarchically structured groups, informants did not note the importance of trust between co-offenders. Nevertheless, it is assumed that while trust may not be a prominent feature of network-based groups, ties between co-offenders can be established through pre-existing relationships, shared criminal goals and, to a lesser extent, violence. Furthermore, the nature of network-based criminal groups suggests that co-offending relationships are much more fluid, and individuals may

come and go depending on criminal opportunities. Therefore, the involvement process into network-based groups can vary and is dependent on various factors, including; social ties, illicit commodities and criminal opportunities.

6.3.3 Familial and Ethnic Ties

Data from the informant interviews made evident the presence of familial and ethnic ties within organised criminal groups in Australia. Police informants explained that familial and ethnic ties play an important role in organised criminal groups within Australia. The importance of familial and ethnic ties in the establishment of reliable and trustworthy co-offending relationships is well documented within the organised crime literature (e.g. Decker and Chapman 2008; Malm et al. 2010; van Koppen 2013; Varese 2017). However, there is less emphasis placed on such ties within the Australian organised crime literature (See Le 2013; Sergi 2015, 2019; IBAC 2015; Bashan 2016). It was noted that close-knit familial ties form the core nexus of certain organised criminal groups and it is where the intricate parts of the organisation stay and remain: “the financial assets, the dealings on a day to day basis at the highest end of all levels, whether it be importations, firearms trafficking, all the other machinations that go on within that organised crime entity, stay within the family, it doesn’t branch out to others” (NSWPF 1). An informant from the NSW Police Force used a particular organised criminal group to discuss the modus operandi of groups with extensive familial ties. The group in question operated out of Sydney and was formed around several brothers, cousins and other family members:

“A particular family that I investigated that operated out of the South-West of Sydney. So we have three brothers in the family, now they operate together where they pool their assets, they'll pool their resources, the money stays within the family, its laundered within different businesses that family will control, but it doesn't stop them from time to time going outside and doing their own thing, on their own to some degree, but they will always come back to the family and use the family name and that organised crime name to achieve what they need to achieve” (NSWPF 1).

The data also highlights the distinct relationship between familial and ethnic ties. Organised criminal groups with strong familial ties will generally seek out individuals with shared cultural or ethnic identities. This stems from the notion that individuals are more likely to trust co-offenders who share kinship bonds (e.g. Gambetta 1993; Decker and Chapman 2008; van Koppen 2013; Varese 2017). The relationship between familial and ethnic ties is evident in the Middle Eastern crime families that operate in New South Wales. Informants explained that while Middle

Eastern organised criminal groups are familial based at their core, they are also known to seek out individuals with shared cultural identities from within the local community. An informant from the NSW Police Force (NSWPF 4) explained that Middle Eastern crime families will generally have four or five male members of the family who are heavily involved in the group's operation. Below them are associates who are not family members but have a shared cultural identity. Leadership is often appointed to the eldest son who is viewed as the 'brains' of the operation. However, leadership of the group "may change if they go to prison, if they get arrested and they're in custody, then someone will step up to the plate, but generally they will get out and they'll be the leader again, and they're pretty loyal in that regard" (NSWPF 4).

The relationship between familial and ethnic ties is also evident in the 'Brothers for Life' group. The group had a structured hierarchy with branches that were run by 'lieutenants' and 'CEOs'. The very top of the organisation was family oriented and control of the group was maintained by close knit familial ties (NSWPF 1). For example, the Blacktown branch of the 'Brothers for Life' group was controlled by three brothers, with one brother predominantly in control. The group also brought together Afghans from the local community, it was "ethnic based, of people from Afghani background, as opposed to a Lebanese based criminals, or Australian based criminals" (NSWPF 1). Fundamentally, informants argued that the majority of organised criminal groups in Australia traditionally have been, and continue to be, ethnically based. An informant from VIC Police noted that ethnic based groups who have been prevalent in recent years include the Italians, Chinese, Vietnamese and West Africans (VICP 4). Although the data suggests that familial and ethnic ties continue to play a prominent role within organised criminal groups in Australia, there is also evidence to suggest that groups are casting aside their ethnic differences and operating outside of their familial networks in order to establish cooperative relationships with other groups.

Profits remain the primary goal of organised crime and if groups need "to link into other groups in order to achieve it then that's what they do" (VICP 1). The collated data indicated that due to the globalisation of Australia's criminal markets, various organised criminal groups (of different cultures and creeds) are all interacting with one another and establishing cooperative working relationships: "it has changed the hierarchy a little bit, where you've got different OMCGs, different ethnic based groups all dealing with each other now" (NSWPF 4). Even though trust remains highly dependent on shared ethnic ties, groups are able to establish trust by aligning their goals and working with each other: "you know the Chinese work with the Vietnamese, or the Italians will work with the Vietnamese etc" (VICP 4). Within ethnic-based groups "you'll have mixes in there, like you'll have Aussies, or Caucasian Australians mixed in with the Vietnamese all

working together” (VICP 3). Individuals will form loosely associated networks who will operate and work together ad hoc (VICP 3). Fundamentally, organised crime remains ethnic based at its core but over the years there has been a break down in barriers and “where there's profit they'll certainly do business with each other” (VICP 2). The establishment of working relationships between groups outside of familial networks or across ethnic lines highlights a shift towards a business-oriented approach amongst Australian organised criminal groups.

6.3.4 Business Opportunities and Illicit Profits

In response to the globalised and competitive nature of criminal markets, organised criminal groups have adopted an entrepreneurial business-oriented approach, whereby cooperative ties between groups are required in order to source and supply illicit commodities, as well as operate in various criminal markets (e.g. William 2001; Eilstrup-Sangiovanni and Jones 2008; Morselli et al. 2010; Bright et al. 2012; Ritter et al. 2012; Calderoni 2014). Irwin (2001) states that organised criminal groups in Australia can be characterised by “opportunistic, entrepreneurial, and fluid affiliations of criminals where syndicates form and dissolve for particular activities... much like a legal commercial enterprise, strategic alliances are forged between different groups as entrepreneurial activity aimed at maximising actual profit and the opportunity for profit increasingly overrides the perceived safety provided by dealing with kin or known associates” (p.6). The collated data supports and contributes to these viewpoints. The data suggests that various criminal groups, who have traditionally operated in isolation, have formed ad hoc relationships and there is now greater coordination and collaboration. There's a greater connection between groups now and “you've got a mix of Balkan, OMCG, including Asian, mixed in criminal syndicates” (VICP 3). Generally, cooperative relationships are used to move a product, depending on a group's position within the supply chain: they have “a lot more trust now with other syndicates, especially syndicates that are at a certain levels, depending on where they're at, if it's an import or wholesale” (VICP 4).

Informants noted that organised criminal groups in ad hoc cooperative relationships are essentially a collection of ‘business oriented’ individuals who come together to facilitate criminal activity (NSWPF 1; QLDPS 1). An informant from VIC Police used the example of a specific organised criminal group to demonstrate the entrepreneurial capabilities of business-oriented groups. The group in question utilised established businesses in order to import illegal tobacco and cigarettes into the country. Whether these businesses were set up legitimately or for the purpose of the importations is difficult to determine, but the informant noted that they had been around for a while and the individuals involved had links to these businesses, as well as the shipping consignments and services (VICP 1). The group was involved in the importations of illicit tobacco

and cigarettes for a substantial period of time and thus were able to amass a significant amount of money. This would allow them to start purchasing pre-cursor chemicals or illicit drugs and import them into the country using their intricate knowledge of the shipping process. So, in terms of a business model:

“it’s hard to determine whether they were using cigarettes to test the process, or whether that’s the enabler which has then got them into other markets. So, these groups are very similar in how they’ve come into this market but in terms of what were their intention, well we haven’t had the opportunity speak with those overseas, and I’m sure they wouldn’t tell us anyway” (VICP 1).

Fundamentally, certain organised criminal groups in Australia operate very much like legitimate businesses, whereby they are able to create and take “...advantage of market opportunities, exploiting vulnerabilities, and relying on networks of trusted contacts that can facilitate their criminal activity” (ACC 2011 p.31). The business relationship between organised criminal groups can be viewed as a ‘hub’ that links individuals, facilitators, illicit commodities and criminal opportunities (e.g. Catanese et al. 2016; Bright et al. 2017). Organised criminal groups have also been known to infiltrate public and private sectors of the economy in order to achieve their goals (IBAC 2015). In doing so their “activities are often supported, knowingly or otherwise, by a range of people with access to information, infrastructure, government services, knowledge of institutional weaknesses or access to specialist skills” (COCSF 2009 p.9). A business-oriented approach has several implications for the involvement process into organised criminal groups (discussed in more detail in Chapter Seven). The cooperative relationships between organised criminal groups highlights the importance of the targeted involvement pathway. Individuals with certain skills, access to illicit commodities, institutional knowledge or ties to other well-connected individuals are often targeted by organised criminal groups. Furthermore, ties within business-oriented groups can be established through mutual criminal goals. Capitalising on potential profits through shared criminal goals can supersede the risks associated with co-offending relationships; especially at a transnational level.

6.4 TRANSNATIONAL ORGANISED CRIMINAL GROUPS

Academic inquiry into transnational organised crime and organised criminal groups is significant and multifaceted, with studies examining the structure and modus operandi of criminal groups (e.g. Adamoli et al. 1998; Albanese 2015; Stanojoska 2015; Di Ronco and Lavorgna 2018), the extent and impact of criminal markets (e.g. Hughes et al. 2016; Bright et al. 2017; Broadhurst 2017; Shortland 2018), and law enforcement’s response to organised crime (e.g. US Department

of Justice 2008; Hubschle and van der Spuy 2012; Bjelopera and Finklea 2012; ACIC 2017). Due to the volume of information available, this section of Chapter Six will focus on the data from the present study. Based on the informant interviews and sentencing cases, it is evident that transnational organised criminal groups play a significant role in Australia. With the internationalisation of Australia's criminal markets, it is common for the involvement process into organised criminal groups to occur overseas. The available literature notes that organised crime in Australia can be characterised by various strategic alliances between transnational groups and domestic groups, which "...creates more flexibility to exploit criminal opportunities and markets around the world" (ACC 2011 p.29). It was once argued that Australia's relatively isolated geographical location would be a barrier to overseas transnational groups, but advancements in technology, a strong economy, and profitable illicit markets have made Australia vulnerable to the actions of transnational criminal networks (Adamoli et al. 1998). With this in mind, the following overview will provide context for the current study and the findings that emerge from the data display and analysis.

The interviewed police informants indicated that transnational organised criminal groups play a key part in Australia's domestic criminal markets. Based on their professional experience, informants explained that transnational organised criminal groups engage in the trafficking of illicit commodities into Australia (predominately illicit drugs). Transnational organised criminal groups will also cooperate with domestic groups in order to distribute illicit commodities. The transnational nature of organised crime in Australia is summed up by an informant from Victoria Police, who noted that:

"The borders are very porous; the borders are very fluid... whilst you know certain groups again traditionally come from Hong Kong, or come from Taiwan, or come from Malaysia, or come from mainland China, they operate without quarters essentially, they engage with each other, and they pull resources, they hop borders quite easily... and relative to a lot of places we've got some very lax immigration controls so it's quite easy for them to operate here" (VICP 2).

The 'strategic alliances' between transnational domestic groups is often based on nothing more than mutual benefits and generally requires little to no previous association or ties (Irwin 2001; COCSF 2009; ACC 2011). Cooperative relationships are highly dependent on the commodities available and a group's position within the supply chain (see Irwin 2001; UNODC 2011; Schloenhardt 2010; Ritter et al. 2012).

Strategic alliances between groups and networks are similar to the franchise arrangements found in legitimate businesses whereby transnational groups will distribute their goods to a domestic group who receive a share of the profits. An example of this is transnational groups that are involved in the distribution of cocaine into Australia's domestic markets (e.g. ACC 2015; McCarthy- Jones 2016). The increased level of cooperation that exists between transnational and domestic groups is considered to be a significant factor in the 'internationalisation' of Australian organised crime (see Irwin 2001; UNODC 2011; Schloenhardt 2010; Ritter et al. 2012), which has increased the number of overseas networks willing to engage in Australia's illicit markets. While transnational groups play a key role within Australia, they tend to distance themselves from domestic level operations and instead focus on the supply and importations of illicit commodities: "they tend to sit above the person's that most members of the public associate with organised crime" (QLDPS 1). Another informant explained that some domestic groups have moved overseas in order "to avoid detection, whether it be in the Middle- East, like Dubai and places like that, where they can operate freely, and the technology around the rest of world isn't as good as it is here in Australia with law enforcement" (NSWPF 4).

As a result, transnational criminal groups will develop strategic alliances with groups already in control of profitable markets, since they have a "...greater knowledge of local conditions and are more attuned to local problems, rather than trying to set up as a competitor in unfamiliar territory... and may take a wide variety of forms, including combined operations, licensing, or franchising agreements, and joint ventures" (Adamoli et al. 1998 p.12). Much like the domestic groups that operate in Australia, transnational groups are also heavily involved in the illicit drug trade. Within the supply chain they are purely responsible for sourcing the illicit drugs, or commodities, from overseas and importing them into the country (NSWPF 2). An informant from VIC Police (VICP 4) provided several examples to highlight the use of strategic alliances in the importation of illicit drugs into Australia. The informant noted that Italian based groups in Australia will import MDMA from Europe using international contacts. They will then distribute the drugs to other domestic groups they are aligned with. Similarly, Chinese and West African groups will import methamphetamine, heroin and cocaine into Australia using international contacts. These products are then moved on to other groups who have more contacts to distribute it. In particular, West African groups will pass on the drugs to Vietnamese groups who have a lot more contacts in Victoria and NSW.

The informant also noted the recent prevalence of South American groups involved in the importation of cocaine into Australia. Importations are organised in South America by groups in Melbourne, who also facilitate the transactions and the imports. The importations "will come in

consignments in small packing, sort of flooding it in consignments, could be in lots of different sort of products it comes from, Colombia, but it's coming from other South American countries, i.e. Chile is big, and Peru" (VICP 4). In another case involving South American based groups, the informant explained that several groups were involved in the facilitation of a one tonne importation of cocaine into Australia: "buy in together, come in separate them and off they go on their own" (NSWPF 1). The examples provided highlight the prominent role of transnational organised criminal groups in Australia's domestic markets, especially with regards to illicit drugs. Although domestic groups are engaged in the manufacturing of illicit drugs (NSWPF 4), transnational contacts and strategic alliances provide them with access to precursor chemicals and commodities that are not readily available in Australia (e.g. cocaine). The establishment of ties and movement of commodities across international borders demonstrates the importance of well-connected individuals who can create strategic alliances between groups.

The porous nature of Australia's borders creates significant challenges for law enforcement. While the trafficking of illicit commodities remains the primary focus of transnational organised criminal groups, informants explained that such groups are also involved in a variety of other crimes. These crimes include robberies, commercial break-ins, prostitution, and fraud (NSWPF 3; QLDPS 4). Other transnational organised criminal groups are involved firearms importations and trafficking, ID fraud and human trafficking (VICP 4). With regards to the present study, this selection of illicit activities highlights the variety of individuals involved in transnational organised crime and the unique involvement process for each offender. For example, an informant from VIC Police explained that some organised criminal groups will fly in a 'professionals' from overseas in order to facilitate a clandestine laboratory:

"They'll cook it and they'll go [and] it only gives law enforcement a very small window of opportunity to actually target and by the time you get around to targeting its already too late" (VICP 3).

The data also highlighted the use of international students by transnational criminal groups in the facilitation of money laundering and fraud. The use of international students by transnational groups is significant operational challenge for law enforcement. These individuals generally have no criminal history and oft times have dual uses, criminal groups will "use them to courier drugs and also do money laundering" (VICP 3). The transnational nature of contemporary organised crime in Australia suggests that involvement is just as likely to occur overseas, with illicit activities influencing the involvement process.

6.5 CRIMINAL MARKETS AND ILLICIT ACTIVITIES

Over the years, the emergence of transnational organised criminal groups has had a significant impact on criminal markets and illicit activities within Australia. The ACIC (2017) note that Australia's borders face ongoing threats and challenges from transnational organised criminal groups and the movement of illicit commodities, money and people. In recent years, the availability of certain technologies has led to greater instances of technology-enabled crimes, including technology-enabled fraud in the areas of online banking, trade, superannuation, and identity crime (ACIC 2017). Other organised criminal groups use new technology to target and undermine the financial sector, as well as trade illicit commodities via the darknet (ACIC 2017). It has been argued that the growing availability of the internet and newer technologies are increasing the access of organised criminal groups to vulnerable individuals (IBAC 2015; ACIC 2017). Much like transnational criminal groups, organised criminal groups in Australia engage in a variety of criminal markets and illicit activities. The available literature on organised criminal groups in Australia (See Adamoli et al., 1998; Schloenhardt, 2010; Ritter et al. 2012; Bright et al. 2012; ACIC 2017) suggests that groups engage in both traditional (e.g. movement of illicit commodities) and technology-enabled criminal markets (e.g. fraud). The collated data (albeit limited) will be discussed against this backdrop of existing information.

The data suggests, as mentioned previously, that illicit drugs are the primary market in Australia, and most illicit activities (e.g. money laundering) lead back to the illicit drug market. Other profitable illicit activities include firearms and money laundering, but these are “a derivative from the drugs” (NSWPF 1). As noted in the literature, organised criminal groups are generally poly-commodity and multi-skilled, providing them with access to several profitable markets (e.g. UNODC 2010; Bright et al. 2012; Hughes et al. 2016). An informant explained that groups will often engage in anything that will make them money, preferably quick and with minimal risk involved. Some groups will engage in fraud style activities while others prefer stand over tactics, extortion, robberies and intimidation style offences (NSWPF 3). The data also highlighted the involvement of organised criminal groups in the movement and distribution of illegal firearms (VICP 3). With the internationalisation of criminal markets, organised criminal groups are increasingly cooperating with transnational groups and using well established trafficking routes to move illicit commodities:

“So, we're not only seeing drugs, we're seeing weapons, weapon smuggling... You see anything, you can see counterfeit through there, anything illicit... any contraband, if you've got a smuggling route it can be used for various, I mean even,

we've even had instances of human trafficking as well. Well we've had historical Intel on some groups that we're looking at that have been involved in people smuggling" (VICP 3).

The collated data also revealed that some organised criminal groups are known to engage in criminal activities that are often under-reported or are not brought to the attention of law enforcement agencies. An informant from the NSW Police Force noted that extortion commonly occurs in certain ethnic communities and is under-reported due to a mistrust of law enforcement and the fear of potential repercussions from organised criminal groups:

"Extortion is big in that it's not reported, it's very hard to say extortion is out of control because not a lot of businesses will actually report the crime, but we know from investigations that are done that extortion does occur businesses are paying money for protection." (NSWPF 1).

Other organised criminal groups, both domestic and transnational, are involved in the targeting ATMs and the like or large commercial break ins, and that includes organised crime groups from Australia or fly in, fly out transnational organised crime groups which we've had over recent years from Eastern Bloc countries and South America." (NSWPF 3). While the available literature on criminal markets and illicit activities in Australia is broad and the collated data is limited, the aim of this section was not to provide an extensive discussion on the criminal activities of organised criminal groups. Instead it was to provide context for the ensuing discussion on the involvement process into organised criminal groups, based on the informant interviews and sentencing cases. The above discussion highlighted the types of criminal activities that individuals who become involved in organised crime are likely to engage in.

6.6 CONCLUSION

The literature and collated data suggests that Australia has provided organised criminal groups (both domestic and transnational) with an environment that is advantageous to their illicit activities. Despite the lack of political and economic inefficiency, low levels of corruption and social disorganisation, organised criminal groups flourish within Australia's criminal markets. Criminal groups can be found across Australia, are deeply entrenched within certain parts of the community, and are involved in supply chains across the country. Group structure in Australia varies depending on market conditions, position within the supply chain and local environment: with highly connected criminally minded individuals playing a key role. Informants explained that organised criminal groups in Australia are either hierarchically structured or network-based, with factors such as familial and ethnic ties and business opportunities influencing their modus

operandi. Market conditions, local environment and modus operandi can influence the involvement process into organised criminal groups.

Of note also is the presence of transnational organised criminal groups operating in Australia. Informants explained that transnational groups are involved in the trafficking of illicit commodities into Australia. Transnational groups will often form strategic alliances with domestic groups in order to distribute illicit goods and services. To avoid law enforcement detection, transnational groups will distance themselves from domestic level operations, with some domestic groups also moving overseas to avoid detection. The 'internationalisation' of Australian organised crime suggests that the involvement process is also likely to occur overseas, with engagement in illicit activities occurring in Australia. Organised criminal groups are known to engage in traditional and technology-enabled criminal markets. Informants explained that the primary criminal markets and illicit activities in Australia are illicit drugs, firearms, money laundering, extortion, fraud and commercial break-ins. These criminal markets and illicit activities highlight the need for a diverse range of individuals with advantageous skills or experience. Individuals can become involved in organised criminal groups in a number of ways, which will be discussed in the following chapter.

CHAPTER SEVEN: INVOLVEMENT PROCESS INTO ORGANISED CRIMINAL GROUPS WITHIN AUSTRALIA

"It takes many steppingstones, you know, for a man to rise. None can do it unaided"- Joe Bonanno

7.1 INTRODUCTION

The focus of this chapter will be on the involvement process into organised criminal groups within Australia. Prior to any detailed examination of the involvement process, this chapter will provide context for involvement in organised criminal groups by discussing offenders characteristics and risk factors. This chapter begins by investigating the characteristics of organised crime offenders. This will be achieved by drawing upon the information provided by the informant interviews, sentencing cases and the literature, all of which will reveal the characteristics of individuals likely to become involved in organised criminal groups and the environment in which this occurs. This will be followed by a discussion on criminal trajectories and careers. Although these aspects of organised crime are not part of the proposed involvement process conceptual framework, they provide context for the involvement pathways into organised criminal groups. This chapter will then turn to the involvement process into organised criminal groups within Australia. Data from the informant interviews and sentencing cases will be used to examine the three key stages of the process (i.e. involvement pathways, establishment of ties and trust, and continued engagement or disengagement). Chapter seven will conclude with an examination of law enforcement's perspective on the potential for discouraging disengagement and preventing involvement in organised criminal groups. Fundamentally, the data presented in this chapter will be used to test the conceptual framework presented in chapter four, as well as provide further context for the discussion in Chapter Eight.

7.2 OFFENDER CHARACTERISTICS AND RISK FACTORS

In examining the involvement process into organised criminal groups, it is important to understand the characteristics of individuals who become organised crime offenders. An examination of these characteristics and risk factors can provide insight into those who are vulnerable or prone to involvement and whether prevention strategies can be effectively implemented. This section will draw upon the limited literature on the characteristics of organised crime offenders and look at the risk factors associated with involvement. However, the primary focus of this section will be on the data collected through the informant interviews and the sentencing cases. Therefore, the following will combine the reviewed literature with the collated

data. This section will begin with an overview of age as a key offender characteristic and risk factor. This will be followed by a discussion on criminality, ability, networks and identity as significant characteristics and risk factors for involvement (Home Office UK 2015).

7.2.1 Offender Age

Both the literature and the data highlighted the age at which individuals become involved in organised criminal groups. The literature suggests that individuals become involved in organised criminal groups as young offenders (e.g. Arlacchi 1983; Decker and Chapman 2008; Arsovska 2015; Bjorgo 2019) or as adults (e.g. Kleemans and de Poot 2008; van Koppen et al. 2010a, 2010b; van Koppen 2013; van Koppen and de Poot 2013). Interviewed informants noted that an individual's age often correlates with their position within an organised criminal group. Low-ranking offenders tend to be younger, while those in the upper echelons of an organisation tend to be much older (VICP 4). Younger offenders (20s to 30s) tend to be the 'foot soldiers' or the 'connies' of an organisation and are often much more flamboyant and easily identified by law enforcement (NSWPF 4; VICP 2; VICP 3). 'Sergeants', or mid-ranking offenders would be in their mid-30s to early 40s (VICP 2), while individuals in their 50s and beyond are generally well-entrenched and in the upper echelon of an organisation (NSWPF 4; VICP 2; VICP 3). This spectrum of age groups points towards potential variations in the involvement process into organised criminal groups. For example, younger offenders may become involved in organised crime through familial ties or targeted involvement.

Involvement into organised criminal groups amongst young offenders can often be the result of several factors. Young offenders can be attracted to the lifestyle offered by organised criminal groups and the potential for money, material goods and girls (See Behan 1996; Saviano 2006). Young individuals who are attracted to the lifestyle offered by organised criminal groups also engage in delinquent behaviour, perform poorly at school, engage in drug use and are unemployed (e.g. Farrington and West 1995; Behan 1996; Arsovska 2015; Carvalho and Soares 2016). The data indicated that's the demographics of organised criminal groups has changed over the last decade, with offenders more likely to be in their 20s and early 30s (QLDPS 2). This suggests that either law enforcement is more likely to come into contact with young offenders, as they are more often involved in riskier activities, or there has been a shift towards younger offenders in organised criminal groups. On the other hand, adult offenders become involved in organised criminal groups as a result of their social networks, opportunities that become available later in life or specific skills (generally criminal in nature) that are learned or developed. (e.g. Kissner and Pyrooz 2009; Kleemans and de Poot 2008; van Koppen et al. 2010a, 2010b). However, age alone

is not a signifier for involvement in organised crime, with the four factors noted above also playing a key role.

7.2.2 Criminality

A tendency to engage in criminal behaviour is noted as a significant risk factor for involvement in organised criminal groups (Albini 1971; Gambetta 1993; Behan 1996; Saviano 2006; Home Office UK 2015). The informant interviews and sentencing cases suggest that a willingness to engage in criminal behaviour is a common and essential characteristic for involvement in organised crime. If possible, organised criminal groups will seek out individuals who have previously engaged in illicit activities. An informant from the NSW Police Force explained that organised criminal groups will often seek out and target individuals who are willing to engage in illicit behaviour:

“Someone willing and able to commit criminal activities, obviously they're not going to recruit someone that's not a risk taker, someone that's not willing to be involved in criminal activities and I think they also look for loyalty” (NSWPF 2).

Criminally inclined individuals will generally have a criminal record and therefore a history of offending. Previous studies on organised crime note that some individuals have significant criminal careers prior to their involvement in a criminal group (Behan 1996; Kleemans and de Poot 2008; van Koppen et al. 2010a, 2010b; Kirby et al. 2016). A criminal career can also indicate that the individual has spent some time imprisoned, which signifies to other offenders that they have established criminal ties and contacts, as well as developed criminal skills (e.g. Behan 1996; Gambetta 2009). It was noted that potential co-offenders can be identified through the prison system, which is a key convergence setting where involvement, and therefore trust, is established through a mutual understanding that both parties have engaged in criminal behaviour and are thus criminally motivated (QLDPS 1).

Criminal careers, or engagement in illicit activity, demonstrates to an organised criminal group that an individual is criminally motivated and can be relied upon to engage in criminal behaviour. It was noted that organised criminal groups have a tendency to identify and target individuals who are already engaged in criminal activity (QLDPS 4). For example, in the case of *R v Pantaleo [2018] NSWDC 294* the defendant had a history of illicit drug use and possession, as well as possession of a prohibited weapon. Similarly, in the case of *DPP v Karam and Ors [2013] VSC 133*, as well as *R v Omar Elomar [2016] NSWDC 319*, the defendants had a significant history of offending that included illicit drug offences, violence and motor vehicle theft. Furthermore, in the case of *Koh v R [2013] NSWCCA 287* the defendant had “previous convictions in Singapore

as a child and young man, with these offences said to be attributable to early association with local gang members engaged in conflict with opposing groups”. However, in other cases organised criminal groups will seek out individuals who are very confident, calm, multi-lingual, skilled and able to operate under significant pressure. Individuals who possess such traits and are also criminally inclined become valuable assets to organised criminal groups:

“They look for people who are very confident, very calm, who can operate and work under pressure... People who are multi-lingual, and also people who might have other skill sets relevant to that role who are getting asked to do, you know it might be, if it’s for a crop, or a cannabis crop house you know they might be looking for people with certain technical skills, you know it could be plastering or it could be wiring, electrical work.” (VICP 4).

Due to the complexities of organised crime and the importance of criminally beneficial ties, some individuals do not offend until much later in life (late-onset offending) when criminal contacts and opportunities become available to them (e.g. Kleemans and de Poot 2008; Kissner and Pyrooz 2009; van Koppen et al. 2010a, 2010b). These individuals generally have no history of offending and do not become criminally active until adulthood (Kleemans and de Poot 2008; van Koppen et al. 2010a, 2010b; Kemp et al. 2019; Campedelli et al. 2019). Research on late-onset offenders suggests that their involvement in criminality is often the result of significant lifestyle changes (e.g. loss of employment), development of advantageous skills or development of criminal ties and opportunities. For example, the case of *The Queen v Zerna & Lipp [2013] VSC 192* the defendant was 50 years of age at the time of the offence and no previous criminal record: “an unremarkable background... a hard worker and a very good family man”. Similarly, in the case of *Tsang v DPP (Cth) [2011] VSCA 336*, the defendant had no history of criminal behaviour and had a stable education and work record. However, the defendant was approached by a criminal network, through a business acquaintance, in order to set up a business that would allow for the importation of 1.29 million tablets of MDMA. These cases demonstrate that while there might not be a history of offending, criminality remains a key risk factor for involvement, especially when the right opportunities become available.

A key rationale underpinning the targeting of criminally inclined individuals is the belief that they can be considered loyal and trustworthy co-offenders and are thus unlikely to ‘break a deal’ or cooperate with law enforcement. However, to overcome some of the inherent challenges associated with loyalty and trust, organised criminal groups will often take advantage of existing kinship ties (i.e. familial or ethnic connections). The role of kinship ties within the ‘criminality’ and

‘network’ (discussed later) risk factors highlights the importance of such ties within organised criminal groups. This is exemplified by informant from the NSW Police Force who used the example of a Middle Eastern organised crime syndicate to explain the role of kinships ties in the establishment of trust amongst co-offenders:

“If a drug dealer is caught red handed with a large amount of drugs and decides to do a deal with law enforcement to give evidence against the person that brought the drugs in, well that may be well at that situation but if that person has immediate family ties that the up-line supplier is aware of, there is reluctance from that person to become a police witness or a roll- over” (NSWPF 2).

Kinship ties provide co-offenders with easily accessible ‘hostages’, especially when such ties are dominant within the group. The use of ‘hostage taking’ (e.g. Cook et al. 2005; Gambetta 2009; Gambetta and Ermisch 2010) ensures that an individual remains loyal to the group and can comply with their demands. While criminality is a key risk factor for involvement, organised criminal groups will also seek out individuals who have abilities or skills that are advantageous to their illicit activities.

7.2.3 Ability

Individuals with certain skills, knowledge or experience that may be advantageous to criminal behaviour are often the target of organised criminal groups (e.g. Middleton and Levi 2005; Gambetta 2009; van Koppen 2013; Home Office UK 2015). As the illicit activities of organised criminal groups become more sophisticated and transnational in nature, there is a tendency to target individuals with specialist technical skills (e.g. information technology and communications), specialist criminal skills (e.g. money laundering and forgery), appropriate legitimate skills (e.g. engineering, flying and counter surveillance) and professional skills (e.g. accounting, procurement and law). As this section will demonstrate, individuals with such skills are at a significant risk of involvement in organised criminal groups within Australia, especially if factors such as vulnerability and criminality are present. Essentially, individuals with high sought-after skills (e.g. chemistry, accounting) are ‘headhunted’ by organised criminal groups. For example, organised criminal groups involved in drug manufacturing will seek out individuals with chemistry skills: “we've seen people who have been skilled up in chemistry, obviously you know they're failed chemistry students or whatever they may be, who have been recruited by people, or who have gone into criminal offending” (VICP 3).

An analysis of the data revealed that specialist skills and abilities are common characteristics of organised crime offenders. Individuals with such skills or abilities are at risk of

involvement in organised criminal groups. An informant from the NSW Police Force that various skills are sought by organised criminal groups, who also have the potential to purchase better technology than law enforcement:

“Certainly, that's part of it, unless you've got another skill as a chemist or anything like that, it's something they would certainly be looking for. Also skills in maybe accounting, chemistry, it could be anything, even mechanics, electrician, because they do again, they're probably better funded than the police are in technology so we're finding that more and more, whether its electronics or whatever it is, so they'll just spend the money, they'll buy it, whereas obviously government department you have to go through a process” (NSWPF 4).

The importance of specialised abilities and skills is also detailed by another informant from the NSW Police Force. The informant noted that organised criminal groups require and often depend on individuals who have specialist abilities, as well as those who can source illicit commodities and facilitate illicit activities (e.g. drug manufacturing):

“You need various people who have got contacts to make the purchase to facilitate glassware, to obtain precursor chemicals, obviously the cooking process can be quite specialized, especially in terms of the quality that you may get in the final end product. So, I know a job I had in the mid-90s and that person was a cook for this criminal group, and he was known as a very good cook, so he was sought by various groups to cook on their behalf... And then you've certainly got other ones where we've had back in 2014, where a male person was actually recruited from inter-state to come over and it was going to be a potential home invasion/ armed hold up and that person was basically recruited basically because they had certain skills and they weren't afraid to produce a firearm or do whatever had to be done to facilitate that crime” (NSWPF 3).

Furthermore, informants noted that certain organised criminal groups, in particular outlaw motorcycle gangs, will target individuals who have a military or ex-military background. Such individuals will have an intimate knowledge of weapons, firearms, military tactics and intelligence collection (VICP 3). These skills are highly advantageous to organised criminal groups, especially when violence is required to profit from extortion, maintain control within a criminal market or retaliate against rival groups. Ideally, such individuals will be physically imposing and willing to engage in violent behaviour. This is exemplified in the following response by an informant from the NSW Police who noted that a “lot of the bikie gangs when they start to form, they like to see

physically fit, big blokes they're recruiting, and they encourage exercise and gym membership to maintain that and to box or to have a martial arts skill" (NSWPF 4). The need for individuals with military training, as well as those who are physically fit and imposing, highlights the importance of violence, or perceived violence, for some organised criminal groups. While some groups use violence, or threatened violence, to control a particular criminal markets, others will use it to profit from extortion or use it to coerce others to engage in criminal behaviour.

Organised criminal groups will seek out legitimate businesses that they can use to cover up their illicit activities, especially the importation of illicit commodities. Informants explained that such businesses are generally long-standing, well-established and legitimately run enterprises, so it is easier to get products imported undetected. However, it is often difficult to establish whether they have been exploited, coerced or are willing participants in the illicit activities (VICP 1). Informants noted that customs, immigration and border control can identify certain importations patterns. Therefore, if a business has been up and running for 15, 20 years importing certain types of products, then that means that organised criminal groups can disguise or conceal shipments in those consignments "and they're probably not going to red flag [so] there's a bit of credibility around the business, it's not gonna flag with anyone down at the waterfront" (VICP 1). Such individual do not possess any specific abilities or skills, but instead are in a position to be corrupted, if necessary, and provide organised criminal groups with access to a legitimate business. Although an individual's abilities are a risk factor for involvement, if they are without criminally inclined social networks, it is highly unlikely that such individuals would become involved in organised crime.

7.2.4 Networks

Existing literature details the importance of an individual's social network as a risk factor for involvement in organised criminal groups. Social networks, which can include familial ties, peer groups, the local community and professional ties, can provide individuals with access to criminal opportunities that would otherwise be restricted or unavailable without such ties (e.g. Kleemans and de Poot 2008; van Koppen 2013; Home Office UK 2015). Of note within the literature and the data is the importance of familial ties within these networks (e.g. Gambetta 1993; Decker and Chapman 2008; Lo 2010; van Koppen 2013). Social networks which contain criminal elements can increase the risks associated with involvement in organised criminal groups. The collated data highlighted the impact of an individual's social network on their behaviour. For example, in the case of *R v Johnston [2008] VSC 59*, the defendant had no prior convictions and had not engaged in any antisocial behaviour until he became involved with illicit drug use through criminally inclined peers. The defendants "involvement with drugs was short, dramatic and ultimately disastrous",

leading to his involvement in a drug importation as part of an organised criminal group. Furthermore, in the case of *R v Milan Banic* [2018] NSWDC 55, the defendant “fell into the habit of gambling, consuming drugs and other anti-social practices. He commenced attending premises in Greenacre which appear to have been under the control of Waeil Rustom, met his co-offenders there and they were all ‘partying’, consuming drugs”. The offender’s criminal activity was caused by his falling in with the wrong crowd.

Social networks as a risk factor for involvement is also exemplified in the case of *R v Stockbridge* [2015] NSWDC 162, where the accused:

“Moved in circles in which the social recreational use of cocaine and ecstasy was a norm. She was a regular, but not substantial user of these drugs herself [however] she turned her entrepreneurial talents to the sales and distribution of cocaine and ecstasy for profit. The circles in which she mixed gave her access both to the necessary supplies of these drugs and to the customer base on which the derivation of profit depended”.

Contacts and ties established through one’s social network open up opportunities for involvement in organised criminal groups. Although this is discussed in further detail in Section 7.3, it is worth noting that networks are a key risk factor for engagement in criminal behaviour. This can also extend to familial ties. Individuals with familial ties to organised criminal groups are at an increased risk of involvement. Informant interviews and sentencing cases revealed the prominence of familial, and ethnic, ties within organised criminal groups in Australia (this will be discussed in Section 7.3). With regards to networks, kinship ties to individuals involved in organised crime can increase the risks associated with involvement. An informant from the NSW Police Force explained that Middle Eastern organised criminal groups will target individuals from:

“among their own community because they know the family of the person they recruit. So, there is a less likelihood that that person can then become a prosecution witness against at some court proceedings down the track, because if that person was to disappear and assist law enforcement, they still have access to that person’s immediate family and friends”(NSWPF 2).

Additionally, in the case of *Wang v R* [2010] NSWCCA 319 where the defendant assisted her ex-husband in the commission of a criminal offence: “firstly she stated that she had been feeling depressed since the breakdown her marriage. Thus, it is likely that she was somewhat vulnerable when her ex-husband had asked her to assist him”. Fundamentally, the network risk factor

highlights the importance of contacts and ties (whether they are social, familial, professional or illicit in nature) within organised criminal groups. Due to the complex and cooperative nature of organised crime, individuals without criminally beneficial ties are unlikely or unable to become involved in an organised criminal group. However, in order for a network to act as a risk factor for involvement, an individual's identity must also be criminally inclined.

7.2.5 Identity

An individual's personal identity, which can be shaped by their upbringing and lifestyle, can increase the risk of involvement in organised criminal groups (Home Office UK 2015). An identity prone to involvement is said to contain three key personality traits: vulnerability, pro-criminal attitude, greed and/or addiction (e.g. Farrington and West 1995; van Koppen et al. 2010a, 2010b; van Koppen and De Poot 2013). Individuals who possess such identity traits are less likely to view certain illicit activities as harmful and are driven by a sense of need, addiction or greed (e.g. Kleemans and De Poot 2008; Home Office UK 2015). The impact of troubled transitional periods and negative lifestyle changes on vulnerable individuals can create an opening for involvement in organised crime. Factors which can impact on an individual's personal identity can include family breakdown, alcohol and drug misuse, parental drug-use, unemployment and high crime rates within the local community (e.g. Farrington and West 1995; Kissner and Pyrooz 2009; van Koppen and De Poot 2013). Personal vulnerability and instability are situations that organised criminal groups often look to exploit in terms of involvement. For example, outlaw motorcycle gangs will look for individuals who are seeking a sense of belonging. Such individuals have been part of a gang or a sporting team throughout their lives and are looking for an organisation that will enable them to maintain social relationships with other people. This is underlined by a QLD Police Service informant who noted that OMCGs will "look for people that are willing to adhere to a pack mentality that will do anything for the group if it means they are considered to be one of the group" (QLDPS 1).

Involvement in a subculture, in this case a deviant subculture, can provide individuals with a strong sense of belonging and purpose. Individuals who have had a disruptive upbringing or have experienced anomic conditions will seek out a sense of belonging or group identity (e.g. Lo 2010; Densley 2012; Home Office UK 2015). Data from the informant interviews suggests that individuals who have experienced a family breakdown, especially as children, are likely candidates for involvement in organised crime: especially if there is a history of deviancy. Informants explained that such individuals have a tendency to be easily manipulated, generally have a low level of education and gravitate towards a group mentality. An informant from the NSW Police Force

used the following example to highlight the characteristics of individuals susceptible to involvement in organised criminal groups:

“Certainly vulnerability, so if they're vulnerable whether it's a family breakdown issue, like I said about that young kid, probably, generally have a level of violence within, or a willingness to enact a level of violence... if I go to your school days, probably your traditional person that generally wouldn't be in the top grades of the school, so at the lower rung, but normally are willing to use violence to make themselves known in the school... Probably very easily manipulated, so people who can be manipulated very easily, and ones who I guess people who tend to be a bit of a groupie if I can use that term more so, they're eager and willing to do as they're told without that push back per say” (NSWPF 1).

The impact of a disruptive upbringing is also exemplified in several sentencing cases. For example, in the case of *DPP v Afram [2014]*, the defendants family were persecuted in Iraq due to their religious faith and as a result settled in Australia as refugees. The persecution experienced by the defendant and his family deeply disrupted his childhood and developmental years. Although he had a relatively stable education and employment history, his life was marked by an addiction to methylamphetamine which eventually brought him into contact with criminal elements. In the case of *R v Milan Banic [2018] NSWDC 55*, the defendant experienced significant life changing events that put him on a pathway towards criminality and involvement in organised crime. The defendant suffered long periods of unemployment, his partner committed suicide and his drug use continued to increase after the death of his mother. These traumatic life events appear to have had a significant impact on his criminality, bringing him into contact with the criminal events that led to his offending. The impact of a disruptive upbringing is encapsulated in the case of *DPP v Ale [2019] VCC 432*. The defendant experienced abuse at the hands of his father which led to serious drug use by the age of 27. The defendant's use of cannabis, cocaine and methamphetamine led to a significant drug debt. The sentencing comments note that:

“Sometime prior to his death, you had confronted your father, declaring that you were not scared of him anymore. You were, not surprisingly, conflicted by your grief. You recognised the abuse that your father had inflicted on your family but were nonetheless distraught at losing him. You began using cannabis at age 21 and ecstasy and cocaine at age 25. By the age of 27, you were using every second day and within a few years, you were using 2g of cocaine per day, and then using

cannabis to assist you to get to sleep. You also reported regular use of methamphetamine over the last five years”.

Identity can also be influenced by an individual’s perceived social and economic position within society. Often individuals will find themselves in a position where their social or economic vulnerability might place them on a path towards criminality. Organised criminal groups will take advantage of an individual’s vulnerability, especially economic vulnerability, such as a drug or gambling debt (discussed further in Section 7.3). An informant from NSW Police explained that vulnerability as a result of debt is common:

“It is quite common in the drug trade where a customer may accumulate a drug debt and he’s not in a position to recoup the funds to pay that, that person then becomes an employee of the syndicate and he start selling drugs for them in order to repay the debt” (NSWPF 2).

Economic vulnerability is particularly evident in cases where individuals travel to Australia for gainful employment but become involved in criminal activity. This is detailed in the case of *DPP v Cao [2018] VCC 948*:

“In Vietnam you struggled to support both your wife, children and parents. You took out a loan in part to pay for your mother’s medical treatment and in part to pay for the trip to Australia where you hoped to earn much more money than was possible in Vietnam. When you came to Australia you worked variously as a handyman, a kitchen hand, a fruit picker and in an Asian grocery. You say that you continued to fund your mother’s medical treatment, at a cost of A\$5,800 for each cycle of chemotherapy. In a letter that you wrote for the purposes of this plea hearing, which has been translated into English, you explained how you came to be involved in this offending. You met a Vietnamese man at a friend’s place where you had gone seeking financial help. You were distressed about your financial situation and you were told that this work would help pay your debts. You agreed to be involved because you say you were financially desperate. You say in that letter that you worked at this property for 10 days before your arrest, although you told police on the night that you had been working there for about a month”.

An individual’s identity is also linked to the notion of power. The existing literature suggests that some individuals will join organised criminal groups in order to give themselves a sense of status and superiority. It has been noted that when “when individuals feel disempowered,

membership of an organised crime group can provide compensatory status. The need for power could be linked to an exposure to violence, either through an individual's upbringing or through employment" (Home Office UK 2015, p. 18). A sense of disempowerment is often linked to social isolation and financial difficulties, especially in communities where anomic conditions are high. Previous research indicates that individuals from low-socio economic areas are at a higher risk of involvement in organised criminal groups (e.g. Kleemans and De Poot 2008; Decker and Chapman 2008; van Koppen and De Poot 2013). For example, juveniles in socially disorganised communities may be drawn to criminality in order to achieve instant material rewards, in the absence of legitimate employment (e.g. Gambetta 1993; Saviano 2006; Wang 2013). An informant from VIC Police explained that when financial difficulties and unemployment go hand-in-hand with low levels of education and juvenile delinquency involvement becomes a possibility:

"So, you're recruiting from your low socio-economic groups which tend to come hand in hand with low levels in education and your low levels of education tend to go hand-in-hand with you know your juvenile delinquency to some extent. So, in speaking to a number of these recruits, yes quite a few of them mention you know being involved in street gangs or being in trouble with the police for behavioural issues and things like that but possibly not hardened criminals so to speak, but certainly troubled backgrounds" (VICP 2).

An individual's identity, whether it is shaped by their upbringing, lifestyle choices, social or economic position, or disempowerment, is a key risk factor for involvement in organised criminal groups. The data suggests that groups will take advantage of individuals who are in a vulnerable position. As will be discussed later in this chapter, the involvement of vulnerable individuals in organised criminal groups is a recurring theme, especially through the forced criminality pathway.

7.3 CRIMINAL TRAJECTORY AND CAREERS

In examining the involvement process into organised criminal groups, the notion of criminal trajectory and careers emerges. Previous studies have offered significant insight on the criminal trajectory and careers of organised crime offenders (See Kleemans and De Poot 2008; van Koppen et al. 2010a, 2010b; Francis et al. 2013). Therefore, this section will provide context for the present study and discuss the criminal trajectory and careers of organised crime offenders in Australia: in which there is a paucity of information. Data from the present study suggests that there is generally an escalation of offending. It was noted that some organised crime offenders commence offending at the 'petty level' (e.g. general drug possession) and would escalate through the stream, eventually engaging in 'high-level offences' (e.g. drug importations). Such individuals

are understood to be life-course persistent offenders (e.g. Kleemans and De Poot 2008; van Koppen et al. 2010a, 2010b; Francis et al. 2013). While some juvenile offenders may graduate to organised crime, “many organised crime offenders were not necessarily juvenile offenders” (QLDPS 2). The data also indicated that while some offenders have convictions for serious offences (e.g. armed robbery), most offenders do not have convictions for crimes generally associated with organised crime (e.g. drug trafficking). Essentially, the interviewed informants suggested that most organised crime offenders in Australia start off on petty crimes and then progress over time, “whether this be through bravado, or whatever, they certainly step- up to more serious offences, sort of escalating the type of offences” (NSWPF 3).

Using the informant interviews as the primary source of data for this discussion, it was difficult to ascertain the criminal trajectory and careers of offenders involved in organised crime. Depending on an individual’s role or position within an organised criminal group, it is likely that they have never come into contact with the criminal justice system. Informants explained that individuals in lower-level positions (e.g. street runners) tended to have a criminal record, while those in the upper echelons, who operated under the radar, generally did not:

“the ones we come across the higher level syndicates, the higher up syndicate members generally don't have or if not very little, one of the them surprisingly completely under the radar and you find out there's no criminal history at all and they've been schooled up somewhere and they're operating, but as you get to the lower level involvement in the syndicate, more like the street level runners they're more likely to have criminal convictions” (VICP 4).

Although the data indicated that some offenders, especially in the upper echelons of criminal groups, have no criminal record, there is still substantial police intelligence to suggest that they are involved in organised crime (NSWPF 2). As a result, there are difficulties with developing a complete picture of an individual’s criminal trajectory and career based on official criminal justice records. For example, members of OMCGs will have a criminal history that involves assaults and some minor offences, and then:

“nothing because then it goes to extortion and that, and of course to get someone, a witness to go to court, you know there's pressure on the witness, it's very hard to get that, whereas you'll find if you're going to get an offence on them it would be a statue offence, like drugs because as soon as they're in possession they're done, you don't need a witness” (VICP 3).

Based on the collated data it is difficult to ascertain the criminal trajectory and careers of organised crime offenders. Depending on an individual's role or position within an organised criminal group, they may never come into contact with the criminal justice system. This creates difficulties in mapping an individual's trajectory and career, especially when there are significant gaps in their offending timeline. While the information collected through the informant interviews was limited, it revealed that individuals generally progress from petty crimes to serious offences. It is clear that there is some form of natural escalation from engagement in high-volume crimes to more serious offending with an organised criminal group. Since the present study did not set out to explore the criminal trajectory and careers of organised crime offenders in Australia, it is difficult to present a detailed understanding. However, the data presented above provides some context for the ensuing discussion on the involvement process into organised criminal groups. Most notable is that involvement pathways can influence an individual's criminal trajectory and career. For example, involvement via familial ties may see an individual progress from minor offences as a juvenile, to more serious offending in adulthood. On the other hand, targeted involvement could lead to late-onset offending, with no engagement in criminal behaviour up until the point of the offence.

7.4 THE INVOLVEMENT PROCESS INTO ORGANISED CRIMINAL GROUPS

Using the conceptual framework proposed in Chapter Four, the data from the informant interviews and sentencing cases was approached using a thematic and content analysis to identify the involvement process into organised criminal groups within Australia. The analysis revealed that there are three key stages in the involvement process: involvement pathways, establishment of ties and continued engagement or disengagement. Based on the nature of the data sources, the informant interviews were a rich data source that provided considerable insight into all three stages of the involvement process. The sentencing cases, while informative, supported the themes and ideas presented in the interviews. Therefore, this section of Chapter Seven will present the empirical data that will be used to test the conceptual framework developed using the existing literature on organised crime and organised criminal groups. What follows is an overview of the collated data and its applicability to the proposed conceptual framework.

7.4.1 Stage One: Involvement Pathways into Organised Criminal Groups

The data extracted from the informant interviews and sentencing cases suggest that involvement into organised criminal groups can occur through four distinct pathways. First is 'contacts and ties'. Second is 'familial and ethnic ties'. Third is 'targeted involvement'. The fourth

is ‘forced criminality’. Although the pathways identified in the data mirror those in the reviewed literature (i.e. the proposed conceptual framework), the present study offers one of the first comprehensive examinations of the involvement process into organised criminal groups and the first within an Australia context. Overall, the data suggests that the identified involvement pathways into organised criminal groups are generally the result of various social and personal factors and at-risk individuals are susceptible to involvement through aspects of their daily life. This is summed up by an informant from the QLD Police Service who notes that involvement into organised criminal groups can occur through:

“friends and family members, from within the broader social and ethnic-based groups, jails, sporting clubs, associations (e.g. gyms, martial arts, and boxing) and from within certain industries (e.g. nightclubs)” (QLDPS 2).

The following sections will examine each of the identified involvement pathways into organised criminal groups based on the data collected from the present study.

Contacts and Ties

An analysis of the data suggests that an individual’s contacts and ties can provide a pathway into organised crime. Contacts and ties favourable to involvement can be personal, professional or illicit in nature. These relationships can be established through ‘word of mouth’, friends, associates or members of the local community (VICP 2). This pathway represents the notion that it is unlikely that an organised criminal group would approach and engage with someone that is not previously known to them or is not introduced to them through pre-existing ties (NSWPF 2; QLDPS 1; QLDPS 5):

“[it] is through word of mouth, it may be through family, it may be through friends and associates. It's unlikely they will recruit someone that is not known to them or not introduced to them through a friend or an associate. Most occasions they rely on someone's personal dealings with person” (NSWPF 2).

Previous research has made note of the importance of pre-existing relationships in the establishment of co-offending relationships (e.g. Decker and Chapman 2008; Kleemans and de Poot 2008; Malm et al. 2010). Contacts and ties provide organised criminal groups with access to individuals that they view as reliable and trustworthy. Involvement into organised criminal groups, especially in the early stages, occurs through peer groups and familial ties. Based on the data collated, contacts and ties appear to be the most common pathway into organised criminal groups.

This reinforces existing information on the importance of pre-existing ties in the establishment of co-offending relationships (discussed in further detail in Section 7.4.2).

Data from the informant interviews suggests that involvement into organised criminal groups, especially among juvenile and young offenders, tends to occur through an individual's peer group and extended social network. The impact of peers and social networks in the involvement process is exemplified in the following response by an informant from the NSW Police Force:

“A kid who was disenfranchised at home [came] from a split family [he] went to a Catholic school, but he knew a lot of people from the alternative public school [over] 3 to 4 years they [start] using cannabis together, some of them within the group are actually from organised criminal families. [Then] it's about do you want to make some cheap money, we can start moving a bit of gear here and there, we'll make some money, they start to get flushed with money, they start to get things paid for at restaurants, they get shoes, they get clothes, they're moving a little bit of gear, they might then start using some cocaine. [So], they start to get a bit of an addiction, start using more than what they can actually afford and then they're in debt. Then they have to start selling more gear to pay off the debt, so they drag them in and then they start using them to distribute the material around, store products at home, than just move it, and then they become entrenched into the group” (NSWPF 1).

This example highlights several important elements of the involvement process into organised criminal groups. Firstly, social ties that are delinquent or criminal in nature can provide an entry point into more serious offending (i.e. individuals linked to 'organised crime families'). Secondly, individuals might be enticed to engage in organised crime due to the potential rewards that result from engaging in criminal activity. In the case of juvenile and young offenders this often involves easy money and material goods. Thirdly, incremental offending can entrench an individual within an organised criminal group, often increasing the difficulties associated with disengagement. In the example provided, the individual progressed from cannabis use to cocaine supply in order to pay off a debt incurred from substantial drug use.

The impact of peer groups and social networks extends beyond juvenile and young offenders. Numerous sentencing cases make evident that involvement in organised criminal groups amongst adult offenders can also occur through contact and ties. In the case of *Majeed vs The Queen* [2013] VSCA 40 the accused, who at the time of the offence had lost his employment as a courier after a dispute with his employer, was approached by a friend who encouraged him to

become involved in money depositing on behalf of a criminal group in return for commission. Similarly, in the case of *R v R v Kuzmanovic; R v Kuzmanovic; Ex Parte Attorney- General (Qld)* [2015], the accused was asked by a co-accused to assist in the movement of massive amounts of drugs and money on behalf of a criminal enterprise. Individuals engaged in illicit drug use may also become involved in organised criminal through contacts and ties they have established. For example, in the case of *DPP v Afram* [2014] VCC 1626 the accused had developed a significant addiction to methylamphetamine which eventually brought him into contact with a criminal group that he would become a part of. Similarly, in the case of *R v Pantaleo* [2018] NSWDC 294 the accused's involvement in a drug trafficking operation arose as a result of a significant drug addiction which lead to the development of illicit ties with individuals involved in an organised criminal group.

Involvement in organised criminal groups can also extend to individuals without direct contacts and ties to those involved in criminality. If knowledge of an individual is limited, organised criminal groups will use 'word of mouth' to ensure they are reliable and willing to engage in criminal behaviour. Essentially, groups will ask around to confirm an individual's identity, reliability and criminal motivation. An informant from the NSW Police Force explained that:

"If they're not known they'll ask around to confirm the person's identity. They're getting more sophisticated on how they do that; well it wouldn't be out of the ordinary for an organised crime group to set up a surveillance exercise on someone that they're doing business with to put them to a house or to follow them away. Yeah that occurs" (NSWPF 4).

The transfer of trust, and therefore involvement, is evident in the case of *NP v R* [2008] NSWCCA 205. The applicant "told police that Riddell had told him in May 2002 of a trip by friends of Milicic to Europe to meet a friend of Riddell's to whom they had spoken to about importing ecstasy. Riddell asked the applicant if he would be an intermediary between Riddell and Milicic and his friends". Furthermore, in the case of *Standen v Regina* [2015] NSWCCA 21, co-offenders were brought together through extended ties: "the appellant's alleged co-conspirator, Bakhos Jalalaty, conducted an import/export food business. His wife (Ms Jalalaty) had worked with the appellant in the AFP and the appellant had met Jalalaty through her". Similarly, in the case of *DPP v Cao* [2018] VCC 948 the accused met an individual at a friend's house who offered to help pay for his debts in exchange for minding a 'grow house' for a criminal group. Extended ties (or networks) bring individuals into contact with criminal elements that can lead to involvement in organised criminal groups.

In other cases, individuals with criminally advantageous skills or knowledge are brought together through illicit contacts and ties. This is exemplified in the case of *R v Johnston* [2008] VSC 59, where the accused was a low-level drug dealer with ties to other dealers. The accused arranged to meet with a high-level drug dealer with the view to expand his drug dealing business. As a result, his drug business exploded, and he was able to supply his street level drug runners with MDMA and ecstasy. Furthermore, in the case of *R v Rizzo* [2009] VSC 17, the defendant approached a well-known trafficker in order to source wholesale drugs. His aim was to make as much profit as possible from each sale of methylamphetamine. Similarly, in the case of *R v XY* [2010] NSWDC 217, the offender contacted an individual with ties to an organised criminal group who could provide him with access to a significant supply of drugs. These cases demonstrate that illicit ties and contacts can lead to the establishment of advantageous co-offending relationships that are key to the success of some organised criminal groups. Fundamentally, illicit contacts and ties open access to potential illicit profits, which in turn led to involvement in organised criminal groups.

Lastly, contacts and ties established through legitimate businesses can also provide a pathway into organised criminal groups. Legitimate businesses can provide the foundation for co-offending relationships, especially if the business in question can be utilised to maximise the illicit profits of an organised criminal group. Involvement via business contacts and ties is evident in the case of *Tsang v DPP (Cth)* [2011] VSCA 336, where the accused and a business acquaintance used their legitimate computer business to import drugs into Australia, with the assistance of an international organised criminal group. Similarly, in the case of *Tu v R* [2011] NSWCCA 31, the defendant through her business ties with another individual was able to establish an importing business "...by inveigling her way into an existing legitimate business... the latter business was involved in the importation of food stuff of various kinds". By using an account belonging to the business, the defendant was able to import drugs from China into Australia (disguised as food) by cooperating with an international organised criminal group. On the other hand, in the case of *DPP v Ale* [2019] VCC 432 the accused came into contact with members of the Comanchero outlaw motorcycle gang while working as a marketing and event manager at a commercial gym. It was through these ties that the individual became a patched member of the Comanchero outlaw motorcycle gang and eventually the head of the 'Last Kings' criminal group.

As this section has demonstrated, contacts and ties can provide individuals with an involvement pathway into organised criminal groups. The collated data suggests that contacts and ties can be established through peer groups, extended social networks, criminal contacts and legitimate business ties. Contacts and ties can be utilised to avoid law enforcement intervention. It was noted that involvement through existing social networks, associates and word of mouth is

done “this to avoid law enforcement and being detected by law enforcement or being introduced to any undercover police officers. So, it’s a safety mechanism” (NSWPF 2). Fundamentally, the contacts and ties involvement pathway emphasises the importance of pre-existing relationships in organised criminal groups. Such relationships are also prevalent in the familial and ethnic ties involvement pathway into organised criminal groups.

Familial and Ethnic Ties

The data from the present study, consistent with the extant literature, highlights the importance of familial and ethnic ties in organised crime, especially as an involvement pathway into organised criminal groups. Involvement via familial and ethnic ties is founded on the notions of familiarity, trust and conformity. Such individuals are viewed as reliable and criminally motivated. For example, Middle Eastern organised criminal groups in NSW will establish co-offending relationships from among their own community “because they know the family of the persons [involved]” (NSWPF 2). Familial and ethnic ties form the core nexus of certain groups, with key members connected through shared kinship ties. This was evident in an investigation conducted by the NSW Police Force into a South American organised criminal group. The arrest of key members revealed that they had known each other for a long time, had grown up in the same village and went to school together (NSWPF 3). The NSW Police Force also investigated an Albanian organised criminal group that consisted of a very tight knit group of offenders that were married to each other’s sisters and kept “their cards close to their chest” (NSWPF 3). These examples, and the ensuing discussion, make evident the role of familial and ethnic ties as an involvement pathway into organised criminal groups.

As discussed in Section 7.2 an individual’s ‘network’ can be a significant risk factor for involvement, with familial and ethnic ties playing a key role. The collated data suggests that such ties can have a significant impact on an individual’s behaviour. Informants explained that involvement via familial ties is often attributed to ‘blind loyalty’ and ‘indoctrination’. An informant from the NSW Police Force explains that:

“Family members generally, the ones that I’m seeing, it’s indoctrinated; it’s just bred through family lines. So basically, it’s in the family, like it’s the Mafia type stuff, it’s in the family, that’s the family business, and very rarely have I seen too many that don’t engage, some families, there’s a family in particular where you know one of the persons has become a solicitor for the family” (NSWPF 1).

This notion of ‘blind loyalty’ and ‘indoctrination’ can assist in explaining why certain individuals with familial ties are drawn into organised criminal groups. If familial ties are a key part of an

individual's identity and network, it is assumed that there is a sense of commitment to the family and certain expectations are placed on the individual. The personal responsibilities and expectations attached to familial ties may outweigh the risks associated with engaging criminal behaviour. This is evident in the case of *R v Eliadis [2017] ACTSC 193*, whereby the offender had engaged in criminal behaviour based on the expectation that he would assist family members, both in Australia and Greece, with personal and business activities. Several other cases also highlight the importance of 'loyalty' and 'indoctrination' within this involvement pathway. In the case of *Abbas Bodiatas Taleb and Amoun v R [2013] NSWCCA 115*, the applicant was part of an organised criminal group that involved his father, older brother and two cousins. There was an expectation that he would engage in criminal activities alongside his older brother, who the applicant looked up to as a surrogate father during their father's incarceration. Similarly, in the case of *DPP v Rasimi [2012] VCC 1464* and *Pantazis v The Queen [2013] VSCA 59*, the accused were introduced to organised criminal groups by their brothers.

Involvement through familial ties is also dependent on the strength of immediate family connections, where 'blind loyalty' and 'indoctrination' is also likely to occur. Some organised criminal groups are formed around immediate familial ties and generally involve key members of a family, including; grandfathers, fathers, son and daughters. This is evident in the case *R v ALFAR, Attallah [2017] NSWDC 280*, where:

"The accused and his family, namely, his wife Awatef Alfar, his younger daughter Julie Alfar and his sons Andrew and Michael Alfar, were the principals, according to the facts, in a continual criminal enterprise organising the theft of motor vehicles. Vehicles were stolen, dismantled, rebirthed and shipped to the overseas destinations mentioned."

In the case of *DPP v Doan & Ors [2018] VCC 1362* the accused became involved in an organised criminal group formed by key members of her family:

"When pressed to describe how precisely you had been caught up in this operation, he described you being recruited by your brother in the same way that your brother had recruited his own son and his own daughter. It seems that all of the family that you knew in Melbourne were involved in this criminal enterprise, and you were thus drawn into it. I must say, it is unclear why a woman of your age and of your prior good character should have allowed herself to be used for the purposes of this criminal enterprise."

Similarly, in the case of *DPP v Burgess* [2018] VCC 637 the applicant introduced his niece into a drug supply network that he was a part of.

Much like familial relationships, shared ethnic ties are also based on the notions of trust and familiarity. Involvement via kinship ties is evident in the case of *DPP v Wahab* [2018] VCC 1892, where key offenders in the criminal group were brought together through shared ethnic identities within the community. Furthermore, in the case of *DPP (Cth) v Barbaro & Zirilli* [2012] VSC 47 core members of drug trafficking group were of the same nationality and from the same local community, with ties to an international organised criminal group. The sentencing data also highlights the presence of ethnic-based organised criminal groups, which are formed around a particular ethnicity. This is evident in the case of *Abdulrahman v R* [2015] NSWCCA 238, whereby the accused was a part of the Assyrian Criminal Network ('The Last Hour') whose membership was limited to individuals of Middle Eastern 'ancestry'. Similarly, in the case of *Nguyen v R* [2008] NSWCCA 22 the appellant was one of a number of Vietnamese workers who were employed as farm workers at a large-scale marijuana plantation by a Vietnamese organiser. Finally, in the case of *Nguyen v Regina* [2017] NSWCCA 39 the criminal syndicate consisted of individuals of Asian origin with ties to an international Asian-based criminal network.

Familial and ethnic ties can also extend overseas. While data on this is limited, an informant from QLD Police Service explained that it is very common for individuals involved in organised criminal groups to contact family and associates overseas and bring them to Australia on student Visas to work with the group. Such individuals "fail to attend study and become 'Unlawful Non-Citizens', remaining in Australia until they are located by law enforcement and deported" (QLDPS 5). Of importance when discussing familial and ethnic ties is that the concept of family varies depending on the culture and traditions of an ethnic group. For example, within the Vietnamese community, the concept of family is much broader than the traditional understanding:

"So, the experience I've had with these people has been that there has been some form of connection whether it is a family member, certainly within the Vietnamese community their understanding of family is broader than ours, and it's not just that lineal relationship. Brother can mean, someone that I've grown up with, an uncle can mean someone you know they may use the term uncle but there's no direct relationship it's just a very close family friend. So, generally speaking in terms of the trust that is allowed to a new member has been on the basis of who's vouched for them and trusts them." (VICP 1).

Intimate relationships, although not intrinsically familial in nature, can also provide a pathway into organised criminal groups. Individuals in intimate relationships are often encouraged, deceived, or pressured by their partners to engage in illicit activities as part of an organised criminal group. The data suggests that there is generally an imbalance of power within these relationships and female offenders engage in criminal behaviour at the best of their male partners. For example, in the case of *Application for Bail by Hang Cao [2015] VSC 198*, the defendant was asked by her husband to act as an English language translator for those involved in his organised criminal group. In other cases, deception is used. This is exemplified in the case of *DPP v Weng [2012] VCC 1160* whereby the defendant collected packages at the request of her boyfriend. Unbeknownst to her, the packages contained illegal drugs that belonged to the distribution network that her boyfriend was a part of. While in the case of *DPP v Tran & Ors [2016] VCC 77* the defendant was introduced to casual drug use and supply through her husband and his friends. This led to more serious offences (drug trafficking) linked to an organised criminal group.

However, in other cases of involvement via intimate relationships there appears to be equal levels of motivation for both offenders. In the case of *DPP v Short [2016] VCC 512* the accused was in a de-facto relationship with a co-accused and this led to their involvement in a drug trafficking operation. In this case, the equal levels of criminal motivation were based on previously established criminogenic settings and ties. Both offenders had a criminal record that involved illicit drug use and supply. Similarly, in the case of *R v Omar Elomar [2016] NSWDC 319* the accused and his girlfriend had amassed a significant drug debt due to a \$1500 a week cocaine binge. As a result, the accused and his girlfriend, as well as a number of co-offenders, engaged in a series of offences organised by their cocaine supplier as a way to pay off their debt. Although intimate relationships were not discussed in the informant interviews, they do highlight a distinct involvement pathway into organised criminal groups for female offenders. Familial ties and intimate relationships offer female offenders with a pathway into criminality that is can be founded on trust as well as deception. Female offenders are also prevalent in the 'forced criminality pathway', which is discussed later in this section.

An examination of the data makes evident the importance of familial and ethnic ties in organised criminal groups, especially as an involvement pathway. The data revealed that some organised criminal groups are established through kinship ties. This ensures that individuals are reliable, trustworthy and willing to engage in criminal behaviour. However, sometimes organised criminal groups may require individuals with specialised skills or access to sensitive systems. In these cases, organised criminal groups will utilise targeted involvement to identify and engage with criminally advantageous individuals.

Targeted Involvement

The data from the present study suggests that targeted involvement is a key pathway into organised criminal groups. Individuals can be targeted by organised criminal groups for a variety of reasons, including but not limited to; criminally advantageous skills, access to particular systems or businesses, and personal characteristics. For example, “fraud related groups have been identified as seeking those with computer [or] IT based skills” (QLDPS 4). Although this pathway is primarily ‘recruiter’ driven, in some cases, individuals may seek to be identified and targeted by organised criminal groups (‘recruitee’ driven). This is noted by an informant from the QLD Police Service (QLDPS 1), who explains that certain individuals seek to be targeted by organised criminal groups in an effort to give themselves a sense of belonging or prestige. In other cases, they seek “to trade off the reputation of the organised group in an effort to further their own criminal activities”. The data indicates that targeted involvement generally follows a specific methodology that involves identifying an individual, gaining their trust and corrupting the individual (if non-criminals are targeted). The aim is to entice the individual to engage in minor offending with an eventual escalation to more serious offending. Within this methodology, corruption is understood as the involvement of an otherwise law-abiding individual in criminal behaviour through bribery or enticement, a common tactic utilised by organised criminal groups. This is detailed by an informant from the NSW Police Force:

“Now if they have a skill set, they get targeted and recruited obviously a lot stronger... the methodology is the same, it’s about finding the individual, I guess, corrupting the individual, but also by giving them lots of toys and lots of things at the start for no requested services initially, but then over time you entrust, you gain the friendship and then you start asking them to do little things here and there, and before they know it they’re in a position where they can’t back out, particularly if someone, let’s say someone chartered accountant for example, and they’re giving them free drugs, they’re doing all this sort of stuff, and at some point they’re going to want them to do something for the organisation, if the person wants to pull out, well hang on we’ve got all this stuff on you, you’re going to lose your livelihood” (NSWPF 1).

Corruption is often gradual in nature and generally involves a reward that can only be obtained by engaging in criminal behaviour. Unlike the previous two involvement pathways discussed, there is generally no pre-existing relationship or ties between offenders in the targeted involvement pathway. This methodological approach to involvement places individuals in a precarious position where they must either commit to their criminality or risk the consequences of attempting to

disengage. The same informant from the NSW Police Force provides further insight on the methodology used by organised criminal groups:

“They influence them at the start, very pally, very best friends, they'll take them on holiday all sorts of stuff, shower them with gifts, and then if they want to back out that's when they start turning the screws, turning the pressure, nah you need to do something back for us, this is what we want you to do. So whether its someone with a skill set that they then need to manipulate and use or its just about they get them addicted, and they just want to use their cars to transport guns or drugs around, get them to sell for them, or just have storage facilities that they can use that they know the police won't come to as time goes on” (NSWPF 1).

In order for targeted involvement to be successful, an organised criminal group must be able to influence an individual at the start of the involvement process (e.g. shower them with gifts) yet encourage incremental offending that is beneficial to the group. Therefore, the targeted individual must be of some value to the group, otherwise it would be a time-consuming process of negative value. As the following section will demonstrate, targeted involvement can occur within a range of advantageous industries and professions, including chemists, accountants, transport and logistics.

Evident in the data was the use of targeted involvement to identify and engage with individuals who possess advantageous skills, contacts and experience. The data indicated that organised criminal groups sought to target individuals who could fill gaps in their operational capabilities. Individuals who can procure pre-cursor chemicals, manufacture illicit drugs, source and traffick illicit commodities are often targeted by organised criminal groups. For example, in the case of *R v Peterson & Dislakis [2016] VCC 1092* several individuals were involved in the criminal group due to their ability to import methylamphetamine and source pseudoephedrine, as well as manufacture methylamphetamine. Similarly, in the case of *The Queen v Lowe [2014] VSC 543*, the defendant was a science graduate from Melbourne university who was targeted due to their ability to set up a clandestine laboratory, as well as manufacture methylamphetamine. The defendant was also reasonable for teaching others in the group how to successfully manufacture drugs. Others in the group, who were not previously involved in illicit activities, were also targeted and asked to undertake certain tasks, including renting suitable properties for the clandestine laboratory and purchasing mobile phones for the group, as well organising transport and logistics. This type of targeted involvement is also evident if the case of *The Queen v Zerna & Lipp [2013] VSC 192*, whereby the accused became actively involved with an organised criminal group and was the primary ‘runner’ for the organisation. At the same time the accused was placing orders for

pre-cursor chemicals, while also picking up and delivering chemicals and equipment. Furthermore, the accused also targeted a former employee of Science Supply Australia in order to facilitate the supply of chemicals and equipment.

In other cases, targeted involvement can also be used to gain access to transport and logistical systems. This involvement pathway is evident in the case of *NSW Crime Commission v Stevermver [2015] NSWSC 1355*, whereby the defendant was contacted by a criminal group involved in illicit drug supply and importation. The defendant ran a flight training school, which meant he had access to aircrafts and the ability to fly them. Subsequently, a number of aircrafts were purchased by the criminal group, with the defendant acting as a conduit by transporting drugs into Australia. Similarly, in the case of *DPP v Karam and Ors [2013] VSC 133* the accused was ‘employed’ by an organised criminal group to facilitate the clearance of illicit drug shipments by taking advantage of his contacts within the shipping docks of Melbourne. The accused was targeted because he:

“had a working history which involved customs clearance and freight forwarding and had at one stage started his own company specialising in that business, he had worked at Logistic Salutations as the international business manager some time earlier and appeared to be in a position to provide advice and assistance, which he purported to do over the period of the attempt to gain possession of these drugs”.

Additionally, in the case of *R v Omar Elomar [2016] NSWDC 319*, the defendant was targeted by a criminal syndicate involved in the large-scale trafficking of tobacco, cigarettes, and counterfeit cigarettes because he had access to freight and docking systems in Sydney. The defendant:

“was the proprietor of K and O Freight, which was registered with the Customs integrated cargo system, which is the portal through which industry can check the status of imported containers...[he] was a freight forwarder who was also registered on this same system as an air cargo exporter”.

These cases demonstrate how individuals with certain skills or access to particular systems become involved in organised criminal groups through targeted involvement. As organised criminal groups seek to diversify their criminal portfolios or take advantage of profitable markets, particular individuals will need to be identified and engaged with.

The data also revealed that individuals with access to particular businesses or government departments are also targeted by organised criminal groups. It was noted that organised criminal groups will attempt to cultivate people through various industries they operate within:

“it may be a brothel, it can be a bar, it could be a basically any type of industry which they have people working in, which I think if you're looking at industries where alcohol and money is involved, potentially drugs obviously, you're gonna come across people who you may be able to cultivate, and I have seen some evidence that that's happening” (VICP 3).

In other cases, organised criminal groups will attempt to infiltrate government agencies and departments in order to obtain access to sensitive information, systems and procedures. This is generally achieved through the corruption of individuals who have access to systems or databases that would otherwise be inaccessible to them. While data on this approach to targeted involvement is limited, an informant from VIC Police provided the following response which briefly details the targeting of key individuals:

“I'm more seeing them actually infiltrate or actually having their people infiltrate those specific industries, not actually the reverse, for OMCGs for instance they may attempt to cultivate so on who's already working in just say the Post Office or a government organisation, where they'll try to latch on to someone and then turn them, obviously into an asset. Whereas what I'm seeing, it also works the same way for bikies because they can infiltrate but what I've seen with the Balkan groups in particular is that they've got their people actually who have no criminal history infiltrate specific areas which is going to be conducive to criminal offending” (VICP 3).

Due to the nature of corruption and infiltration, the individuals targeted must be of high value to the group as the potential risks of doing so may expose the illicit activities of an organised criminal group.

Informants also noted that targeted involvement is a common pathway into Asian organised criminal groups. Informants explained that such groups are known to target international students who are in Australia:

“what they do is that they use a lot of students, students who are here temporarily, and one of the things that is occurring is in respect to frauds, and I'm talking about high end fraud, they'll use people on travel visas or students visas, who know they're here for a short time and they're going back to China or where else they're coming from, don't care about their credit rating or their name here, so if they

amass you know a \$250,000 debit, that is all falsified and whatever, it doesn't affect them here, so they're gone” (NSWPF 1).

In this respect, targeted individuals possess no specialised knowledge or skills, but are simply in a position where they can amass a significant debt for the group and return to their country of origin without any consequences. This was supported by an informant from Victoria Police, who explained that Chinese organised criminal groups, especially those in Hong Kong and Taiwan, will recruit individuals who are used to engage in illicit activity while travelling in Australia:

“I became aware certain methodologies that are used at least by the Chinese groups in recruitment, and in places like Hong Kong and Taiwan, the Triad groups will recruit people for certain jobs that involve coming to Australia and that common thread seems to be targeting a particular group, being young people who don't have a great deal of education, who work relatively menial jobs in food service or in licensed premises and people like that who might dabble in a bit of recreational drug use as well potentially. That's overseas and then they're recruited to come and do whatever it is they do here.” (VICP 2).

Such individuals can be swayed by the potential for easy money (as opposed to legitimate employment) and the opportunity to travel overseas. This is also associated with the cultivation of people in industries in which organised criminal groups are known to control or operate within, generally any industry where alcohol and money is involved or where illicit drugs are present and consumed (e.g. bars and brothels).

The targeting of individuals with no discernible advantageous skills or characteristics appears to be a common tactic used by organised criminal groups based overseas. In the case of *R v Birnie* [2014] NSWDC 146, the defendant was asked to assist in the delivery of a ‘package’ to Australia from Canada by his regular marijuana supplier. The accused had a passport and was in a position to travel from Canada to Australia in order to deliver and supply prohibited drugs. Similarly, in the case of *Wang v R* [2010] NSWCCA 319, the accused was approached because she had a car and was offered \$400,000 for her involvement in the movement of drugs. Although the defendant was introduced into the criminal group through a friend, it was due to her possession of a car and her financial needs that she was targeted and asked to engage in the illicit activities of the group. Targeted involvement is also evident in the case of *Kob v R* [2013] NSWCCA 287, whereby the “applicant was selected by another person or others involved in the criminal syndicate at the Malaysian end to perform important functions in Australia, and then return to Malaysia”.

These cases represent a distinct form of targeted involvement, whereby the individuals targeted do not possess skills or access to sensitive or advantageous systems.

Further analysis of the data revealed that certain organised criminal groups will target juvenile and young offenders. Organised criminal groups will take advantage of individuals who are vulnerable and easily manipulated. Informant interviews indicated that some organised criminal groups, for example OMCGs, will target individuals from a young age. Juvenile and young offenders are targeted at schools, sporting organisations or at gyms (NSWPF 3). In the case of OMCGs, they will actively seek out 'underlings' to do their 'muscle work'. OMCGs will look for individuals with the potential to become fully-fledged members and will be some use to the group in the future (NSWPF 3). In other cases, the targeted involvement of juvenile and young offenders can occur through ad hoc encounters. Informants explained that in these cases, juveniles start 'loitering around' individuals with known or evident criminal ties, for example patched OMCG members. Juveniles are 'schooled up' by older, more street wise criminals in an apprentice type role (VICP 1). Individuals are taught how to traffic drugs and do home invasions, as well as learning the lingo and developing criminal contacts: "the appeal there was obviously that sense of belonging, which those youth didn't have due to their cultural disconnect" (VICP 1).

Furthermore, youth gangs are also targeted by organised criminal groups as they provide a fertile breeding ground for juvenile and young offenders. For example, outlaw motorcycle gangs will use youth gangs to engage with potential members and prospects. In order to successfully involve young and juvenile offenders, organised criminal groups, in particular OMCGs, will use social media as an advertising tool. Individuals will use social media platforms to 'show off' the wealth and lifestyle that is afforded by organised crime: "social media is also used as a marketing/branding tool for some org crime syndicates" (QLDPS 3). As a result, some juveniles aspire to obtain a similar lifestyle are more susceptible to involvement and will actively seek opportunities to become involved in organised criminals groups. Some groups, like OMCGs, provide vulnerable youth with a sense of belonging and power that they might be lacking in other aspects of their life (e.g. children from broken families (QLDPS 1). Other juveniles may lack self-esteem and thus might see engagement in a criminal group as 'cool', which makes targeted involvement easier. This approach to targeted involvement is detailed by an informant from the QLD Police Service, who noted that:

"Some individuals feel a need to be part of a group. This need can come from a lack of self-esteem or being loners or outcasts from normal social interactions.

Some see it as a cool to be part of a gang / act tough / get the girls. Some see money making opportunity” (QLDPS 4).

The targeted involvement pathway demonstrates the need for organised criminal groups to identify, engage and corrupt individuals who possess skills or have access to systems that are advantageous to their illicit activities. In other cases, individuals may be targeted through overseas contacts or because they are vulnerable juvenile offenders. Fundamentally, the targeted involvement pathway rests on the effectiveness of corruption or the ability to persuade an individual to offend, generally through financial motivation. However, when such tactics fail to entice an individual, coercion and threatened violence is utilised to encourage involvement in organised crime.

Forced Criminality

As discussed in Chapter Four, literature on the use of forced criminality within organised crime is limited. However, the data from the present study provides considerable insight on forced criminality as an involvement pathway into organised criminal groups. Fundamentally, forced criminality occurs when an individual is an involuntary participant in an organised criminal group and its associated illicit activities. This involvement pathway is highly dependent on the use of intimidation, threats and violence to ensure that the individual engages in criminal behaviour at the behest of the group. The data suggests that forced criminality is commonly used to recoup a debt that is owed to an organised criminal group, often in the form of a drug or gambling debt. In other cases, organised criminal groups will offer to buy out an individual’s debt. As this section will demonstrate, further research is required to understand the role of forced criminality as an involvement pathway into organised criminal groups. Nevertheless, the following discussion provides new insight on the role of forced criminality as an involvement pathway into organised criminal groups. The present study represents one of only a handful of studies which have examined the relationship between forced criminality and involvement in organised criminal groups.

In comparison to the other involvement pathways discussed in this section, trust is very rarely established between co-offenders. To ensure an individual engages in criminal behaviour, organised criminal groups will often coerce them through fear, threats, intimidation and violence. For example, in the case of *Re Casale [2017] VSC 568* it was noted that applicant owed drug debts to individuals further up in the hierarchy but was also owed drug debts from those beneath him in the hierarchy. However, due to the ties between offenders it was noted that the applicant used violence and intimidation to collect any debts owed to him and the “Crown case is that the

applicant has in the past actively confronted and threatened the family members of those who owe debts to him”. The use of threats is also evident in the case of *R v Francis Tolentino [2009] NSWDC 381*, where the defendant “was approached by Mr. Ying sometime in 2007 and asked for the information. Mr Tolentino was reluctant to provide the information, understandably because he was concerned for his job, perhaps also because he knew it was the wrong thing to do. Mr. Ying made it clear to Mr. Tolentino that there would be trouble for Mr. Tolentino and his family if Mr. Tolentino did not provide the information sought by Mr. Ying”. These case, and others in this section, highlight the importance of threats and violence within this involvement pathway into organised criminal groups.

The collated data suggests that organised criminal groups will loan out money at significantly high rates of interest in order to force an individual into a position where they must work for the group to pay off the loan. These groups will act as ‘money lenders’ to individuals who are desperately in need of financial assistance. For example, in the case of *DPP v Nguyen [2015] VCC 1908*, the accused had developed a serious gambling problem and it was noted that he had lost a large sum of money and was subject to the loan shark at the casino. The defendant had initially borrowed around \$30,000, but the debt he had to work off eventually became a sum of \$80,000: it was “suggested that this [was] the way that [he] came into this criminality”. The use of high interest loans is also evident in the case of *DPP v Chan [2016] VCC 2096*. In this case, the defendant engaged in criminal behaviour due to a loan owed to an organised criminal group. The sentencing comments noted that the defendant became involved in online gambling and in order to facilitate this habit he borrowed a large sum of money from a syndicate operating in Hong Kong. When the defendant returned to Hong Kong he was met with “met with repeated demands for repayment of the gambling debt together with interest”. The defendant agreed to comply with the request which led to his involvement in criminality.

In other cases, individuals may become involved in organised crime through a drug debt, whereby forced criminality is used to ensure that the indebted individual repays the debt they have accumulated. Intimidation, threats and violence are common tactics used to ensure the debt is repaid through engagement in illicit activities. This is evident in the case of *DPP v Wabab [2018] VCC 1892*, whereby the defendant stored illicit drugs for a criminal group in order to reduce his drug debt. The defendant was threatened with violence if he did not comply with the demands of the group. Furthermore, in the case of *DPP v Tanfik [2018] VCC 1665* the defendant was forced to engage in drug supply to repay a substantial drug debt: “despite his efforts to break contact with his co-offenders, was not able to due to pressure and reported threats of violence”. Essentially, violence and threatened violence remain the key driving forces underpinning involvement in

organised criminal groups through forced criminality. This is encapsulated in the case of *DPP (Cth) v Holmgrimsson [2015] VCC 704*. The defendant had been experimenting with drugs since the age of sixteen and as a result accumulated a considerable drug debt, which they had to repay by importing and selling drugs. The sentencing comments noted that:

“about a year and a half before the importation, you owed about \$20,000 to a person you described as ‘pretty big in the drug world’. This person threatened he would send people to harm you and your family if you did not pay up. Eventually, at his suggestion to discharge the debt, you agreed to commit the crime using the luggage which was provided to you by the dealer”.

Alternatively, some organised criminal groups will offer to buy out an individual’s debt if they are willing to work for them, especially if they possess skills that are beneficial to the group (VICP 4). For example, in the case of *Yow v R [2010] NSWCCA 251* the defendant had amassed a significant gambling debt through a loan provided by an organised criminal group. The defendant was then forced to engage in illicit activities at the behest of the group in order to repay that debt:

“[the defendant] commenced to gamble heavily and, as a consequence become progressively deeply indebted to various people from whom he borrowed money to support his habit. It was those people who arranged his travel to Australia to enable him to discharge his debt to them through participating in the system of credit card fraud they had designed”.

Similarly, in the case of *R (Cth) v Tran [2014] NSWDC 197* the defendant developed a gambling debt shortly after arriving in Australia. The defendant developed a gambling habit as a result of isolation and loneliness. The sentencing data noted that “she developed gambling debts, which ultimately totalled approximately \$18,000. She claimed that people she knew, associated with these gambling debts in order to forgive the debt, either persuaded her, or perhaps pressured her, into agreeing to travel to Vietnam to bring back substances into Australia”. This also occurred in the case of *R v Pinyosap, Surachai [2014] NSWDC 349*, where the defendant had amassed a gambling debt of \$110,000 and was forced by a criminal group to travel to Thailand in order to traffick drugs back to Australia in several suitcases.

Informants explained that involvement through forced criminality is common amongst Asian organised criminal groups, especially around betting and gambling debt. The relationship between forced criminality and gambling debt within Asian organised criminal groups is centred on the loaning of money at significantly high rates. This forces individuals into a position where

they have to work for the group in order to repay the debt: “historically they're gamblers, they'll run up a big debt, someone will pay their debt off and they'll say now you've got to work for us, definitely very coercive” (NSWPF 4). For example, in the case of *DPP (Cth) v Teoh & George [2018] VCC 155* the defendant’s father was in considerable debt to a Malaysian money lender and paying considerable interest on the debt owed. The defendant was helping with the repayment of the debt and was offered a role in a drug importation through the money lender. The defendant’s involvement in the drug importation was financially motivated with the aim of assisting his family with the problems arising from his father’s gambling debt. This is also evident in the case of *DPP v Mo [2012] VCC 2126*, where the accused was coerced into providing money to support a drug manufacturing and trafficking operation by an organised criminal group the accused owed money to.

Based on the collated data, it can be argued that gambling and drug debts provide a fertile environment for the establishment of criminogenic ties and involvement in organised criminal groups. The criminal ties and co-offending relationships established through this involvement pathway are coercive in nature, where ‘trust’ is derived from potential threats and violence. they involve or include someone in a criminal offence, and they have that over them all the time, so they commit them to something. They get to know their families, and the trust is always at the end of the day, if it’s broken there's always the threat of violence. So, it could be anything, burning your house, burning your car, stealing their dog, it does happen.” (NSWPF 4). Unlike the other involvement pathways discussed in this section, forced criminality relies on coercion, threats and violence in order to establish co-offending relationships. Trust, as fickle as it might be amongst criminals, is a key feature within organised criminal groups and can be established in a number of ways.

7.4.2 Stage Two: Establishment of Ties and Trust

As noted in the proposed conceptual framework in Chapter Four, the researcher conceptualised the establishment of ties as the second stage of the involvement process into organised criminal groups. As this stage of the involvement process the ties required to ensure internal security and the longevity of the group are established. Data from the present study suggests that the establishment of ties between co-offenders within organised criminal groups is generally based on four key factors: firstly, pre-existing relationships between co-offenders, secondly familial and ethnic ties, thirdly shared criminal goals and lastly criminal reputation. According to an informant from the NSW Police Force (NSWPF 2), trust between offenders is underpinned by two key notions. Firstly, who is the individual and how are they known to the group. Secondly, what has the individual done in the past that would allow them to be trusted. If

someone can vouch for these two things, then that individual would be introduced into the organised criminal group. Therefore, “if someone was to walk off the street and ask someone in a criminal syndicate for a role in their syndicate, it’s very unlikely that they would employ that person because they would immediately suspect that’s law enforcement intervention” (NSWPF 2). The factors underpinning ties and trust will be discussed in the subsequent section, with a focus on the data collected from the informant interviews.

Pre-Existing Relationships

Pre-existing relationships (or ties) between co-offenders are prevalent within organised criminal groups, with longer standing relationships more likely to cultivate trust. This is based on the assumption that an individual will act in a certain way based on their previous behaviour. The collated data suggests that pre-existing relationships are generally required in order to establish co-offending ties within organised criminal groups. An informant from NSW Police Force sums up the importance of these relationships in the response below. The informant makes note the significance pre-existing ties, as well as loyalty towards co-offenders:

“Yeah I think a lot of it is knowing them for a long time, if they've previously done jobs together, when I say jobs, criminal offences together and maybe one or two of the group may have been charged and one or two haven't been charged, so you know, well the co-offender hasn't given them up, because the cops don't know who the other ones are, so that gives more credibility as well, yeah there were six of us who did that armed robbery or whatever, but only three have been charged and everyone else stayed staunch and no one else was given up so that gives them some credibility down the track in terms of trust. So that's a really big one I believe” (NSWPF 3).

The trust established through pre-existing relationships can be transferred via ‘word of mouth’ or mutual contacts. A transfer of trust is utilised when knowledge of an individual is limited, especially with regards to their reliability or past behaviour. An informant from VIC Police explained that a transfer of trust is commonly used to avoid undercover law enforcement, as well as ensure that an individual is reliable and willing to engage in criminal behaviour:

“So, it’s probably more about any two people or any two groups, their history of dealings with each other and how successful they've been. There's certainly that, there's that element of, you know there is that transfer of trust as well. You know I don't know you, but my friend says you're a top bloke and that you can do certain thing therefore that’s currency, there's a level of credibility there that can be

transferred to you even though I might not know you personally. Again, this is not necessarily specific to organised crime” (VICP 2).

Underlying the establishment of trust through pre-existing relationships is a willingness to engage in criminal behaviour or display criminal intentions. Engagement in criminal behaviour in the past is a strong signifier that an individual is willing to engage in illicit activities. The data revealed that trust comes from a readiness to do what is asked, regardless of the risks involved. For example, there are “instances where people will go to prison for 5 - 6 years for their crime and once their out they go straight back to the organised crime group who are waiting with open arms, so that's the trust, so you took a hit for the group” (NSWPF 1). In other cases, individuals will establish ties through the prison system. Imprisonment is viewed as a mark of ‘honour’ amongst certain organised criminal groups. It demonstrates that an individual is willing to engage in criminal behaviour or has a certain skill set that might be advantageous to a criminal group. Prison can provide individuals with criminal contacts that otherwise might not have been available:

“You’ll go into a prison, there's time to talk about your skill set, what you do, and it’s like a recruitment arm within the prison system. So, they already have contacts when they leave, I was in the same pod that you were in, remember me” (NSWPF 1).

Pre-existing relationships provide a strong basis for the establishment of ties and trust within organised criminal groups. Knowledge of an individual’s past behaviour ensures that they act accordingly, especially with regards to the requirement of the group in the future. Pre-existing relationships can also extend to familial and ethnic ties, where kinships bond may strengthen criminal associations.

Familial and Ethnic Ties

As previously discussed, familial and ethnic ties play a key role in organised criminal groups, especially in the establishment of trust within co-offending relationships. Familial bonds and shared cultural identity can act as a source of trust between offenders, where such ties are based on familiarity, conformity and the assumption that kinspeople are reliable and willing to engage in criminal behaviour. Family and ethnic based groups generally have several generations of offenders involved, with grandfathers, fathers and children engaged in criminality (VICP 4). In particular, familial ties are utilised to ensure security, stability and the perpetuation of the group and its activities. It was argued that offenders will often reach out to contacts who they’ve grown up with or other people in their ethnic groups that have families with known criminality: “so they know they can trust them from history” (VICP 4). In other cases, shared kinship ties are not

enough to establish working relationships. In these cases, individuals must demonstrate their reliability:

“they'll be tested by doing low level tasks for the syndicate and then they would stand out in relation to, like the different qualities they have, you know having good interpersonal skills or bilingual, confident and what not, then they'll be given higher up roles to more important roles, riskier roles to play and then as achieve certain levels, they move X amount of product or X amount of guns or whatever then they get a better reputation in their syndicate” (VICP 4).

Strong familial and ethnic ties between offenders are also formed within the local community and are especially common amongst recent immigrant groups. There is often a sense of distrust towards anyone outside of these insulated communities, especially law enforcement, which in turn strengthens the ties between individuals in these communities and criminal groups. An informant from QLD Police (QLDPS 6) explained that trust ultimately “depends on who is dealing with who and the normal issues associated with trust for example how long someone has been known to another”. This was exemplified in the Centro Chapter of the Bandidos OMCG, which was at its core ethnic based. It was noted that core members of the Centro Chapter went to school together and socialised at Church and within the local community. Their ties were strengthened when they migrated to Australia at the same time and they stuck together in what the informant described as a ‘small insular community’ (QLDPS 6). It was noted that law enforcement penetration of such groups is extremely difficult “as they rarely engage with anyone outside of their inner circle and certainly never trust anyone outside of this circle” (QLDPS 6). Fundamentally, it is ‘human nature’ for offenders with familial and ethnic ties to trust and rely upon one another. If such ties are not present, individuals can rely on shared criminal goals and criminal reputations in order to establish working relationships.

Shared Criminal Goals

Although pre-existing relationships (whether social, professional or familial in nature) are common within organised criminal groups, the data indicated that such ties must also be formed around shared criminal goals. Unlike the other factors discussed in this section, shared criminal goals are not reliant on established ties between offenders and can instead be built up, in essence “trust in this situation doesn’t really exist” (QLDPS 1). Working relationships within organised criminal groups and trust between co-offenders (or groups) only exists if it is to achieve a common purpose (i.e. working together to supply illicit drugs): “this trust is only dependent on the working relationship and barely extends beyond that with other individuals of the group” (QLDPS 1). Prior

to the establishment of working relationships, some organised criminal groups (e.g. outlaw motorcycle gangs) will force new ‘associates’ to engage in criminal offences together in order to establish ties and align them with the goals of the group (QLPS 1; QLDPS 2; QLDPS 3). Sometimes, organised criminal groups will require individuals to commit acts that are “extremely embarrassing or detrimental to them or their family’s reputation” (QLDPS 1). The group will then keep this as a type of ‘ransom’ to ensure that the individual remains loyal and committed to the shared goals of the organised criminal group.

Furthermore, there is a distinct correlation between trust, shared criminal goals and position within an organised criminal group. Informants suggested that shared criminal goals have less relevance at the lower levels of an organisation in comparison to the upper echelons or core group of offenders (QLDPS 6). It was noted that ‘foot soldiers’ or ‘associates’ are less bound by shared criminal goals. Therefore, ties are weaker, and disengagement is more likely to occur, either as a result of personal factors or law enforcement intervention (VICP 1). In the case of ‘middle-managers’ and upper echelon offenders, there is more at stake if shared goals are not achieved (i.e. lost investments). As a result, co-offending ties and working relationships are maintained to ensure the shared criminal goals are achieved (VICP 1). The establishment of ties through shared criminal goals is often fragile in nature and changes amongst offenders on a daily, weekly or monthly basis (NSWPF 4). While there is always a level of distrust between offenders, especially if there are no pre-existing relationships, it ultimately depends on how far individuals are willing to trust one another and achieve the shared goals (VICP 1). Trust through shared criminal goals can be reinforced through the reputation of offenders.

Criminal Reputation

An individual’s reputation in the criminal underworld can assist or hinder the establishment of ties and co-offending relationships in an organised criminal group. A reputation of being skilled, reliable and trustworthy can increase an individual’s prospects of establishing criminal ties; especially when such qualities are highly sought after by organised criminal groups (e.g. Gambetta 2009). However, the data suggested that while an individual’s reputation can increase their likelihood of involvement in an organised criminal group, it is not a key prerequisite for the establishment of ties between co-offenders (QLDPS 3). Informant agreed that a reliable and trustworthy reputation is highly sought after by some organised criminal groups (QLDPS 2). Such a reputation can be established through long-standing personal relationships (QLDPS 5) or by demonstrating loyalty and commitment to a group: “once you have done time and kept your mouth shut, your level of trustworthiness improves significantly” (QLDPS 6). Once individuals are able to demonstrate their loyalty and commitment to the group, they’ll be given more important roles,

often riskier tasks, in order to continue building that reputation within the group: they are then “reimbursed and with the reimbursement they’re utilising that money to buy stuff which people on the outside see them as having a strong criminal reputation” (VICP 4).

The data indicated that the structure and the operational capabilities of an organised criminal group can dictate the importance placed on an individual’s reputation. It was noted that in larger and more complex organised criminal groups there was less emphasis placed on an individual’s reputation. Individuals who are considered unreliable or less skilled are often restricted to lower levels in the organisation. Such individuals will generally engage in minor offences (e.g. drug supply) and are at an increased risk of detection by law enforcement (QLDPS 1). The stratification of complex organised criminal groups reduces the disruption caused to its operation if lower level offenders are detected and removed by law enforcement. In contrast, smaller criminal group will seek out individuals who have a reputable reputation. This is generally achieved by drawing upon pre-existing relationships, as well as familial and ethnic ties (QLDPS 1). Individuals who are considered trustworthy and reliable are more likely to hold key position within smaller groups. Such individuals are more likely to be well connected, including access to illicit commodities and co-offenders. With the factors underpinning the establishment of ties and trust within organised criminal groups discussed, the following section will detail the final stage of the involvement process: continued engagement or disengagement.

7.4.3 Stage Three: Continued Engagement or Disengagement from Organised Criminal Groups

Using the conceptual framework proposed in Chapter Four, the final stage of the involvement process into organised criminal groups centres on an individual’s commitment to a group or, alternatively, their ability to disengage from the ties established. ‘Continued engagement’ suggests that an individual remains a voluntary or involuntary participant in an organised criminal groups, with ties to co-offenders difficult to sever. On the other hand, ‘disengagement’ occurs when an individual makes a voluntary or involuntary decision to remove themselves from an organised criminal group, with the potential to re-enter society as a law-abiding citizen (See Sweeten et al. 2013). Broadly, the interviewed police informants believed that it was generally rare for individuals to disengage from organised criminal groups, with factors such as external pressure, threats, and potential profits having a significant impact. However, informants also explained that when disengagement does occur it is often the result of two key factors, legitimisation and law enforcement intervention. This section will present the opinion of the interviewed informants with regard to continued engagement and disengagement from organised criminal groups.

Continued Engagement: External Pressure

Based on the collective experience in investigating the activities of organised criminal groups, police informants believed that offenders generally found it difficult to disengage, with their criminal behaviour often reinforced by external pressure. The data suggest that this primarily stems from familial and cultural expectations. An informant from the NSW Police Force provided the following example to highlight the difficulties associated with disengagement when familial ties and criminality are intertwined:

“I know of one person in particular who wanted to get away from organised crime, you know was put through a whole series of programs and all sorts of stuff, relocated but then within 12 months was back, was back into it, because it's what they know and it's a whole cultural thing too, well for my world, is that family is a huge thing, you know your cousins, your uncles, your immediate family, just that community network is massive.” (NSWPF 1).

The pressure exerted by familial ties makes evident two key points that are relevant to both the involvement pathways into organised criminal groups and the development of disengagement and prevention strategies. Firstly, familial and cultural ties that are criminal in nature can provide individuals with a pathway into organised crime, especially if such ties are dominant at an early age. Secondly, in order for disengagement or prevention to occur, individuals must be removed from the familial or cultural networks where criminal behaviour is an expectation.

Familial and cultural expectations pose significant challenges for individuals who wish to distance themselves from criminality, especially if such elements are intertwined with their sense of identity and their source of income. This is summed up by an informant from the NSW Police Force who noted that generational changes are likely to reduce the impact of familial and cultural expectations and increase the likelihood of prevention and disengagement:

“So, to uproot yourself from that and leave forever, unless your fifth and sixth generation then maybe it might become a bit easier later in life but currently, we're probably only up to third generation maybe, if we're at that level at the moment.” (NSWPF 1).

When these ties and networks form the core nexus of an organised criminal group, the pressures associated with commitment and continued engagement are strengthened. Individuals with kinship ties that are entrenched within the inner workings of a criminal group often play a more integral role and thus have more to lose if they attempt to disengage (QLDPS 5). Disengagement can result

in threats, violence, loss of familial or cultural connections, and lifestyle changes. In considering these obstacles, it was suggested that individuals who experience external pressure will only desist if there is law enforcement intervention. An informant from VIC Police (VICP 4) explained that desistance is likely to occur if key members of the criminal group or whole parts of the group were to get arrested; then they would “lay low, or they'll stop offending or maybe even get back into it again” (VICP 4). In other cases, individuals may desist if they've established an intimate relationship and changed their way of life, but generally criminality is instilled in them from a young age and they become career criminals: “rarely do they get out and the only time they stop is when they get arrested” or are killed (VICP 4).

Continued Engagement: Threats and Violence

While external pressure emphasises the importance of an individual's network as a key factor for continued engagement, other organised criminal groups will use threats, intimidation and violence to ensure an individual remains committed. Informants explained that the effectiveness of threats is highly dependent on an individual's exposure to offending. Incremental exposure and offending often ‘blindsides’ individuals to the point where they are far too entrenched to simply ‘walk away’. An informant from VIC Police (VICP 1) highlighted the dangers associated with incremental offending, explaining that it can start with minor tax avoidance and progress to not paying duties on cigarette importations, and suddenly the individual is refitting a boat for deep-sea large-scale drug importations. The issue with incremental exposure and offending is that the individual slowly becomes entrenched within the organised criminal group and they often don't reflect on what they are doing until they reach a critical point and suddenly realize that “they'll either spend the rest of their life in jail or that their life is jeopardized because they can't get out without being either shot or a family member suddenly put at risk, and obviously extracting themselves from that long term exposure from that network is even harder” (VICP 1). Long standing ties and familial relationships can increase the risks associated with disengagement, with friends and family members potential targets of threatened violence.

The issues and risks associated with incremental offending and disengagement often prevent individuals from approaching law enforcement agencies to seek assistance. Informants explained that this is often the case with outlaw motorcycle gangs. Attempts at disengagement from OMCGs are generally not brought to the attention of law enforcement due to the threat of violence against individuals. Informants noted that attempts at disengagement are only seen when the individual ends up dead, bashed or publicly assaulted: “they've bashed a former member within an inch of their life and they've taken their bike, cause that's generally what happens when they want to get out, they'll reposes all these items which they've accrued since they've been members”

(VICP 3). The use of violence, especially amongst OMCGs, is used to protect and insulate core members of a group and prevent individuals from defecting. In a particular case, a couple of OMCG members in Victoria threatened to use violence when several low-level offenders, who were trafficking drugs on behalf of the OMCG, decided not to ‘play the game’ anymore: “of course it came undone, people ended up getting charged and the club was implicated” (VICP 3). Even though attempts were made to protect the club, the use of threats alerted law enforcement of the criminal behaviour.

Although the collated data is limited, it reveals several key points regarding continued engagement as a result of intimidation and violence. The limited data suggests that organised criminal groups in Australia do not act with the same level of impunity as those in other jurisdictions, and thus are less likely to engage in public displays of violence. As a result, attempts at disengagement are rarely brought to the attention of law enforcement, except for when individuals are assaulted or killed. If violence is not an option, individuals will be ostracised from a group and in most cases will “continue to commit crime, as a way of life, just no longer with an organised criminal group” (QLDPS 2). Furthermore, the effectiveness of threats and intimidation generally correlates to an individual’s position within an organised criminal group. Core members or those exposed to incremental offending face significant difficulties attempting to disengage. Therefore, potential disengagement strategies must consider the impact of threats and violence on individuals involved in organised crime.

Continued Engagement: Profits

Profits, illicit or otherwise, remain a key motivator for organised criminal groups. The potential for ‘easily obtained’ profits and material goods are a significant factor for involvement in organised crime, especially for low-level offenders or those who have experienced significant lifestyle changes (e.g. loses of employment). Therefore, the appeal of potential profits is exacerbated by the presence of strained circumstances and limited access to legitimate economic opportunities. Involvement in organised crime in the pursuit of illicit profits can be compared to a ‘gig-based’ economy in mainstream society. Traditionally, involvement in organised criminal groups, especially hierarchically structured groups, was permanent and you wouldn’t leave unless you left in a coffin (VICP 2). Within the organised crime ‘gig-based’ economy, individuals are paid for the work they do, which can range from a single criminal operation to several months of work: “you get paid \$3000 or \$5000 for it and then you can be on your way and that might be the extent of the participation for some, you know some might be happy with that, and then others probably will come back for second or thirds” (VICP 2). Much like in the legitimate economy, individuals may start off at the lower levels of an organisation and with ongoing participation “they take on

more responsibility and more of the organisational sort of roles and become more involved and then yeah entrenched” (VICP 2).

The potential for increased profits is linked to incremental offending, whereby individuals will gradually engage in more serious offending in the pursuit of profit. An informant explained that incremental offending and illicit profits remain a significant barrier to disengagement from organised criminal groups. It was noted that individuals generally desist from organised crime for two key reasons, when they are caught by law enforcement or they’ve made enough money that they are able to legitimise their income (NSWPF 1). However, in most cases a sense of greed prevents disengagement and there are “stories about a person saying I’ll just get involved in organised crime I’ll get involved in one transaction, I’ll make my money and then I’ll get out, but once they start and they reap the rewards they continue on” (NSWPF 1). Another informant from the NSW Police Force noted that while some individuals mature and attempt to get on the ‘straight and narrow’, others are unlikely to change their ways:

“We have one due to get out early 2019 that was a very good crook and he previously got out at the end of 2010 and it took about 6 weeks before he was back into major re-offending and my view is he will probably, we charged him in August of 2011, he will just come out that little bit smarter again, and I assume he will keep re-offending” (NSWPF 3).

Illicit profits are a significant barrier to disengagement from organised crime and presents a unique challenge in the development of prevention challenges. Informants explained that most offenders recognise that their behaviour is inherently wrong, and while there is some ambiguity around the mortality, or ethics, of their behaviour, they recognise that “it’s not something they want to be, necessarily, caught with and so you often get those expressions of wanting to get out or I don’t want to do this anymore” (VICP 2). Therefore, individuals must have the opportunity to engage in legitimate means of employment to overcome the temptations of criminal behaviour. However, in some cases substantial illicit profits can provide individuals with the ability to legitimise their income and disengage from organised crime.

Disengagement: Legitimation

The data suggests that on occasions ‘successful’ offenders will attempt to legitimise their illicit profits in order to disengage and distance themselves from criminal behaviour. Such individuals have generally amassed a significant illicit fortune and therefore the potential rewards associated with involvement in organised crime do not outweigh the risks with law enforcement intervention and imprisonment. Informants noted that well-placed individuals within organised

criminal groups, especially those in key positions (e.g. ‘bosses), will look to legitimise their illicitly gained wealth through legitimate businesses. In doing so, they are able to distance themselves from criminal behaviour and engage in the legitimate economy:

“I think probably the only way would be they've been in it so long that they've legitimized the businesses and things. You know, they've made their money that way, and then they've bought into another business or apartments and they become property developers or that sort of thing. So, I suppose in that way they can move away from the offending because they've made their profit” (VICP 3).

An informant from the NSW Police Force explained that individuals will try to legitimise themselves and run businesses, however, in reality “they become a bit more hands off of the running of the group, so that gives the impression that they're not involved in organised crime, but the reality is that they're still controlling the organised crime group” (NSWPF 1). Although some individuals are able to legitimise their income and walk away from organised crime, family members are still heavily involved in criminal activity: “they themselves have gone I've got what I need, I'm where I want to be, I'll go and be the businessmen and I'm happy being a businessman” (NSWPF 1). This presents a unique challenge for law enforcement agencies and those seeking to develop disengagement strategies.

Although legitimisation provides individuals with the means to disengage, the data suggests that close familial or social ties with individuals still involved in organised crime can increase the risks associated with recidivism. Individuals who have used their proceeds of crime to establish and operate legitimate businesses “still maintain their crime connections and are susceptible to falling back into a life of crime if an irresistible opportunity presents itself: old habits die hard” (QLDPS 2). However, an important aspect of legitimisation is the ‘maturing’ of offenders. Informants explained that some individuals ‘grow up’ and realise that “this is not the life they want” (QLDPS 2). Others will attempt to legitimise once law enforcement intervention occurs and they realise that involvement in organised crime is no longer worth the risk: “they've turned around, they've got jobs, and they've got families” (NSWPF 1). Therefore, disengagement strategies must focus on individuals who have ‘grown out’ of offending and looking to reintegrate into legitimate society. However, such individuals cannot be easily identified and pathways for reintegration must be made available, with law enforcement intervention a likely option. In certain cases, signifiers of maturity (e.g. employment, family) do not indicate that an individual will seek to disengage, and other strategies must be considered: “they'll have families, kids, whatever, but

they are still engaged in organised crime; they're still doing what they know and accustomed to doing" (NSWPF 1).

Disengagement: Law Enforcement Intervention

Police informants explained that disengagement from organised criminal groups is commonly the result of law enforcement intervention, especially initiatives which target criminal markets. Law enforcement initiatives have been particularly effective in encouraging disengagement from outlaw motorcycle gangs. This has been attributed to increased police powers, specialised task forces and state legalisation. The effectiveness and success of these powers is noted by an informant from the NSW Police Force (NSWPF 3). The informant explained that 'bikies' in both NSW and QLD are feeling the 'heat' from law enforcement after changes to state legislation: "whether they're getting stopped when they're travelling in their personal cars or on their bikes or there's visits to various places and they think yep it's all too much, there's too much heat, we're getting locked up, we're getting turned over, we don't want to do this anymore" (NSWPF 3). This was supported by an informant from QLD Police Service (QLDPS 4) who also highlighted the impact of new police powers and legislation on disengagement:

"Obviously jail terms may deter persons from ongoing crime, but legislative pressure also in recent years has affected those in organised crime and gangs be it through laws such as the VLAD laws as well as legislation targeting unexplained wealth. During VLAD law days numerous members gave up their membership to OMCG's due to Police pressure enforcing the new legislation" (QLDPS 4).

The data also suggests that law enforcement intervention is most effective when applied to offenders who have 'matured' and are seeking to disengage from organised crime. An informant from the QLD Police Service noted that the commencement of relationships, children, "post-incarceration with a desire not to return to jail [and] particular incidents like assaults" can encourage disengagement (QLDPS 2). Such factors can be compounded by law enforcement intervention and specific strategies that target organised criminal groups. Interestingly, data on disengagement as a result of law enforcement intervention was limited. It is assumed that law enforcement agencies are unwilling to provide extensive information on their approach to combating organised criminal groups. Nevertheless, it is evident that law enforcement intervention can encourage disengagement when utilised alongside other factors and initiatives. In considering the various factors for continued engagement and disengagement, it is clear that law enforcement agencies have a key role to play. The impact of external pressure, especially familial and cultural expectations, threats and violence, and potential illicit profits are key factors that law enforcement

agencies and practitioners must focus on if they are to develop effective disengagement strategies. What follows is an overview of law enforcement's perspective on encouraging disengagement and preventing involvement.

7.5 ENCOURAGING DISENGAGEMENT AND PREVENTING INVOLVEMENT

In examining the involvement process into organised criminal groups, a key aim of the present study was to develop strategies that can encourage disengagement or prevent involvement in organised criminal groups. Considering the importance of law enforcement in the fight against organised crime, it was imperative that the opinion of the police informants was deliberated prior to the development of any strategies. With this in mind, it is important to note that several police informants were surprised when the researcher posed the question, "Is it possible to prevent involvement or encourage disengagement?". In response to the question, informants explained that involvement prevention and disengagement are not a key focus of their respective law enforcement agencies. It is assumed that this is due to law enforcement's reactive, as opposed to proactive, approach to organised crime (See Ayling and Broadhurst 2012). Nevertheless, informants noted that in order for disengagement and prevention strategies to be effective they must focus on juvenile and young offenders. This approach must be multifaceted in nature and involve a combination of law enforcement and community-based initiatives. On the other hand, some informants explained that strategies designed to encourage disengagement and prevent involvement would fail as long as organised criminal groups existed, and criminal markets remained profitable. To avoid any criticism of law enforcement agencies, the informants provided limited but insightful responses to the question posed by the researcher.

7.5.1 Potential Strategies

Interviewed informants explained that current law enforcement strategies, which were not discussed at length in the interviews, have been effective in encouraging disengagement and reducing involvement in organised criminal groups. An informant explained that legislative changes and initiatives implemented by the QLD Police Service had reduced involvement into organised criminal groups:

"I believe the legislative changes and enforcement action taken by the QLDPS against OMCG members has certainly reduced recruitment and made it look less attractive" (QLDPS 3).

Although informants explained that current strategies were proving to be effective, others explained that measures could be improved by increasing law enforcement's engagement with the community. Informants from the QLD Police Service and the NSW Police Force suggested that a grass roots approach that focused on at-risk and vulnerable individuals (especially young offenders) within the local community might be effective in reducing involvement. Although intrinsically different, an informant suggested that community-based programs should follow the de-radicalisation programs used to deter potential terrorists:

“I would consider it a similar concept to de-radicalisation. Police, other government agencies and community groups would have to identify persons at risk of falling into organised crime, engage with the potential recruit, provide support options and intervene in a meaningful way to set the recruit on a different course. Some people are beyond saving, the lure is too strong” (QLDPS 4).

Of relevance to organised crime is the implementation of deterrence strategies that provide individuals with support options and alternative pathways into employment and education. In particular, this should target individuals who have experience significant as well as juvenile offenders.

Similarly, an informant from the NSW Police Force (NSWPF 3) explained that law enforcement agencies have made a significant attempt to prevent involvement in organised criminal groups by engaging with youth and implementing diversionary programs. Details of these programs are limited, but the informant noted that police personnel are actively trying to get into schools and other places. This is a response to OMCGs attempting to recruit from a young age, especially through schools, gyms and other sporting areas. Therefore, law enforcement agencies are:

“actively engaging some of these youth in some diversionary programs, try to get them on the straight and narrow... with at risk kids to try give them some other purpose in life and get them on the straight and narrow before they're actually recruited into those areas. I think a lot of them would always you know that thing of money, girls, drugs, to young vulnerable people, they might think well that's the lifestyle I want, until they eventually get caught and they're doing 15 years plus in jail” (NSWPF 3).

With these viewpoints considered, potential disengagement and prevention strategies must focus on integrating law enforcement responses and legislative changes with community initiatives. This

ensures that at-risk individuals can be identified, and appropriate diversionary measures implemented. Similarly, there must be an emphasis on diversionary programs for youth and juvenile offenders, who are often the target of organised criminal groups.

7.5.2 Potential Challenges

In contrast, some informants argued that strategies developed to encourage disengagement and prevent involvement would ultimately be ineffective due to the nature of organised crime and organised criminal groups. The main argument underpinning this perspective is the notion that while organised crime exists, and individuals are able to profit from illicit activities, then involvement will always occur. An informant from the QLD Police Service explained that the glorification of a particular lifestyle is a significant factor for involvement and difficult to prevent against:

“Not whilst there is easy money to be made and the lifestyle it affords is glorified through traditional and social media. It is too tempting for young impressionable people to be blinded by the opportunity to make quick and easy money to give themselves a better life. Once they’ve committed to this, they become addicted to the lifestyle and will do anything to maintain it” (QLDPS 1).

Another informant from the QLD Police Service argued that as long as organised crime exists, people will always become involved and engage in criminal behaviour:

“No – while ever there is organised crime there will be recruitment into organised crime. Some people are recruited – they just develop into a person involved in organised crime and they surround themselves with like-minded individuals” (QLDPS 2).

These viewpoints support the need for diversionary programs and support options for individuals at risk of involvement. Such programs will need to de-glorify the ‘organised crime lifestyle’ and highlight the risks associated with involvement in criminal behaviour (e.g. imprisonment, death).

The data also suggested that the effectiveness of potential strategies can be undermined by the variety of organised criminal groups operating in Australia, including transnational criminal groups. For example, informants compared the modus operandi of covert and overt organised criminal groups. An informant from VIC Police explained that during the Gangland War in Melbourne certain criminal groups were highly visible to law enforcement, while others were ‘happy’ to stay in the background: “the smarter organised crime networks don't want that visibility” (VICP 1). Highly visible groups, like OMCGs, are easy to identify and measures can be

implemented to reduce involvement, restrict association and public display of colours and patches. However, overt organised criminal groups are “probably the exception as opposed to the normal” (VICP 1). Therefore, blanket strategies cannot be effectively utilised to encourage disengagement and prevent involvement. Other issues emerge in regard to incremental offending. Informants suggested that it was difficult to prevent incremental involvement in organised criminal groups:

“they're only asking you to do this to start with. So, it's like, hey I need you to put money through your account, I'll pay you \$1000, its \$10,000 but I need to put it through your account, they go well, \$1000 bucks and I'm not really doing anything wrong. So there's that initial introduction and it's this, it's that erosion over a period of time of moral certainty, well they're not doing anything wrong, or hang on that money is very attractive, that builds into a lifestyle, or once they get into it a little bit then the criminal have their hooks into them as well, well you've already done this for us, you know step up” (VICP 1).

The issues associated with incremental offending stem from an individual's sense of morality. Most offenders understand right from wrong and are quite clear in terms of criminal offending. However, the issues with incremental offending and exposure is that initial greyness, “people get in and it's like oh I'm only helping him get a house in his name and I don't really know, I have an idea what he might be doing but I don't want to know, I'm helping someone out. So that slow recruitment is probably hard to stop” (VICP 1). Other individuals will only engage in criminal behaviour as part of an organised criminal group for only a short period of time:

“Whereas a lot of these people who assist in the organised crime networks only assist in certain parts, in certain roles. You know, as I said we get Canadians, Vietnamese flown into Victoria to do a meth cook, and then they're out. They get someone else to get the house for them, he gets a 6-month lease, he rehabilitates it at the end and off they go. They use a legitimate business to do the importing. So different players have different roles, so when are they in and when are they out as well” (VICP 1).

Incremental offending is a significant challenge in the development of disengagement and prevention strategies. As mentioned, incremental offending is difficult to identify and with the greyness of certain activities, individuals are often unaware they are assisting an organised criminal group.

Fundamentally, it was argued that tougher sentencing is required in order to encourage disengagement and prevent involvement in organised criminal groups. However, due to the globalised nature of criminal markets, domestic strategies would need to be reinforced by international policies and initiatives:

“I don't know if we can, no, but again because Australia is accessible to the world, you would have to do it on a worldwide thing because it's not limited to here and people can go overseas and get involved in organised crime and come back”
(NSWP 4).

Although it was noted that tougher sentencing in Australia can act as a significant deterrent (VICP 4), based on the data collected, the effectiveness of tougher sentencing cannot be ascertained. What is evident however is the need for a combined response to disengagement and prevention that utilises both law enforcement powers and community services. Such strategies must seek to identify individuals at-risk of involvement and provide them with support options. With the informant viewpoints considered, it is clear that there are some challenges that need to be overcome in order to develop effective disengagement and prevention strategies. The following chapter will discuss the implications and contributions of the involvement process conceptual framework and potential strategies.

7.6 CONCLUSION

An analysis of the informant interviews and sentencing cases provided detailed insight on the involvement process into organised criminal groups within Australia. In providing context for this discussion, the data revealed the characteristics and risk factors of offenders. It was found that involvement in organised criminal groups can occur at any age, with an offender's age generally reflecting their position or role within an organisation. For example, 'street runners' are often young offenders, while 'bosses' or core members tend to be in their 40s. Additionally, the risk factors associated with involvement in organised crime were identified as criminality, ability, network and identity. The data indicated that organised criminal groups will generally seek out individuals who are criminally inclined, as they are more likely to engage in illicit behaviour and are thus considered reliable and trustworthy. Groups will also target individuals with certain skills or in particular positions (e.g. employment) that are advantageous to their criminal activities. Individuals with specialised knowledge (e.g. chemistry) or illicit skills (e.g. money laundering) are at risk of involvement. Furthermore, an individual's social network can also play a key role in involvement. Criminally inclined relationships established through familial ties, peer groups, the local community and professional ties can increase the risks associated with involvement. In certain

cases, an individual's identity, which is influenced by their upbringing and lifestyle, can also be a risk factor for involvement. Issues relating to family breakdown, alcohol and drug misuse, unemployment, vulnerability and community disorganisation are prominent.

In examining the involvement process into organised criminal groups, the notion of criminal trajectory and careers also emerged. The collated data indicated that there is generally an escalation of offending, with individuals progressing from low level offences (e.g. drug possession) to high level offences (e.g. drug trafficking and importation). Informants explained that while some juvenile offenders may progress towards organised crime, most offenders were not involved in criminal behaviour as juveniles nor did they have convictions commonly associated with organised crime. Fundamentally, there are difficulties with mapping the criminal trajectory and career of organised crime offenders. The data suggested that individuals in lower-level positions generally had a criminal record, while those in key positions did not. This creates some gaps in attempting to map the trajectory and careers of organised crime offenders. Nevertheless, the data provided some context for the ensuing detailed examination of the involvement process into organised criminal groups.

Using the conceptual framework proposed in Chapter Four, the involvement process into organised criminal groups consists of three key stages, involvement pathways, establishment of ties and trust, and continued engagement or disengagement. The collated data indicated the initial involvement pathways into organised criminal groups focus on pre-existing relationships between offenders (contacts and ties pathway), kinship ties (familial and ethnic ties pathway), advantageous skills or positions (targeted involvement pathway), and coercion and violence (forced criminality pathway). The establishment of ties and trust between co-offenders also depends on pre-existing relationships and kinships ties, with an emphasis on criminal reputation and shared criminal goals. Lastly, continued engagement is often the result of external pressure, threats and potential profits, while disengagement can be attributed to legitimisation and law enforcement intervention. While the findings of the present study mirror information in the existing literature, the results offer a unique insight into the involvement process within Australia, which will be discussed in detail in Chapter Eight. Of note also was the potential effectiveness of strategies that encourage disengagement and prevent involvement. Informants argued that strategies should have a grass roots approach and focus on at-risk and vulnerable individuals (especially juveniles). Diversionary strategies are noted as being potentially effective in encouraging disengagement and preventing involvement. Other informants explained that due to the nature of organised crime, the effectiveness of potential strategies would be undermined. The implications of this research and potential strategies are discussed in the following chapter.

CHAPTER EIGHT: IMPLICATIONS OF THE CONCEPTUAL FRAMEWORK

“Once you’re in the racket, you’re in it for life” – Al Capone

8.1 INTRODUCTION

The present thesis explored the involvement process into organised criminal groups within Australia through the analysis of data collected from law enforcement interviews and sentencing cases. A key research question this study sought to answer was ‘what is the involvement process into organised criminal groups within Australia and does it differ from the current academic understanding as conceptualised in the framework?’. By conducting a review of the extant literature, albeit limited, the researcher developed a conceptual framework which pieced together existing knowledge on ‘recruitment’, ‘involvement’ and ‘engagement’ in organised criminal groups. The proposed conceptual framework was tested using the data collected from the law enforcement interviews and sentencing cases. In answering the research question, the researcher found that there were similarities between existing knowledge and the findings from the present study. Nevertheless, the findings of the thesis are significant as they provide new insight on the involvement process into organised criminal groups in Australia. This chapter will discuss the main findings of the thesis by addressing the research questions posed in Chapter One. The sections that follow will focus on discussing the results of the study, the implications of the proposed conceptual framework, and the potential for the development of initiatives that encourage disengagement and prevent involvement. This chapter will conclude with a discussion on the limitations of the present study and recommendations for future research.

8.2 BACKGROUND

A review of relevant organised crime literature made evident the paucity of academic inquiry on the involvement process into organised criminal groups. Prior to the development of the conceptual framework, the researcher found that existing academic research on organised criminal groups had failed to examine involvement as a process, with key stages and elements. For example, involvement pathways into organised criminal groups have not been discussed alongside issues pertaining to disengagement. Furthermore, previous studies have focused on the concepts of ‘recruitment’ and ‘membership’, which suggests a formal process of offending that mirrors the employment procedures utilised by licit organisations (e.g. Smith 2014; Calderoni et al 2020; Weisburd et al. 2020). Research on ‘recruitment into’ and ‘membership of’ organised criminal has been confined to the study of specific organised criminal groups, for example Italian Mafias and

outlaw motorcycle gangs (e.g. Savona et al. 2017; Jahnsen 2018). Beyond these specific groups, research has also examined the establishment of co-offending relationships (e.g. Tremblay 1993; Weerman 2003; McGloin and Piquero 2010), involvement mechanisms into organised crime (e.g. van Koppen 2013; van Koppen and de Poot 2013, offender risk factors (e.g. Home Office UK 2015; Calderoni et al 2020), and desistance (e.g. Bovenkerk 2011; Gjelsvik and Bjorgo 2012).

There is also a paucity of Australian studies on involvement or recruitment into organised criminal groups, with the exception of Smith (2014) academic inquiry has focused on other aspects of the phenomenon, including criminal markets (e.g. Dwyer and Moore 2010; Bright et al. 2012; Hughes et al. 2016) and the criminalisation of organised crime (e.g. Ayling 2011; Ayling and Broadhurst 2012; Mann and Ayling 2012). Therefore, it is evident that research on involvement into organised criminal groups is eclectic, with extensive work required in order to develop a conceptual framework. As this chapter will demonstrate, there is a clear absence of academic research that has examined the involvement process into organised criminal groups with consideration for personal, social and environmental factors which may lead to involvement. Consequently, limited knowledge of the involvement process into organised criminal groups has impeded on the ability of government and law enforcement agencies to develop effective strategies, policies and initiatives aimed at encouraging disengagement and preventing involvement. With this in mind, the researcher developed a conceptual framework which emphasised the importance of involvement pathways, the establishment of ties and trust between co-offenders, and the factors that reinforce commitment or lead to disengagement from organised criminal groups.

8.3 ADDRESSING THE RESEARCH QUESTIONS

With consideration for the aims of the present study, the following primary research question was addressed:

- 1) What is the involvement process into organised criminal groups within Australia and does it differ from the current academic understanding as conceptualised in the framework?

The secondary research questions focused on elements that informed the primary research question and are as follows:

- 2) What is the involvement process by which individuals become involved in organised criminal groups?
 - a) What are the initial involvement pathways into organised criminal groups?

- b) How is trust established between co-offenders in organised criminal groups?
- c) Does disengagement from organised criminal groups occur? If so, how?
- 3) What are the implications of the findings for the proposed conceptual framework and criminological theory?
- 4) What initiatives can be implemented to encourage disengagement and prevent involvement in organised criminal groups?

Prior to any discussion of the aforementioned research questions, a brief review of the research design will be discussed.

8.4 RESEARCH DESIGN

Due to the paucity of academic research on the involvement process into organised criminal group, in Australia and elsewhere, the design of the present study would need to facilitate the development and testing of a conceptual framework. The proposed conceptual framework would need to amalgamate existing knowledge with new data in order to present an original understanding of the involvement process into organised criminal groups within Australia. Academic research into organised crime and organised criminal groups is hindered by issues arising from access to data, personal safety and the unreliability of some data (in particular those obtained from media and government agencies, or through interviews with offenders). Issues associated with collecting and accessing data on organised criminal groups and offenders, especially within Australia, placed various limitations on the methodological designs that could be adopted in the present study. Accordingly, the current study adopted an inductive and deductive approach in order to develop a conceptual framework on the involvement process into organised criminal groups. New information was extracted from law enforcement interviews and sentencing cases from New South Wales, Queensland, and Victoria. The research questions addressed in this study focused on the application of existing knowledge within an Australian context, as well the potential for the modification and refinement of the conceptual framework with the emergence of new information. In presenting the findings, the conceptual framework provided the theoretical groundwork for analysing the law enforcement interviews and sentencing cases. The collated data was thematically analysed using the three stages of the involvement process into organised criminal groups: involvement pathways, establishment of ties and trust, and continued engagement or disengagement. A number of sub-themes relevant to each stage of the involvement process were also identified through the data analysis. The key outcome of the data analysis phase was to produce conclusions and develop a conceptual framework on the involvement process into organised criminal groups within Australia.

8.5 INITIAL CONCEPTUAL FRAMEWORK

By conducting a comprehensive review of the extant literature on organised criminal groups, the researcher posited that the involvement process conceptual framework should consist of three key stages (see diagram 8.1):

1. Initial involvement pathways into organised criminal groups;
2. The establishment of ties and trust between co-offenders; and
3. Continued engagement or disengagement from the organised criminal groups.

The proposed conceptual framework should be viewed as an ideal process that attempts to make sense of an often-complex phenomenon. Much like the recruitment and employment process into licit organisations, the involvement process into organised criminal groups must be viewed in much the same way: a sequential procedure with key stages and defining factors. Therefore, the proposed conceptual framework represents a unique process of criminalisation, whereby certain involvement pathways can lead to the establishment of co-offending relationships with the potential for continued engagement or disengagement from organised criminal groups. The researcher notes that the proposed conceptual framework was developed to examine the involvement process within Australia. Therefore, it should be viewed as the basis for future research on this aspect of organised criminal groups. The following diagram (Figure 2) is the conceptual framework developed using the findings from the literature review, which will be tested against the empirical data collected.

Figure 3: Initial Conceptual Framework

Involvement Pathways	<ul style="list-style-type: none"> • Ties and pre-existing relationships • Familial and ethnic ties • Targeted involvement • Forced Criminality
Establishment of Ties	<ul style="list-style-type: none"> • Displaying criminal intentions • Individualised trust • Kinship ties • Reputation • Threats and violence
Continued Engagement or Disengagement	<ul style="list-style-type: none"> • Continued engagement- loyalty, violence, ties and identity • Disengagement- individual and collective termination

8.6 TESTING THE CONCEPTUAL FRAMEWORK

The findings of the present study offer new insight on the involvement process into organised criminal groups within Australia. Previous research on organised crime in Australia has

neglected to examine and understand the involvement process into organised criminal groups. Research conducted elsewhere has examined key aspects of the proposed conceptual framework, including involvement mechanisms into organised criminal groups (e.g. Kleemans and de Poot 2008; Decker and Chapman 2008; van Koppen 2013), risk factors for involvement (e.g. Gambetta 1993; van Koppen et al. 2010a, 2010b; Home Office UK 2015), the notion of trust and co-offending relationships (e.g. Gambetta 2000; 2009; Gambetta and Ermisch 2010; Malm et al. 2010; van Koppen 2013; Calderoni et al. 2020) and disengagement (e.g. Bovenkerk 2011; Gjelsvik and Bjorgo 2012; Sweeten et al. 2013; Harris 2015; Lindley 2016). As noted, these studies have not been conducted within an Australian context or as part of a conceptual framework. Therefore, by combining existing knowledge with the findings from the present study, the researcher presented new insight on the involvement process within Australia.

Studies suggest that the social, political and economic environment in which organised criminal groups operate within can have a significant impact on their modus operandi (e.g. Skaperdas 2001; Varese 2006; 2011; Paoli 2010). For example, Varese (2006) found that the successful transplantation and operation of the 'Ndrangheta in northern Italy was contingent on the features of the local economy. Therefore, organised criminal groups who operate in jurisdictions with high levels of corruption, political chaos, social disorganisation and weak judicial systems do so with significant impunity (e.g. Kugler et al. 2005; Gounev and Bezlov 2010; Briscoe and Kalkman 2016). For example, judicial corruption in Bulgaria is a key factor in the relative impunity of organised crime, where the number of prosecutions and convictions related to organised crime remain low (less than 41%) (Gounev and Bezlov 2010). It is within this 'socially disorganised' environment that organised criminal groups are able to effectively identify and involve individuals that are advantageous to their illicit activities: this can include juvenile offenders, lawyers, accountants and military personnel (e.g. Cook 2007; Dean 2012). The ability for an organised criminal group to operate with impunity acts as an advertisement, with vulnerable individuals in the community aspiring to be a part of the group. For example, the Camorra bosses of Naples display their wealth and power through their luxury cars, designer clothes and urban mansions. This display of status within the local community is a powerful incentive for juveniles who seek prestige, power and employment (Saviano 2006).

However, organised criminal groups in Australia operate in a vastly different environment. Organised criminal groups do not act with the same impunity as those in other jurisdictions. With low levels of corruption and a functioning and effective political and judicial system, organised criminal groups must operate in a covert manner and avoid detection (See Transparency International 2018; Smith et al. 2018). Publicly visible groups, like outlaw motorcycle gangs, have

had their operational capabilities hindered by legislation (e.g. anti-consorting laws) and law enforcement led initiatives (e.g. Strike Force Raptor). Within such an environment there are certain difficulties associated with the identification and involvement of co-offenders. Yet, the findings from the present do not suggest that there is any significant departure from existing knowledge. The collated data indicated that involvement into organised criminal groups within Australia follows a similar process to that identified in the literature. However, the data offered a new perspective on involvement into organised criminal groups through the conceptualisation of the process within a framework. Furthermore, the findings provided the first substantial examination of the involvement process into organised criminal groups within Australia. The primary and secondary research questions will be discussed in the following sections, with a focus on the conceptual framework.

8.6.1 What are the initial involvement pathways into organised criminal groups?

The first stage of the involvement process into organised criminal groups is conceptualised as the 'involvement pathways'. At this stage of the process, individuals come into contact with the criminal elements that will provide them with an 'entry point' into organised crime. As noted previously, by conducting a review of the available literature, the researcher identified four involvement pathways; 'contacts and ties', 'familial and ethnic ties', 'targeted involvement' and 'forced criminality'. These four pathways were also identified in the interview responses and sentencing cases. Although the context in which previous studies were conducted differs from the Australian environment, there are various similarities within the overall involvement process. Nevertheless, the findings are significant as they provide the first examination of the involvement pathways into organised criminal groups within Australia. The findings indicate that involvement can occur as a result of various social and personal factors, with individuals susceptible to involvement through various aspects of their daily life, including friends, family, social groups, jail, sporting clubs and place of employment.

The 'contacts and ties' involvement pathway supports existing notions that criminally inclined ties (i.e. personal, social or professional) can open up opportunities for engagement in organised crime. Although the notion of 'contacts and ties' have been explored elsewhere (See Ianni 1974; Paoli 1998; Malm et al. 2010; Campana 2013; von Lampe 2016; Varese 2017), the findings from the present study offer a new understanding of these relationships within an Australian context. Fundamental to this pathway is the idea that it is unlikely that organised criminal groups will approach and engage with someone that is not previously known to them or is not introduced to them through existing social networks (Ianni 1974). Therefore, criminal opportunities are only available to individuals who have the necessary contacts and ties. However,

such individuals must be considered trustworthy and demonstrate their willingness to engage in criminal behaviour. This display of trust and willingness to engage in criminal behaviour is based on pre-existing relationships, which can be established through 'word of mouth', friends, associates or members of the local community.

The findings indicated that contacts and ties are common involvement pathway for juveniles and young offenders. Due to the personal nature of involvement, juveniles and young offenders are presented with opportunities for engagement through their peer groups and extended social networks. Existing literature outside of Australia has noted the importance of peer groups and social networks as a pathway into organised criminal groups (See Desroches 2005; Decker and Chapman 2008; van Koppen 2013). The influence of peer groups and social networks as involvement pathways also extends to adult offenders. Friends and social ties formed through delinquent and illicit behaviour (i.e. drug taking) were identified as key entry points into organised criminal groups. These relationships reinforce the importance that some organised criminal groups place on an individual's reliability and past behaviour (deduced through pre-existing relationships), as well as their willingness to take risks and engage in criminal behaviour (inferred from their engagement in illicit activities). Essentially, this pathway represents a broad spectrum of offenders who become involved in organised criminal groups through existing ties and contacts. It can range from friendships established in high school to ties established through drug use. More specific ties and relationships emerge in the familial and ethnic ties involvement pathway.

The present study also highlighted the importance of extended contacts and ties within the involvement process. If individuals do not have direct contact with potential co-offenders, organised criminal groups will use 'word of mouth' to confirm they are reliable and willing to engage in criminal behaviour. This approach can involve 'asking around' or carrying out surveillance of the individual. For example, in the case of *NP v R [2008] NSWCCA 205*, the applicant was brought into the organised criminal groups through extended social ties. This approach allows organised criminal groups to identify potentially advantageous individuals and bring them into the fold without the risks associated with approaching someone not previously known to them. In other cases, individuals may become involved through existing illicit ties (e.g. a drug supply network). These ties ensure that the individual is willing to engage in criminal behaviour, with the potential to be a trust co-offender. However, some individuals may become involved in organised criminal groups through legitimate businesses. Infiltration or use of legitimate businesses by organised criminal groups provides individuals with a pathway into criminality.

The 'familial and ethnic ties' pathway confirms the importance of such ties within organised criminal groups in Australia. The findings indicated that involvement through familial and ethnic ties (or kinship ties) is based on the idea of familiarity, trust and conformity. Co-offenders assume that family members or members of the same ethnic community are more likely to be trustworthy and less likely to cooperate with law enforcement. Familial ties as an involvement pathway are attributed to 'blind loyalty' and 'indoctrination'. If familial ties are a key part of an individual's identity and network, it is assumed that there is a sense of commitment to the family and certain expectations are placed on the individual. Therefore, it is assumed that the responsibilities and expectations attached to familial ties may outweigh the risks associated with engaging criminal behaviour. However, 'blind loyalty' and 'indoctrination' appear to be most common in organised criminal groups that are formed around immediate familial ties, for example fathers, sons and daughters. Fundamental to these ties is the concept of 'hostage taking', whereby co-offenders and organised criminal groups can punish (threatened or actual) an individual's most immediate relatives if they do not cooperate or attempt to disengage (See Cook et al. 2005; Gambetta 2009, 2011).

While such notions are not as prominent within ethnic ties, there is still a sense of trust and familiarity. The prominence of ethnic-based groups in the data suggests that such ties continue to play a key role within organised crime in Australia, especially as an involvement pathway. Such ties, both familial and ethnic, can extend to overseas networks. Furthermore, the findings suggests that this is a key involvement pathway for female offenders. The data revealed that female offenders become involved in organised criminal groups as a result of intimate familial ties (e.g. Father, mother, daughter and sons) and intimate relationships (e.g. partners are involved in organised crime). Much like the 'contacts and ties' pathway, there are no unique characteristics or risk factors for individuals who become involved in organised criminal groups through this pathway. Fundamentally, it is a sense of familial commitment and ethnic bonds that draw individuals towards organised crime. Although the findings mirrored existing knowledge, it has provided new insight on organised criminal groups in Australia. It has revealed that familial and ethnic ties continue to play a role within organised criminal groups in Australia, especially in regard to involvement. It is also identified as a key involvement pathway for female offenders.

The pathway conceptualised as 'targeted involvement' was prominent in both the literature and the findings of the present study (e.g. Moore 1987; van Koppen 2013; van Koppen and de Poot 2013; IBAC 2015; NCA UK 2016). The targeted involvement pathway can be used to categorise individuals who are considered criminally advantageous by organised criminal groups. The advantageous nature of these individuals can stem from certain skills they possess (e.g. setting

up a clandestine lab), professional experience (e.g. accountants), access to transport or logistics (e.g. shipping ports) and vulnerability (e.g. international students and young offenders). In comparison to the previous two pathways discussed, there is generally no pre-existing ties or relationships between organised criminal groups and the targeted individual. Therefore, corruption becomes an important tool within this involvement pathway. The findings indicated that the process of corruption is often incremental in nature and generally follows a specific methodology which involves identify the individual, establishing trust, enticement or corruption, and finally engagement in criminal activity. Individuals who fall victim to targeted involvement are often unaware of how entrenched they are until it is too late.

Due to the lengthy and risky process of corruption, the individuals targeted must be of significant value to the organised criminal group. Therefore, such individuals generally possess advantageous skills, contacts and experience. The data indicated that organised criminal groups sought to target individuals who could fill gaps in their operational capabilities. For example, individuals who can acquire precursor chemicals or those who can set up a clandestine laboratory. In other cases, targeted involvement can also be used to gain access to transport and logistical systems. For example, individuals who work in shipping docks or those who can fly a plane. Organised criminal groups will use corruption or existing ties to gain access to particular businesses or government departments. This is generally done to obtain access to sensitive information, systems and procedures. Such instances are well established within the existing literature and are common tactics used by organised criminal groups (See IBAC 2015; NCA UK 2016).

The targeted involvement pathways can also draw in individuals who possess no specialised knowledge or skills but are simply in a position to assist the organised criminal group. For example, international students who can amass a significant debt for the group and return to their country of origin without any consequences. Similar to other instances of targeted involvements, such individuals are persuaded by the promise of financial rewards. Differences arise when organised criminal groups target juvenile and young offenders. In these cases, organised criminal groups will take advantage of juveniles who are vulnerable and easily manipulated. Juvenile and young offenders are targeted through the community, are 'schooled up' by older offenders and taught to engage in criminal offences. Juvenile and young offenders are influenced by the lifestyle of organised crime offenders (often through social media) and seek to mimic this. Others are seeking a sense of belonging and power that they might be lacking in other aspects of their life.

The involvement pathway of ‘forced criminality’ reconceptualises the traditional notions of co-offending relationships within organised criminal groups. This pathway suggests that some individuals may be unwilling participants in organised criminal groups. Forced criminality reflects an idea presented by McGloin and Nguyen (2014), who noted that “the decision to co-offend is not necessarily a democratic one based on equal levels of motivation and interest” (p.20). Unlike the other involvement pathways identified, forced criminality requires the use of intimidation, threatened violence and actual violence to coerce an individual to engage in criminal behaviour. The concept of forced criminality as an involvement pathway into organised criminal groups is largely overlooked in the existing literature. Only a handful of studies have examined its role as an involvement pathway and these studies focused on individuals involved in the trafficking of illicit drugs across the US/Mexico border (See Slack and Whiteford 2011; Burnett 2011; UNODC 2012; Beasley 2018). Within the Australian literature, there appears to be no mention of forced criminality as an involvement pathway into organised criminal groups. The present study therefore provides considerable new insight on the relationship between forced criminality and organised crime.

The findings indicated that forced criminality is commonly used to recoup a debt, often in the form of a drug or gambling debt. In other cases, organised criminal groups will offer to buy out an individual’s debt, which is then used as leverage for involvement. In considering the other involvement pathways within the proposed conceptual framework, forced criminality differs on the basis that it does not depend on the traditional notions of trust between co-offenders. Fundamentally, trust and co-offending ties are established through fear, threats, intimidation and violence. Without the ability for an organised criminal group to coerce or leverage an individual into criminal behaviour, forced criminality is likely to be ineffective. For example, in the case of *Re Casale [2017] VSC 568* violence and threatened violence were used to recoup a debt. Without the ability to enact violence, or the lack of a violent reputation, it is unlikely that an individual will be forced into criminality. Furthermore, the use of forced criminality poses considerable risks to organised criminal groups. It is assumed that without the potential for credible violence or threats, individuals may turn to law enforcement for protection, thus revealing the criminal activities of the group.

8.6.2 How are ties between co-offenders established in organised criminal groups?

The establishment of ties and trust between co-offenders represents the second stage of the involvement process into organised criminal groups. Considerable research has been conducted on the establishment of ties within organised criminal groups. These studies indicate that ties between offenders can be established through the display and identification of criminal

intentions (e.g. Cook et al. 2005; Gambetta 2009), individualised trust (e.g. Misztal 1996; Gambetta 1998; Huemer 1998), kinship ties (e.g. Giddens 1990; Raub 2004; Decker and Chapman 2008), reputation (e.g. Gambetta 2009; Van Koppen 2013), and threats and violence (e.g. Cook et al. 2005; Gambetta 2009; Campana and Federico 2013). Although such studies have not been conducted within an Australia, it is assumed that such notions can be applied to an Australian context. However, the findings from the present confirms these notions. Based on the collated data, it was found that the establishment of ties and trust can occur through pre-existing relationships between offenders, familial and ethnic ties, shared criminal groups and criminal reputation. These factors often reflect an individual's involvement pathway into an organised criminal group. For example, the familial and ethnic ties pathway would lead to the development of co-offending relationships through those bonds and relationships.

The reviewed literature notes that pre-existing relationships between offenders (e.g. friends, associates) are fundamental in the establishment of co-offending relationships (e.g. Morselli 2009; McGloin and Piquero 2010; Malm et al. 2010). The findings from the present study indicate that such relationships are also important within Australia. Longer standing relationships are the more likely to increase trust between co-offenders, which can provide the foundation for the establishment of ties within organised criminal groups. The use of pre-existing relationships reduces the likelihood of undercover law enforcement infiltrating the organised criminal group, as well as ensuring that potential co-offenders will not betray the group. Pre-existing relationships between co-offenders also allows for the transfer of trust to individuals not know to the group. Essentially, these individuals can be vouched for and ties can be established through word of mouth, surveillance, or their reputation. Therefore, in some cases individuals will need to demonstrate their trustworthiness, as well as their willingness to engage in criminal behaviour. Pre-existing relationships represents the most common basis for the establishment of ties and trust within organised criminal groups.

Similarly, individuals may establish ties and trust through familial and ethnic bonds. Much like pre-existing relationships, such ties are based on familiarity, conformity, trust and a willingness to engage in criminal behaviour (e.g. Decker and Chapman 2008; Varese 2011, 2017). The importance of familial and ethnic ties is well established in the literature (e.g. Kleemans and de Poot 2008; Paoli and Reuter 2008; Van Koppen, 2013). The findings supports the notion that it is 'human nature' for offenders to trust one another if familial and ethnic ties are in place. Within Australia, familial and ethnic ties are commonly used to establish trust and prevent betrayal. For example, familial ties are used in 'hostage taking' situations. This trust is often generational in nature, with criminal reputations and ties passed family members. The findings also indicated that

familial and ethnic ties are commonplace amongst recent immigrant groups. Such ties result in an insulated community where there is significant distrust of anyone outside of their trust circles. When such ties are present within organised criminal groups, ties and trust between co-offenders can be established, and it very rarely extends beyond their trust networks.

While pre-existing and kinship ties between offenders are important in some criminal groups, some co-offending relationships rely upon other factors. The data notes that shared criminal goals are important for the establishment of ties and trust. Co-offending relationships are often based on working relationships. The findings indicated that there is a distinct correlation between trust and the role offenders occupy within an organised criminal group. For example, there are high levels of trust amongst upper echelon offenders. To ensure that the goals of individual offenders aligns with that of the group, and trust is established, the data noted that some individuals are often forced to engage in criminal behaviour or face the consequences of not doing so (often in the form of violence against the individual or their family). For example, outlaw motorcycle gangs will force new members to commit crimes together in order to establish ties and align them to the goals of the group. However, the findings suggested that trust between offenders can change on a daily, weekly and monthly basis, and there is always a level of distrust.

An individual's criminal goals often go hand-in-hand with a criminal reputation. Someone with a 'trustworthy' reputation is classified as being 'straight' and unlikely to bend under pressure (Decker and Chapman 2008). A criminal reputation can improve an individual's chance of being accepted by the group and are more likely to be considered trustworthy. It was found that an individual's loyalty, and thus reputation, can be developed and tested by engaging in low level offending with the potential for escalation and engagement in certain criminal behaviour. However, it was also argued that a reputation of being trustworthy and loyalty is generally far more important than a criminal reputation within an organised criminal group. These factors demonstrate that while criminally inclined individuals are more likely to establish co-offending relationships, prior engagement in criminality is not a prerequisite. Criminal groups are able to test an individual's trustworthiness by forcing them to engage in criminal behaviour. This poses significant problems for law enforcement, as individuals with no history of offending may be drawn into an organised criminal group, often with no warning signs.

These findings indicate that ties between co-offenders can be established in a number of ways. In answering the above the research question, it was found that pre-existing ties between offenders (social and kinship ties) played an important role in the establishment of ties and trust. When such ties are not present, potential co-offenders can rely upon shared criminal goals and

reputations to establish ties and trust. The findings from the present study align with existing knowledge but also present new information on the establishment of ties and trust within Australia.

8.6.3 Does disengagement from organised criminal groups occur? If so, how?

Previous research on disengagement from organised criminal groups indicates that offenders desist as a result of 'individual' or 'collective' termination. Factors relating to law enforcement intervention, conflict, internal destabilisation, legitimisation of income, and key life events are noted as playing a key role in disengagement from organised criminal groups (e.g. Kleemans and de Poot 2008; Cronin 2009; Bovenkerk 2011). Although previous studies have provided considerable insight into disengagement from various illicit organisations (e.g. organised criminal groups, gangs and terrorist groups), the research question posed has not been addressed within an Australian context. Therefore, the present study has addressed the research question within an Australian context by discussing it within an involvement process conceptual framework. It is important to note that while the law enforcement interviews provided new information on disengagement from organised criminal groups in Australia, it is also likely that they have an incomplete picture of disengagement.

The findings from the present study suggest that disengagement from organised criminal groups in Australia rare. The data, predominately law enforcement responses, indicated that there are several factors that are known to prevent disengagement from organised criminal groups, mainly external pressure, threats and intimidation, and illicit profits. These factors share many similarities with the involvement pathways and the factors that lead to the establishment of ties and trust. For example, involvement via familial ties may prevent disengagement due to expectations and familial commitments. Or in the case of forced criminality, disengagement might be prevented through the use of threatened violence. Underpinning these factors and barriers is the potential for illicit profits, which is a strong motivator for involvement in organised criminal groups. Previous studies, albeit limited, suggests that while the rates of disengagement, or the likelihood of disengagement, remains unknown it is likely to be dependent on the strength and presence of these factors (e.g. Varese 2001; Cook et al. 2005; Gambetta 2009; Campana 2011).

In addressing the research question, the findings indicated that disengagement, while rare, does occur. Mirroring existing knowledge, the findings indicated that disengagement from organised criminal groups can be attributed to the legitimisation of income and law enforcement intervention. Unlike the issues associated with continued engagement, the factors that can lead to disengagement are external to the involvement process. The legitimisation of income and law enforcement intervention are not factors that play a key role in the involvement process yet appear

to be central in regard to disengagement. Therefore, strong external factors might be the key to destabilising an organised criminal group and encouraging individuals to desist. However, like legitimate organisations, where retention and resignation can impact on productivity (see Sutherland and Canwell 2008), the secretive nature of organised criminal groups means that they must also adopt strategies to prevent or reduce disengagement. This could indicate why disengagement occurs as a result of personal choice (legitimation of income) or external factors (law enforcement intervention).

In considering the existing literature and the results from the present study, continued engagement and disengagement must be viewed as a key stage of the involvement process into organised criminal groups. The findings indicate that while rare, disengagement from organised criminal groups in Australia does occur. Although it is often overlooked in the field of organised crime research, it can provide considerable insight on how and why individuals become involved in organised criminal groups. Further research on continued engagement and disengagement can provide law enforcement with the knowledge required to develop strategies and initiatives which can encourage disengagement and prevent involvement.

8.7 REVISED CONCEPTUAL FRAMEWORK

The researcher combined existing knowledge with the findings from the present study to propose a conceptual framework that details the involvement process into organised criminal groups. The findings from the present study contributed to the proposed conceptual framework developed using the existing literature. While the involvement pathways were similar in both the literature and the data, the findings from the present study provided new insight on these pathways within an Australian while also contributing to the paucity of research on forced criminality within organised criminal groups. In terms of the factors that lead to the establishment of ties trust, the findings of the findings identified pre-existing relationships, kinship ties, reputation and shared criminal goals. Finally, the findings several key features associated with continued engagement and disengagement from organised criminal groups. The present study is the first to do so within an Australian context. The following diagram (Figure 3) emphasises the three key stages of the involvement process, as well as factors which can influence each stage of the process. As noted, the proposed conceptual framework was developed to understand the involvement process within an Australian. However, the framework can also be adapted and utilised to examine the involvement process into organised criminal groups elsewhere.

Figure 4: Revised Conceptual Framework

Conceptual Framework	Initial	Revised
Involvement Pathways	<ul style="list-style-type: none"> • Contacts and ties • Familial and ethnic ties • Targeted involvement • Forced criminality 	<ul style="list-style-type: none"> • Contacts and ties • Familial and ethnic ties • Targeted involvement • Forced criminality
Establishment of Ties	<ul style="list-style-type: none"> • Displaying criminal intentions • Individualised trust • Kinship ties • Reputation • Threats and violence 	<ul style="list-style-type: none"> • Pre-existing relationships • Displaying criminal intentions • Individualised trust • Kinship ties • Reputation • Shared criminal goals • Threats and violence
Continued Engagement or Disengagement	<ul style="list-style-type: none"> • Continued engagement-loyalty, violence, ties and identity • Disengagement-individual (maturation) and collective (law enforcement intervention, legitimisation, internal conflict) termination 	<ul style="list-style-type: none"> • Continued engagement-external pressure, loyalty, violence, ties, identity, and illicit profits. • Disengagement-individual (legitimation, law enforcement intervention, and maturation) and collective (law enforcement intervention, legitimisation, and internal conflict) termination.

8.8 IMPLICATIONS FOR THEORY

8.8.1 Is a conceptual framework useful for displaying the involvement process?

Currently, there appears to be no attempt to examine the usefulness of conceptual frameworks in regard to studying organised criminal groups. Previous studies (See Halstead 1998; von Lampe 2003) reviewed the use of models in the study of organised crime and organised criminal groups, but these studies were limited to discussing various types of models rather than testing their usefulness against empirical data. The present study builds upon existing literature by testing the potential usefulness of a conceptual framework by using two unique data sets. The present study included a conceptual framework that covered a range of ideas identified from the body of organised crime research relevant to the involvement process. The study has demonstrated

that conceptual frameworks are a useful device for examining the often-complex involvement process into organised criminal groups. While there are some limitations, with regards to 'ideal' pathways and the overlap of information, conceptual frameworks are effective in displaying the involvement process into organised criminal groups.

The conceptual framework had a broad application in the data, particularly the three key stages of the involvement process. The initial involvement pathways represented the ties and factors that lead to an individual's involvement in an organised criminal group. These pathways were the closest to the data in terms of 'entry points' into organised criminal groups. There was evidence of the four involvement pathways identified in the literature within the data collated. The informant interviews and sentencing cases demonstrated evidence of involvement occurring as a result of 'pre-existing contacts and relationships', 'familial and ethnic ties', 'targeted involvement' and 'forced criminality'. The key issue with examining involvement pathways through a conceptual framework is that the data itself must be detailed enough to satisfy each pathway. For example, sentencing cases must provide information on the offender's background prior to the commission of the offence. Furthermore, the conceptual framework presents 'ideal' involvement pathways and there may be cases in which pathways overlap. For example, forced criminality and familial ties. This presents some challenges in examining the involvement process through a conceptual framework. Thus, the utility of conceptual frameworks was effective in presenting the involvement pathways, although dependent on the detailed data available.

Classification of the factors that lead to the establishment of ties and trust was a much more difficult process. Existing literature provides considerable insight on how ties and trust within organised criminal groups are established. For example, pre-existing relationships and kinship ties between offenders (e.g. Cook et al. 2005; Gambetta 2009, 2011). While this existing knowledge provided the basis for stage two of the conceptual framework, the identification of these factors within the data provided limited insight. Inferences about the establishment of ties and trust was based on the law enforcement interview responses. Although the findings mirrored existing knowledge on ties and trust within organised criminal groups, it was difficult to draw conclusions. The establishment of ties and trust can be complex and personal in nature, with law enforcement agencies potentially not having an intimate understanding of these relationships. The use of sentencing cases also involved similar limitations, especially if detailed information of the offender's background was not provided. Ultimately, the findings from the present study indicated that ties and trust can be established through pre-existing relationships, kinship ties, reputation and shared criminal goals. However, the conceptual framework does not display any overlap

between the aforementioned factors. It is assumed that some overlap is likely to occur, with ties and trust within organised criminal complex and constantly changing.

The final stage of the involvement process, continued engagement or disengagement, was a unique challenge for the researcher. There is a paucity of research on the factors that bind individuals to organised criminal groups or push them to disengage. International studies suggest that disengagement can occur as a result of 'individual' or 'collective' termination, with a range of factors at play, including maturation, internal conflict and group destabilisation (e.g. Sampson and Laub 1993; Bovenkerk 2011; Harris, 2015). The findings from the present study indicated that disengagement from organised criminal groups in Australia is generally the result of legitimisation or law enforcement. The absence of any other information, especially within an Australia context, may be attributed to two possible explanations: disengagement in Australia only occurs when individuals legitimise their illicit profits or when law enforcement agencies intervene; alternatively, the knowledge of the interviewed informants was limited to cases that they investigated. Therefore, it is likely that there are incidences of disengagement that might be the result of other factors that were not known to the interviewed informants. Nevertheless, the significance of the identified factors indicates that disengagement from organised criminal groups does occur within Australia. The inclusion of disengagement within the conceptual framework demonstrates its importance within the involvement process. However, while the involvement pathways, establishment of ties and trust, and continued engagement share similar elements (e.g. kinship ties), disengagement is the result of factors external to the involvement process.

One of the key issues with use of a conceptual framework is the need for highly detailed information on each stage of the involvement process. While some sentencing comments provided insight into an offender's background and their relationship with co-offenders, information relating to the establishment of ties and trust, as well as the factors that contribute to continued engagement or disengagement, was limited. This can be attributed to the focus on collecting information which can be used to prosecute an individual. The bulk of the data for the conceptual stemmed from the law enforcement interviews. The interviewed informants could draw from their experience investigating organised criminal groups to provide more detailed information on the involvement process into organised criminal groups. By testing the conceptual framework developed using the existing literature against the findings of the present study, it is evident that a conceptual framework is an effective device for examining the involvement process into organised criminal groups. The current study endeavoured to explore the involvement process into organised criminal groups through the development of a conceptual framework. The conceptual framework proposed by the researcher encapsulates the seven main features of a qualitative conceptual

framework as noted by Jabareen (2009). The findings from this study indicate that the proposed framework should be viewed as a guide for future studies. Replication of this study will assist in building a cumulative understanding of the involvement process into organised criminal groups.

8.8.3 Does an inductive and deductive approach provide an effective analytical framework?

The exploratory nature of the present study necessitated the use of both inductive and deductive approaches to examine the data and test the proposed conceptual framework. Based on findings, an inductive and deductive approach provided more detailed insight into the involvement process into organised criminal groups within Australia. Some of the key findings that emerged from this research paradigm include:

- The involvement process within Australia consists of three key stages: involvement pathways, establishment of ties and trust, and continued engagement or disengagement;
- Involvement pathways focused on pre-existing contacts and ties, familial and ethnic ties, the targeting of advantageous individuals, and forced criminality;
- Forced criminality was prevalent within the Australian data, especially around drug and gambling debt;
- The establishment of ties and trust is based on factors centred on pre-existing relationships, kinships ties, reputation and shared criminal goals;
- Disengagement from organised criminal groups is rare but is generally the result of law enforcement intervention and legitimatisation.

Previous studies have highlighted the importance of pre-existing relationships, kinship ties and targeted involvement as pathways into organised criminal groups. Findings from the present study suggest that forced criminality should also be viewed as a key pathway into organised criminal groups. The results indicated that forced criminality was common amongst individuals who had accrued a significant drug or gambling debt. The clearest evidence of forced criminality as an involvement pathway into organised criminal groups was amongst the Asian community, where gambling debt was a key concern. However, the findings did not confirm whether forced criminality is prevalent in other types of illicit activities. Due to the profit oriented nature of organised crime, it is likely that forced criminality is utilised elsewhere. The involvement pathways presented in the conceptual framework must be viewed as ideal pathways into organised criminal groups, with potential overlaps (e.g. familial ties and forced criminality) not displayed within the framework.

Furthermore, the findings from the present study confirmed existing notions of trust and the establishment of ties within organised criminal groups. Additionally, the study offered new insight on the establishment of ties and trust within Australia. Findings from the current study suggest that pre-existing relationships, kinship ties and shared criminal goals are essential for the development of ties within organised criminal groups. Previous studies on organised crime in Australia, and elsewhere, have discussed the importance of such ties within organised criminal groups. The findings confirmed that such ties are important within the involvement process and are essential in the establishment of co-offending relationships. Furthermore, the results also highlighted the significance of an individual's reputation and shared criminal goals in the establishment of ties and trust within organised criminal groups. A deductive and inductive approach highlighted the limitations of the sentencing cases with regards to this aspect of the involvement process. Without intimate knowledge of the relationship between the offenders, it is unlikely that such information would emerge from the sentencing comments.

Previous studies have examined the factors that bind individuals to organised criminal groups or encourage them to disengage. Findings from the current study suggest that individuals remain committed to organised criminal groups due to the personal ties between offenders, threats and potential violence, and illicit profits. The findings also confirmed that disengagement from organised criminal groups can occur as a result of legitimisation or law enforcement intervention. However, evidence of disengagement from organised criminal groups was limited to the data collated through the law enforcement interviews. The differences between the literature and the data can be attributed to law enforcement's incomplete picture of disengagement. It is likely that individuals disengage from organised criminal groups and do not come to the attention of law enforcement, hence the focus on legitimisation and law intervention. Nevertheless, the findings made evident that disengagement from organised criminal groups in Australia does occur.

If the conceptual framework is less than effective in examining the involvement process into organised criminal groups, alternative theoretical perspectives may be considered. The existing literature and the findings from the present study demonstrated that there are distinct similarities between the involvement process into organised criminal groups and the recruitment process into licit organisations. Both illicit and licit organisations will seek out and identify suitable 'employees' from either 'internal' or 'external' recruitment sources. For example, internal recruitment within organised crime can take the form of pre-existing ties or kinships bonds, while external recruitment can involve the targeting of individuals with specialised skills. Once a suitable candidate has been identified, an organisation will undertake a selection process which is guided by a predetermined criterion based on the job description, job specification and professional profiling (e.g. Amos et

al. 2004; Mathis and Jackson 2006). Within organised criminal groups, a selection process is utilised to identify trustworthy co-offenders, as well as those with advantageous skills or experience. 'Screening' is considered to be the most important aspect of this process, as it ensures that a potential employee is suitable for a position and will match the culture of an organisation. This is usually achieved through the submission of a CV or 'selection tests' (e.g. Cuming 1994; Tjosvold and Newman 2003; Nel et al. 2009). A similar process is undertaken by organised criminal groups, in the form of establishing ties and trust. A trustworthy reputation and shared criminal goals, as well as a willingness to engage in criminal behaviour are key indicators that they are suitable 'candidates'.

In considering this, the involvement process into organised criminal groups can be conceptualised using the framework proposed in the present study. An inductive and deductive approach identified the three key stages of the involvement process into organised criminal groups. The findings emphasised the importance of pre-existing relationships, kinship ties, advantageous individuals and forced criminality as involvement pathways into organised criminal groups. Furthermore, the data also provided evidence of the establishment of ties and trust between co-offenders within the involvement process. Ties and trust were established through existing ties, reputation, shared criminal goals and violence or threatened violence. There was limited evidence to suggest that disengagement from organised criminal groups occurs. This is expected considering the secretive and clandestine nature of organised crime. Nevertheless, the law enforcement interviews indicated that some offenders do disengage from organised criminal groups. Based on these findings, it is evident that the involvement process is shaped by various factors. This poses some challenges to law enforcement agencies in their attempt to encourage disengagement and prevent involvement.

8.9 IMPLICATIONS FOR PRACTICE

The current study aimed to develop a conceptual framework that could inform approaches to encourage disengagement and prevent involvement in organised criminal groups within Australia. The outcomes of the study highlighted various issues with encouraging disengagement and preventing involvement. The study identified several unique pathways into organised criminal groups, as well as various factors that can prevent disengagement. Of importance are the involvement risk factors, the initial involvement pathways into organised criminal groups and the ties that bind co-offenders. By examining involvement into organised criminal groups as a process, with a focus on involvement pathways, the establishment of ties and disengagement, the findings from the present study can provide the groundwork for the development of initiatives that can

potentially encourage disengagement and prevent involvement. However, as noted in Chapter Four, there is no publicly available information on the initiatives currently utilised within Australia. It appears that organised crime and organised criminal groups remain a law enforcement concern. However, by combining the results of the present study with the available literature, implications for practice can be discussed.

As discussed previously, jurisdictions elsewhere have approached involvement in gangs and organised criminal groups through a range of initiatives that focus on law enforcement efforts, education and employment (e.g. Farrington and Welsh 2007; New Zealand Ministry of Justice 2011; NCPC 2012; Moncrieffe 2013; Hamilton- Smith et al. 2018). These initiatives aim to encourage disengagement by providing individuals with an alternative pathway in life that deviates from criminality. In comparison, initiatives in Australia are generally legislative and law enforcement based. For example, the anti-consorting laws in New South Wales and Queensland were implemented to prevent known offenders from consorting in public places (See Schloenhardt 2008). However, such legislation was aimed at reducing the freedoms of outlaw motorcycle gangs, and there is no evidence to suggest that this legislation has impacted on the modus operandi of more covert organised criminal groups (See Gray 2009; Bartels 2010; Loughnan 2019; O' Sullivan 2019). Due to the lack of publicly available information on initiatives in Australia (if any are in place), the researcher aimed to combine responses from the informant interviews with available information in order to discuss the potential for effective initiatives aimed at encouraging disengagement and preventing involvement.

Fundamentally, the interviewed informants offered two key perspective on the potential for disengagement and involvement prevention:

1. Potential initiatives must focus on juvenile and young offenders and should involve a combination of law enforcement and community led efforts;
2. Prevention was difficult to achieve as long as organised criminal groups existed, and illicit profits remained desirable.

In considering the initiatives implemented elsewhere, potential initiatives in Australia must also consider the risk factors for involvement in organised criminal groups. The findings from the present study indicate that involvement can occur at any age, with individuals classified as adolescence-limited, life-course persistent and late-onset offenders. Therefore, potential initiatives must be adaptable for individuals from varying age groups, with a particular focus on juvenile and young offenders. Furthermore, potential initiatives must also take into account the four key risk factors for involvement, classified as criminality, ability, networks and identity. Individuals who

have a history of criminal behaviour or have a tendency to engage in delinquent activities are at an increased risk of involvement. Potential initiatives must be effective at identifying such individuals and removing them from a pathway towards organised crime. Other jurisdictions have focused on this risk factor by diverting individuals away from criminality and into education and employment (See New Zealand Ministry of Justice 2011; Hamilton- Smith et al. 2018; Home Office UK 2018).

The ability risk factor presents some challenges in the development of initiatives. The identification of individuals with criminally advantageous skills or abilities is difficult. More often than not, such individuals are law abiding citizens who are corrupted by organised criminal groups. Skills can range from IT and communications, to piloting a plan and establishing offshore accounts. When such individuals do become involved in organised criminal groups, they are unable to leave due to the threats and violence they might experience. Therefore, potential initiatives must consider ways to prevent corruption of individuals with advantageous skills. This might be achieved through certain industries or professions or at an individual level (e.g. IBAC 2015). Initiatives must also provide individuals with an exit strategy from organised criminal groups. Due to the incremental nature of corruption, individuals are often unaware of how entrenched they are. Exit strategies, with the assistance of law enforcement, would improve their chances of disengagement.

Similarly, an individual's network also poses some unique challenges in the development of initiatives. An individual's social and kinship ties can increase the risks associated with involvement, especially if such ties are criminal in nature. Reducing the influence of an individual's social networks may reduce the likelihood of involvement in organised criminal groups. Difficulties arise in regard to reducing the impact of kinship ties on an individual's behaviour. Previous research (See van Dijk et al. 2018) indicates that the sons of organised crime offenders are more likely to follow in their father's footsteps, while not necessarily the case for daughters. The study claims that the intergenerational transmission of crime can be prevented. It is suggested that an accumulation of factors (e.g. education, employment and relationships, maternal parenting and supervision from a child protective services) might be effective in preventing the involvement of daughters in organised crime. However, no suggestions are provided for the sons of organised crime offenders. (van Dijk et al. 2018). Potential initiatives must be able to overcome the tight knit and closed family structures. For example, van Dijk et al. (2018) note that child protection workers are hesitant to approach organised crime families.

Finally, the risk factor of identity is multifaceted and includes a range of factors, including an individual's upbringing, lifestyle, significant life events, and social and economic position.

Individuals who experience a disruptive upbringing, social and economic challenges, and traumatic events are an increased risk of involvement; if criminally viable ties are available. These risk factors are underpinned by notions of vulnerability, disempowerment and strain. Therefore, potential initiatives must be capable of identifying these risk factors, and the individuals at risk of involvement, and reduce their impact. Initiatives must approach these risk factors through grass roots community programs which can provide at risk individuals with assistance. Diversion from criminality and involvement in organised criminal groups must utilise education, employment and social services to ensure the at-risk individual does not become involved. Community housing, mental health and employment are some examples of the services required to assist individuals at risk of involvement.

In considering the programmes implemented in other jurisdictions and the viewpoints of key informants, potential strategies and initiatives in Australia should focus on at risk individuals, in particular juvenile offenders, and those currently involved in organised criminal groups. Such strategies and initiatives should be based on a modified version of the UK's Channel Programme (Home Office UK 2018; Martin 2018). By shifting the programmes focus to organised crime and organised criminal groups, instead of terrorism and extremist groups, it might be possible to identify those who are susceptible to involvement or those in the process of becoming involved. This approach would allow for at risk individuals, in particular juvenile offenders, to be identified prior to involvement and measures implemented to deter and assist the individual. Since the involvement process into organised criminal groups varies between individuals (such as close ties, corruption and coercion), and is often incremental in nature, government agencies and community groups will be at the forefront of identifying at risk individuals. Anonymous referrals will allow agencies and community groups to alert local authorities of at-risk individuals. In order for the programme to be effective, government agencies and community groups will need training on how to identify at risk individuals. Such training would involve the identification of risk factors and the involvement pathways into organised criminal groups.

Key informants provided support for a programme similar to that of the UK's Channel Program. An informant from the Queensland Police Service explained potential initiatives should aim to identify at risk individuals and provide them with the support required to divert them from criminality and organised crime:

“Police, other government agencies and community groups would have to identify persons at risk of falling into organised crime, engage with the potential recruit, provide support options and intervene in a meaningful way to set the recruit on a

different course. Some people are beyond saving, the lure is too strong” (QLDPS 4).

This is a viewpoint shared by an informant from the NSW Police Force, who noted that law enforcement agencies are actively trying to get into schools and intervene in the involvement process:

“Because I think it’s a fairly well-known fact that OMCGs in particular are trying to recruit at that young age, whether it be at a school or at a gym, or some sporting area. So, the cops are actively engaging some of these youth in some diversionary programs, try to get them on the straight and narrow... with at risk kids to try give them some other purpose in life and get them on the straight and narrow before they're actually recruited into those areas. I think a lot of them would always you know that thing of money, girls, drugs, to young vulnerable people, they might think well that's the lifestyle I want, until they eventually get caught and they're doing 15 years plus in jail” (NSWPF 3).

In order to support the efforts of the proposed programme, policing agencies must approach organised crime and organised criminal groups through community policing. The relationship between community policing and organised crime, in Australia and elsewhere, is not well explored (e.g. Jansen and Bruinsma 1997). However, there are key examples of where community policing has been utilised in the fight against organised crime and organised criminal groups. For example, community policing was implemented in the suburb of Cabramatta to stem the impact of criminal groups and the flourishing drug market (e.g. Maher and Dixon 2001). Community policing strategies were also used to prevent violence and reduce illicit activities within Middle Eastern communities in Western Sydney (e.g. Bashan 2016). In both cases, the aim was to bridge the gap between the local police and the community in order to improve trust and the community’s willingness to report illicit behaviour. Community policing must be supported by local, state and federal services. Such services must focus on diverting at-risk individuals away from organised crime by providing them support and assistance. Local, state and federal services should focus on providing mental health care, family assistance, education, housing and drug rehabilitation.

However, there are certain difficulties associated with the development of initiatives which can encourage disengagement and prevent involvement. The findings indicated that disengagement from organised criminal groups is rare and individuals who attempt to are often confronted with a number of hurdles, including violence, commitment to personal ties, and the

potential for illicit profits. Therefore, potential initiatives must take these factors into consideration, alongside the identified risk factors for involvement. Furthermore, the diversity of organised criminal groups and criminal markets in Australia, as well as the nuances of the involvement process, also present unique challenges. Although there is a paucity of literature on disengagement from organised criminal groups, research on gang desistance can provide useful insight on factors that can lead to disengagement. These studies indicated that dissociation and disengagement is largely influenced by the modus operandi of the gang, ties between co-offenders, offender characteristics, maturation and traumatic events (e.g. Decker and Lauritsen 2002; Pyrooz and Decker 2011; Bovenkerk 2011; Gjelsvik and Bjorgo 2012). Disengagement and dissociation strategies must involve two key elements: an understanding of the level of difficulty in disengaging and a strategy for implementing an exit plan (See Mellor et al. 2005). Fundamentally, it is argued that exiting a gang often involves a difficult process and “there is often the need for relocation, police protection for the ex-gang member as well as their family, and a multifaceted support network of police, community, and family support” (Mellor et al. 2005 p. 11).

Existing literature suggests that disengagement can be encouraged by causing disruption and instability within an organised criminal group. This can be achieved by introducing disillusionment factors which can weaken the group’s foundation by disrupting the ties between offenders (See Harris 2015; Douglas and Smith 2018). Strategies and initiatives which can disrupt leadership or core ties can create internal conflict and potentially reduce an individual’s commitment to the group. Such strategies can be exacerbated during periods of conflict or law enforcement intervention (Disley et al. 2012; Bolden 2013; Harris 2015; Douglas and Smith 2018). Essentially, strategies should take advantage of factors which are known to weaken ties between offenders and thus trigger disengagement and dissociation (Douglas and Smith 2018). Similarly, other research suggests increasing the risks associated with engagement in criminal behaviour may also encourage disengagement. It is generally accepted that an individual’s motivation to engage in criminal behaviour is influenced by a cost benefit analysis (Campbell and Hansen 2012; Gjelsvik and Bjorgo 2012; Harris 2015; Douglas and Smith 2018). Increased law enforcement efforts can increase the risks associated with involvement in an organised criminal group. Existing law enforcement strategies such as the regulation of certain businesses and industries (e.g. tattoo parlours), anti-consorting laws, deportation legislation, and unexplained wealth and asset confiscation have shown that increased risks can disrupt ties between offenders and thus encourage disengagement (Ayling 2011; Dutton and Keenan 2016; Willacy and McClymont 2015; Douglas and Smith 2018).

In considering the various barriers to disengagement and limited existing research, the results from the present study suggest that increased law enforcement efforts, exit programs and combined community services would be the best approach to encourage disengagement from organised criminal groups. Previous research suggests that exit programs for individuals involved in organised criminal groups have not been properly examined and analysed. However, it is noted that institutional interventions do not have a high success rate (Bovenkerk 2011; Decker et al. 2014; Douglas and Smith 2018). Instead, the research suggests that informal and individual initiatives appear to be more successful in encouraging disengagement, including: mentoring programs, improvement of familial ties (if not criminal in nature), education and employment programs, reintegration assistance and pro-social modelling (McNeill 2002; Kazemian 2007; Bolden 2012; Disley et al. 2012; Gjelsvik 2012; Harris 2015; Douglas and Smith 2018). For example, research by Lindley (2016) found that the development of legitimate opportunities for employment can support and encourage disengagement. Other research notes that Scandinavian countries have employed a number of exit programs that promote collaboration between all levels of the public sector (Jahnsen 2018). These programs offer traditional police protection for those who fear retaliation, while other programs attempt to combine protection with assistance in breaking former criminal ties and starting a new life. Individuals in the exit program are offered assistance in the form of housing, employment, education, access to drug rehabilitation and therapy.

It is evident that similar strategies and initiatives can be implemented and utilised within Australia. However, they must be developed with consideration for individual risk factors and the overall involvement process into organised criminal groups. By focusing on at-risk juvenile offenders, utilising community policing, and developing exit strategies efforts can be made to encourage disengagement and prevent involvement. Such strategies and initiatives must also support the overall work of law enforcement and community services.

8.10 LIMITATIONS

All academic research has limitations, yet certain issues arise when studying criminal and deviant behaviour, especially the clandestine nature of organised crime and organised criminal groups. The research design and methodology utilised in the present study had some key limitations, including the reliability of data sources, data collection methodology, and the generalisability of the findings. It must be noted that the limitations identified in the present study are common in academic inquiry into organised crime and organised criminal groups and thus were expected from the outset of the research. Therefore, the researcher acknowledged that such

limitations were reasonable and would not impact on the outcome of the research. The limitations of the present study are identified, discussed and justified in the forthcoming section.

Firstly, the present study was limited to two data sources, informant interviews and sentencing cases. As mentioned in Chapter Five, time constraints and ethical considerations restricted the use of other data sources, in particular ethnographic work and interviews with incarcerated offenders. Although the results from the present study offered new insight on the involvement process into organised criminal groups, it is likely that other methodologies and data sources might provide additional information. To gain a more complete and personal understanding of the involvement process into organised criminal groups, future research should make an effort to obtain information directly from offenders. Ethnographic research and interviews with incarcerated offenders could provide rich and detailed insight on personal histories, experiences and criminal careers (prior to and including their involvement in organised crime). This is evidenced in a number of previous studies that have used ethnographic methods and interviews with incarcerated offenders to study the phenomenon of organised crime (e.g. Adler and Adler 1983; Decker and Chapman 2008; Hobbs 2013; Van Koppen 2013). Furthermore, the collated data does not explain why most individuals do not engage in criminal behaviour, instead seeking out legitimate employment. Essentially, by focusing only on people who become involved in organised criminal groups we miss out on those who did not become involved. Although this was not the aim of the present study, future research could seek to answer the question, why would someone want to enter into criminality as opposed to legitimate employment?

Furthermore, the information extracted from the law enforcement interviews and the sentencing cases was originally collated for one purpose, to obtain a conviction at the end of an investigation. Therefore, the data sources utilised in this study tend to focus on the aspects of a crime or offender that are required for a successful conviction. In considering this, it is likely that the information provided by the police informants and the sentencing cases might be incomplete to some degree. For example, while the illicit activities of offenders are noted, the illicit activities of groups are often not. The limitation of missing judicial information stems from the methodology employed by policing agencies to gather evidence for a conviction. Police investigators must rely on data collection methods such as observations, archival information, informants or witnesses that may produce incomplete information (Berlusconi 2012 p.3). Therefore, data obtained from sentencing cases, police files, or interviews with police informants present some limitations with regards to data completeness and accuracy (Berlusconi 2012 p.3). The issue of incomplete judicial data means that the personal history and experience of offenders

and the ties and relationships within organised criminal groups might only be partially understood or observed in the data collated.

Another limitation of the present thesis relates to the UN Convention on Transnational Organised Crime and Australia's commitment as a signatory. Under the requirements of the Convention, Australia is required to criminalise involvement in organised criminal groups (as defined by the UN Convention). Therefore, in the process of collecting evidence and obtaining a conviction there is a natural tendency to focus on offenders and their involvement in an organised criminal group. Policing agencies will characterise offenders based on their engagement in certain types of criminal activity, the methodology used in the criminal activity and their involvement in an organised criminal group. It is possible that investigators may classify a group of offenders as an organised criminal group, based on the crimes committed or the relationship between offenders, even if certain key requirements are not present: for example, three or more offenders or engagement in profit driven crimes. This can pose problems for researchers who rely on these classifications. The requirements to criminalise involvement under the UN Convention might suggest that some associations are more well established, or 'organised', while some groups characterised as a 'group' might just be a small part of a much larger organisation or network. As the present study utilised police knowledge and sentencing cases, it is likely that some misclassification of organised criminal groups occurred.

Lastly, the data collection methodology (informant interviews and sentencing cases) was limited to three Australian jurisdictions: New South Wales, Queensland and Victoria. While an attempt was made to interview informants from South Australia Police, the application to conduct research was denied. Since the data was limited to three jurisdictions, it is assumed that the knowledge acquired is incomplete and does not represent a complete understanding of the involvement process into organised criminal groups within an Australian context. While this is a significant limitation, the researcher argues that the results can be generalised beyond the three jurisdictions sampled. While there may be some limits to the generalisability of the research, that is not to say that the results are not generalisable at all. Without a sampling frame (a complete list or number of all individuals within the target population, which is highly unlikely if not impossible to obtain given the nature of the population sampled from) it is neither possible, nor is it necessarily desired within the framework of this research to make such assertions (Merriam 1995).

8.11 FUTURE RESEARCH AND DIRECTIONS

The present thesis focused on examining the involvement process into organised criminal groups, with a particular focus on an Australian context. In considering the aims and limitations

of this study, future research should focus on replicating and contributing to the methodology utilised. Essentially, future research should aim to examine Australian jurisdictions not included in the present study or alternatively should replicate the study in other countries. An examination of the involvement process into organised criminal groups within different countries might reveal differences or similarities across jurisdictions. For example, how does the involvement process in Australia differ to that in America. It is acknowledged that social, political and economic environments can impact on the organisational structure and modus operandi of organised criminal groups (e.g. Skaperdas 2001; Varese 2006; 2011; Paoli 2010). Since there is a paucity of comprehensive research on the involvement process into organised criminal groups, replication of this study in different jurisdictions would provide a meaningful comparison that can contribute to the conceptual framework proposed in this study. The conceptual framework developed should be viewed as the foundation for future research on the involvement process into organised criminal groups.

Future research should also focus on the involvement process into particular criminal activities and markets, as opposed to the broad phenomena of organised criminal groups. The examination of criminal activities and markets could be achieved using a similar data collection methodology as the one utilised in the present study. The organised criminal groups and individuals identified in the collated data were involved in a number of illicit activities, ranging from drug importation and supply, to money laundering and vehicle rebirthing. Given that the data examined covered a full spectrum of criminal activities and markets it is expected that some comparison could be made of the involvement process. The results from the present study did not indicate that the involvement process was distinguishable or comparable on the basis of criminal activities or markets. For example, the involvement pathway of familial and ethnic ties was evident amongst individuals involved in drug importations, as well as vehicle rebirthing. The only anomaly evident was that of forced criminality within drug related activities. However, future research might reveal new information, with an examination of the involvement process into particular criminal activities or markets across various jurisdictions is likely to uncover new insights and understandings.

Furthermore, future research should seek to utilise social network analysis in order to further understand the involvement process into organised criminal groups. More specifically, social networks analysis should aim to distinguish whether offenders are 'pushed' or 'pulled' into organised criminal groups based on their existing networks. The qualitative nature of the data collated for the present study did not allow for this analytical approach to take place, nor was it an aim of the research. Fundamentally, future research should build upon the conceptual framework

established in this thesis by aiming to understand whether the driving forces for involvement into organised criminal groups are 'selection' or 'influence' (e.g. Steglich et al. 2010). These forces could be determined by the pathways identified in the present study and could be utilised to develop disengagement and prevention strategies.

Additionally, the results from the present study suggest that further research is required in order to understand the involvement process of transnational criminal groups. It is noted that transnational organised criminal groups have a considerable presence in Australia's criminal markets (e.g. Adamoli et al. 1998; Irwin 2001; Schloenhardt 2010; ACC 2011; Ritter et al. 2012). However, there is very little known about the involvement process into organised criminal groups operating outside of Australia. In particular, the sentencing cases provided minimal insight into the modus operandi of transnational criminal groups. Furthermore, few studies have examined the involvement process into transnational criminal groups and networks, which is not surprising, considering that researchers will inevitably face various challenges associated with data access, reliability and ethical considerations. Despite these challenges, it is indisputable that the growth of transnational organised criminal groups poses a considerable threat to Australia and efforts must be made in order to understand their modus operandi and involvement process. Therefore, future research should attempt to bridge the gap between existing knowledge on transnational organised criminal groups and the involvement process into such groups, with a focus on variations arising as a result of criminal activities and operating environment.

Lastly, due to the social and often personal nature of involvement in organised criminal groups, future research must aim to examine the involvement process by undertaking either ethnographic research or interviews with incarcerated offenders. This methodological approach could provide rich insight on the personal experience of offenders, as well as the factors which lead to involvement in organised criminal groups. Ethnographic methodologies have been previously utilised to study involvement and recruitment in organised criminal groups. For example, Hobbs (2013) conducted an ethnographic study of British organised crime by focusing on an ethnographic site called 'Dogtown'. Similarly, Adler and Adler (1983) spent six years observing and interviewing 65 upper-level marijuana and cocaine traffickers in America. Ethnographic methodologies could be utilised to provide further insight into the involvement process into organised criminal groups, with a focus on the personal experiences and histories of offenders.

8.12 CONCLUDING REMARKS

The current study is the first to examine the involvement process into organised criminal groups within Australia. By using a dataset that consisted of law enforcement interview responses and sentencing cases, the conceptual framework developed using existing literature was tested. The findings indicated that the involvement process into organised criminal groups within Australia consists of three key stages: involvement pathways, establishment of ties and trust, and continued engagement or disengagement. Although the proposed conceptual framework could be utilised to examine the involvement process in Australia, the findings offered new insight into each stage of the process. While the data is uniquely Australian, the results of the present study (i.e. the conceptual framework) can be adapted and utilised to examine the involvement process in other jurisdictions. The development of a conceptual framework proved to be useful in examining the involvement process into organised criminal groups. Furthermore, the findings also offered suggestions for the development of initiatives that can encourage disengagement and prevent involvement within Australia.

Due to the ever changing and increasingly complex nature of organised criminal groups, it is likely that the involvement process will adapt to changes occurring within criminal markets, as well as in response to law enforcement initiatives. Therefore, it is unlikely that the conceptual framework developed in a certain time and space can account for any changes that occur in the future. Therefore, at the outset the present study did not intend to propose an all-encompassing involvement process conceptual framework. Instead, the findings suggest that the proposed conceptual framework should act as the groundwork for the replication of similar empirical research in different jurisdictions. The replication of research, with alternative methodologies (especially ethnographic methods), will contribute to the limited body of knowledge on the involvement process into organised criminal groups. Fundamentally, the present study sought to establish the conceptual and theoretical groundwork for future research on this aspect of organised crime.

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