

# **A Response to “The Mobility of Criminal Groups”**

**A reflection in light of recent research on Vietnamese  
organized crime**

by

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prepared for

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## **Executive Summary**

### **Background**

The degree to which organized crime groups extend their activities and influence into new geographic areas is a major concern for law enforcement officials and policy makers worldwide. Over the last decade, a number of researchers have conducted specialized studies and reviews of this phenomenon, and have offered a number of explanations of its underlying drivers. Recently, Morselli, Turcotte, and Tenti (2010) were commissioned by Public Safety Canada to prepare a report on this topic, *The Mobility of Criminal Groups*, which reviewed several case studies and prior commentaries and, based on an inductive (evidence-based) process, offered a conceptual framework for understanding how organized crime groups come to establish themselves (successfully or unsuccessfully) in places outside of their area of origin. The current discussion paper consists of a written response to Morselli et al.'s report, reflecting on their position in light of recent research on Vietnamese organized crime in the UK (Silverstone & Savage 2010; Silverstone 2010).

### **Objectives**

In particular, the current paper will provide:

- an assessment of the comprehensiveness and depth of the literature review in Morselli et al's (2010) paper;
- a critical reflection and commentary on the strategic vs. emergent taxonomy described by Morselli et al (2010), as well as the associated push and pull factors;
- a succinct review of recent case studies on the growth of organized crime within the Vietnamese community in the UK (Silverstone & Savage 2010; Silverstone 2010), with a particular focus on how well the events fit into Morselli et al's (2010) strategic vs. emergent taxonomy, as well as a discussion of whether the push and pull factors identified by Morselli et al (2010) can account for these developments;
- suggestions for additions to the identified push and pull factors; and recommendations for how law enforcement officials and policy makers could use knowledge of the various push and pull factors to stem the transnational spread of organized crime groups.

### **Findings**

The work on Vietnamese crime broadly supports the conclusions drawn by Morselli et al (2010). There is little evidence of sophisticated and monopolistic Vietnamese criminal organizations strategically moving from elsewhere in the world to the UK to continue their criminal enterprise. Rather, the existence of criminogenic and criminal market conditions, in particular lax UK law-enforcement and the insatiable demand for cannabis, are the key contextual factors for the 'emergent' actions of mobile Vietnamese criminal groups. However, it ought to be acknowledged that within the broad label of 'group' there might be specific Vietnamese criminal networks which behave in a strategic way and that the theoretical split between the emergent and the strategic can be less clear in practice. Secondly, the push and pull factors put forward in the paper are helpful but do not completely account for why parts of the Vietnamese diaspora have so quickly come to dominate the cannabis cultivation market. The answers to this problem partly reside within specific political and cultural contexts of the Vietnamese themselves and the macro-economic climate that easily enables illegal working. Finally, the push versus pull factor framework proved to be a fruitful tool of analysis and could potentially make a direct contribution to the development of strategies for the prevention and suppression of organized crime. However, due to the complexities and unpredictability of mobile criminal groups it is unlikely to prove to be a potent predicative tool.

### **Conclusions and Recommendations**

In conclusion, Morselli et al (2010) are fully justified in concluding that those who argue that organized crime consists of numerous sophisticated criminal groups which are globally mobile and strategically motivated are guilty of over-exaggeration and failure to consider the available criminological evidence. Secondly, their list of push and pull factors provides a useful analytical framework within which to consider any case study of a mobile criminal group. However it could be argued these further factors should be considered:

- The immediate political and cultural history of a group.
- Macro economic climate: availability of employment in the grey economy, the value of the currency, business regulation.
- State support: national or provincial support (are agencies of the state involved in providing incentives or logistical support for criminal groups?).

Rather than recommending that law enforcement agencies try to use their classification of push and pull factors in a predictive way, it would be better either to move away from the prohibitionist paradigm or tackle some of the longstanding policing problems which beset the policing of mobile criminal groups. For example, law enforcement agencies should consider undertaking further efforts to: –

- Utilize innovative crime prevention techniques.
- Increase information sharing between both law enforcement agencies and government.
- Encourage the role of high policing strategic oversight for international crime problems.
- Increase community policing resources at a national and local level.

## **Main report: A response to: Morselli, C. Turcotte, M. and Tenti, V (2010) The Mobility of Criminal Groups.**

### **1 Background**

Morselli et al (2010) outline a timely and accurate critique of those who argue that organized crime consists of numerous sophisticated criminal groups which are globally mobile and strategically motivated. Instead they point out that for a criminal group to expand “is much more difficult than often believed in popular circles largely because no single criminal group can realistically do everything and be everywhere all the time” (Morselli et al 2010: 4). They instead argue that there is little evidence of sophisticated and monopolistic criminal organizations and the few studies that do exist and provide some level of systematic data, generally fall into the ‘emergent’ crime framework. They then suggest that law enforcement attention should be redirected towards the criminogenic or contextual factors which are generally overlooked. These opportunities are persistent and stable over time and therefore preventing them is a more “effective approach than repressing one group at a time”.

Their main objective is to “identify push and pull factors that will help us understand how and why criminal groups, organizations or general organized crime patterns are presented across a variety of settings” (Morselli et al 2010: 2). They conclude by arguing that “information on how and why criminal groups establish themselves in new areas could potentially make a direct contribution to the development of strategies for the prevention and suppression of organized crime”. They also make some policy recommendations including encouraging law enforcement agencies to “foresee which groups are likely to form once the present problem is recognized and targeted in an effective manner”.

The author has conducted two pieces of original empirical work into Vietnamese organized crime within the UK/Vietnamese context during the last three years. The research involved a significant number of interviews with UK, International and Vietnamese law enforcement personnel and a further fifty interviews with illegal Vietnamese migrants, some of whom were directly involved in cannabis

cultivation or money laundering. This paper is an attempt to integrate the published work on this case study into Morselli et al's (2010) broader framework and to provide some broader commentary on its viability and accuracy. The Vietnamese are an interesting example for, although Morselli et al (2010) are right in saying that it is difficult for new criminal groups to emerge in global criminal markets, the Vietnamese are an example of precisely this and therefore ought to be the subject of critical scrutiny.

## 2 Objectives

In particular, in line with the above discussion, the current paper aims at providing:

- an assessment of the comprehensiveness and depth of the literature review in Morselli et al.'s (2010) paper;
- a critical reflection and commentary on the strategic vs. emergent taxonomy described by Morselli et al (2010), as well as the associated push and pull factors;
- a succinct review of recent case studies on the growth of organized crime within the Vietnamese community in the UK, with a particular focus on how well the events fit into Morselli et al's (2010) strategic vs. emergent taxonomy, as well as a discussion of whether the push and pull factors identified by Morselli et al. (2010) can account for these developments;
- suggestions for additions to the identified push and pull factors; and recommendations for how law enforcement officials and policy makers could use knowledge of the various push and pull factors to stem the transnational spread of organized crime groups.

## 3 Literature review

This paper offers a brief response to Morselli et al's (2010) timely analysis of the key causes and inhibitors for the mobility of criminal groups. The first task is to provide an assessment of the comprehensiveness and depth of the literature review which, in my opinion, is thorough within its own terms of reference. The authors employ a wide range of apposite case studies to illustrate their points and all of their arguments are grounded in the current literature. My point of departure relates to additional material which could have been used to augment the analysis. This critique has several dimensions relating both to the types of data and the lack of literature utilized, especially within the final part of the document which focuses on proposed policing/law enforcement solutions. From the beginning the authors attack what could be considered something of a straw man (certainly it is widely considered to be so, within the academy), the hypothesis that organized criminal groups consist of strategic actors actively seeking to colonize and dominate different parts of the global market. They also criticize, rightly, another oft-repeated claim that mobile criminal groups are exclusively ethnically composed and amount to nothing more than a predatory alien conspiracy. As the paper engages with these popular arguments, I think they might have also considered a further widely made claim that sees organized criminal activity in terms of a Manichaean split between the evil criminal and the good victim. In particular, this narrative has characterized recent literature on people smuggling/trafficking and the workings of the sex industry, both of which are key markets for organized crime. Whilst agreeing with a dismissal of all these claims it is worth noting that they have previously been subject to trenchant critique by Woodiwiss & Hobbs (2009), and in miniature, the debate can be found in the literature on criminalization of sex workers within the UK (Davies 2009; Mai 2009; Webb & Burrows 2009).

The second omission relates to the sections on the mobility of criminal groups ("cosmopolitanism") and the tendency for the more mobile criminal groups to be more specialized in their criminal activities. These would have benefited from support from UK government publications. In particular, the research directorate within the Home Office has historically published a number of studies based on in-depth interviews with convicted criminals who are members of mobile criminal groups. Within the discipline, these studies are relatively rare and offer high value empirical insights. To summarize, the authors firstly conclude, across a wide variety of criminal markets, that mobile criminal groups are primarily 'emergent' and rational strategies of criminal groups are often exaggerated. Secondly, they

argue that criminal markets are more decentralized than commonly believed and therefore one group will struggle to monopolize either a criminal market or territory. In particular, evidence from four reports which used this method would have been welcome: *Middle Market Drug Distribution* (Pearson & Hobbs 2001), *The Illicit Drug Trade in the United Kingdom* (Matrix Consultancy 2007), *Gun Crime: The Market in and Use of Illegal Firearms* (Hales, Lewis & Silverstone 2006), and *Organised Immigration Crime: A Post-Conviction Study* (Webb & Burrows 2009). In relation to the drug trade per se, which arguably contains the pre-eminent examples of the mobile criminal group, the same website contains a comprehensive literature review of international work on upper-level drug traffickers (Dorn, Levi & King 2005). This could have been supplemented by the interview work done by the Canadian academic Desroches (2005/2007).

The third omission relates to the large amount of academic literature concerned with the workings of British organized crime pioneered by Hobbs (1995/1998) and more recently augmented by the work of Pitts (2008), Hallsworth (2008/2009), Winlow (2001/2006) and Young (2008). This could have been further supplemented by the growing market in the autobiographical or ghost written memoirs of organized criminals. Again, there is nothing here that substantively contradicts the points being made by Morselli et al (2010) but it could add to the analysis both empirical weight and more nuanced distinctions around the issues of mobility, territoriality and expansion. Yes, the literature is grounded in the UK but since the early 1980s criminal groups have had to be globally or ‘glocally’ aware, due to their involvement in the drug trade. Secondly, although UK-based, the types of criminal networks explored are analogous to the biker groups (Hells Angels) outlined in this report and would have been interesting points of comparison and contrast. To summarize, the British literature explores the intersections and interactions between local street-based groups and more mobile criminal firms and organized criminals as they seek to control local criminal markets as well as the criminal aspects of the night-time economy, the local drug market and the violence which surrounds it. It provides a counter-balance to the alien conspiracy arguments, and within the UK context, it provides support for the replacement of a ‘strategic’ paradigm of organized crime with an ‘emergent’ one as it highlights the difficulties that face criminal groups which try to grow and expand outside of their original locality. Criminal groups are characterized as provincial rather than mobile, lacking social capital to expand and being restrained by a strong sense of territoriality which also ensures that any expansion cannot happen without attracting systemic violence and a robust law enforcement response.

Finally, in relation to the last part of the report on the effective policing response, more attention ought to have been given to the core literature on the policing of organized crime. In particular, the work of two Canadian authors, Brodeur (2005; 2007), Sheptycki (2007) and more recent work by Hardfield (2008a, 2008b, 2008c), Gilmour (2008) and Punch (2009), is of relevance here. These authors address a wide variety of subjects which impact on the claims made in the report in greater detail than explored by Morselli et al (2010), for example on the critical issue of law enforcement corruption. These policing scholars also engage with the debates which are critical to improving the policing of mobile crime groups: the tendency for hierarchical policing agencies to imagine organized crime as its mirror in terms of structure, the role of occupational cultures within law enforcement agencies in reducing the opportunities for intelligence sharing, the tendency for law enforcement to operate in discrete silos, the relative role of high policing in relation to community policing, the problems that beset policing mobile crime groups in the international context and the failure of national intelligence models in the face of mobile criminal groups. In the UK, these academic debates have been supplemented by a healthy political debate concerning the efficacy of creating a single organization tasked with policing organized crime or the harms that stem from it (Cabinet Office 2009). The seeming inability of any government to create an effective national law enforcement organization would make for an interesting inclusion in the final section of the report.

#### **4 The strategic versus emergent taxonomy**

Returning to the substantive task of providing a critical reflection and commentary on the strategic versus emergent taxonomy described by Morselli et al (2010), as well as the associated push and pull factors: a distinction is made between contexts in which offenders organize around available

opportunities (the strategic context) and contexts in which opportunities create organized offenders (the emergent context), with opportunities mattering more than the group itself. I tend to agree strongly with this argument, especially in relation to the way it is presented throughout the paper. It does seem to be rare for organized crime groups to expand as a group in a strategic way, although there have been very few studies which have gained ethnographic access to high-level, active criminals, so one needs to be careful in drawing blanket conclusions. Equally, it is important to be cynical of law enforcement claims that mobile crime groups are strategic, as the drive to build an evidential case can shape the understanding of the group in ways which do not mirror their actual activities. Nevertheless, as counter-examples to Morselli et al's (2010) argument, the author has been privy within closed sessions to law enforcement discussions regarding the strategic expansion of Colombian crime groups to Sierra Leone and Ghana, focused on the avoidance of interdiction efforts and the setting up of alternative supply routes. Secondly, historically there have been credible allegations regarding Jamaican criminals actively seeking out the UK drug market in a bid to expand. Thirdly, it is not always clear what is meant by using the term "criminal group". For example, when looking at the Vietnamese case study, the groups involved in organized crime are far from homogeneous and it is difficult to classify their involvement, as the actions of criminal groups as on the whole much of the activity involves symbiotic arrangements between those who have settled in the UK and those who have arrived recently. However, within the broad categorization "group", there is evidence of specific mobile groups behaving strategically albeit not expanding globally in the way the popular mainstream depictions of organized crime might imagine. However, on balance, Morselli et al's (2010) hypothesis is persuasive.

Regarding the other claims, the authors are in danger of exaggerating the strength of their position; for example, the statement that the "setting matters more than the group itself... and groups that seize such opportunities are transient and more than often short lived" (Morselli et al. 2010:6) is contestable. In the author's experience, the group itself is important. It is not fully understood why certain ethnic criminal groups are found more often than others within certain criminal markets. Although, Paoli and Reuter's (2008) list of push factors – a group's low socioeconomic status, cultural marginalization, contacts with immigrant diasporas in consuming countries, strong family and local ties, geographical proximity – is helpful. However, beyond these factors there do seem to be some inherited ethnic or cultural factors that should not be discounted. In terms of the policing of organized crime and in terms of the kinds of risk assessments that law enforcement agencies need to make, the ethnic background and respective group culture (codes of violence, views of masculinity/honour, family structure, political history) inform the criminal activities of the criminal group in relation to its risk profile, its ability to travel and its proclivity for certain types of crime.

For example, in terms of cultural background within the UK, criminal groups which have migrated from Jamaica have always, and in my opinion will always, present a very different risk profile from those who have migrated from China. Moreover, there seems to be an optimistic prediction that "some ethnic based criminal groups legitimize" and will then be replaced. However, the migration strategies of different ethnic groups need to be considered in detail. Looking at recent migration from the South of China and the North of Vietnam to the UK, it is not clear to the author, whether the ultimate objective is to remain. This is radically different from previous migrations (for example from Hong Kong or South Vietnam) and it may mean that certain parts of specific diasporas stay rooted within criminal enterprise regardless of the activities of the host nation.

Further, it might be worth injecting a fundamental distinction between indigenous criminal groups (regardless of ethnicity) who are settled (have citizenship or could obtain it but choose not to) and those who are residing in a country illegally. In this instance, having citizenship matters more than the criminal context as it allows the criminal group to embed itself in the locality and there are instances of criminal groups operating over generations once this has been achieved. For those excluded from citizenship it is much harder to sustain themselves over time, although this should not mean that their strategic dimensions should be completely dismissed, because they can orient themselves to smuggling in new members, as discussed below.

It does seem possible that once a mobile criminal group is established, its members think strategically about emerging criminal opportunities. For example, within the context of illegal migration the process of ‘cumulative migration’ can be characterized as strategic. When conducted in a non-criminal way, this is just a request for relatives or friends to join the sender in the host country, but in the criminal context this involves criminal groups sending for particular personnel to work within particular parts of their organization. There is also evidence that once a crime methodology is worked out, for example in the case of missing trader fraud (carousel fraud) or indeed cannabis cultivation, then a group may send someone to attempt to implement the crime within a different jurisdiction. Equally, mobile criminal groups that have been active in one country will be aware of emerging criminal opportunities in new ones, and will be drawn to them. In my opinion, this does not happen often but it does happen in the case of the Vietnamese. Finally, in relation to the ultimate motivation for organized crime, ‘profit’, there is evidence of mobile criminal groups acting strategically. They will seek out businesses to launder money and jurisdictions where their assets are secure.

In other instances, it could be argued that rather than there being a divide between the strategic and the emergent, the reality is blurred. In the early to mid 1980s, the emergent context of organized crime changed dramatically as the drug market exploded. This prompted new criminal actors in the market (due to the low skill level needed for entry) but it also prompted the strategic movement of criminal groups or firms into the market, who then quickly became globally mobile. The rise of the drug dealer and the drug trafficker has prompted another form of criminal activity-those who specialize in their robbery and their protection. Again, there seems to be an elision between the emergent and the strategic for those involved. My final counter-example in the UK is successful criminals thinking strategically in relation to moving their criminal businesses offshore, with the most popular destinations being the south coast of Spain and the south of Thailand (SOCA 2010). In this former case, it seems that criminal groups will then also try to impose themselves on local crime markets. In particular, this last example could be seen as an interesting one, as it seems to provide a scenario where criminal groups merge both strategic and emergent thinking.

Therefore, it would seem arguable that occasionally the boundaries between the strategic and emergent are blurred. Overall, without wanting to cast doubt on the fundamental accuracy of Morselli et al’s (2010) analysis, it is still rare for academics or law enforcement officers to be able to really ascertain and disclose what the most senior criminals are planning over long periods of time. Therefore, though the primary conclusion of the paper –that the strategic movement of criminal groups is widely exaggerated – is sound, it is important to acknowledge that counter examples do, and will, crop up.

## **5 Push versus pull factors**

Morselli et al (2010) also outline the main push and pull factors in each area of research. The push factors refer to forces which drive criminal groups from a setting: increased law-enforcement, increased competition from criminal groups (selection effect), legitimization of group, increased socio-economic status, decreasing cultural marginalization, increased enforcement in country of origin or against a specific group and displacement by a credible authority. Meanwhile, pull factors refer to forces which draw criminal groups to a setting and are listed as: mass demand, access to supply, law enforcement, high impunity, corruption, proximity to trafficking routes, porous borders, presence of broker and facilitators, individualist value system, legitimization of previous groups (ethnic succession theory), new opportunities for cross-border crime (e.g. immigrant diasporas in consuming countries; open border), ethnic groups’ criminal reputation, local ties and kinship networks; law security/enforcement/high impunity, poorly regulated economic sectors, overlaps between upper and underworld actors, low skill trade, low technology and professionalization, and a high number of unemployed disenfranchised workers.

This is a long list of factors but there are still a number of additions that could be made, as outlined below. Secondly, when it comes to applying them, as attempted in the case study, it might be practical to prioritize only those five or six that fit best, as currently their sheer number can obscure rather than



illuminate the key drivers. Thirdly, in relation to additional push factors, the list does not make reference to the specific cultural history of the crime group. Matofski and Potter (1987: 280) may be right in arguing that ultimately, the extent to which organized crime groups show ethnic homogeneity “does not reflect the machinations of a secret brotherhood of ethnics consciously recruiting their own and excluding all others”. It is, however, also arguable that ethnic homogeneity cannot be reduced to “the need of most illicit enterprises to remain geographically limited and the nature of urban demography where such enterprises are undertaken”. In relation to the Vietnamese (although not exclusively) there are groups which are based on very narrowly defined ethnic criteria, and this can be partly explained by their geography of origin rather than where the eventual criminal activity takes place. For example, with the Vietnamese in the UK, there is a predominance of criminal actors from Hai-Phong which is hard to explain without resorting to accounts of the city’s geographical position and its historical experience. Another example of this is the recent work on Chinese organized crime throughout the Chinese diaspora which has centered on the province of Fujian and more specifically on the city of Futsing (Zhang 2008; Silverstone forthcoming). The point here is again to consider the area’s particular social history and geographical location, and also to think about how illegal migratory practices have become embedded within the socio and political context. Instead of arguing that in the field of organized crime, as an ethnic group is being forced out, another minority-based criminal group rises and “there is no exclusive domain belonging to any particular ethnic group” (Ianni 1972). The alternative argument is: certain parts of ethnic groups have longstanding connections to certain crime domains and repeatedly produce groups willing to engage in crime. Therefore, these causes of repeated criminal involvement need to be considered as push factors.

Fourthly, the proactive role of the state, or aspects of it, ought to be considered as a push factor. For example, in relation to illegal migration, the state can play a critical role in encouraging criminal groups to move not just in the law enforcement sphere, but through the provision of travel documentation and facilitation of return. The local parts of the state can take a valedictory view of illegal conduct abroad and put in place social mechanisms that positively reward illegal mobility. This seems to be particularly relevant within the Chinese context and also in relation to several other countries. Fifthly, in terms of pull factors, the macro-economic climate is left out. The structural economic factors such as availability of employment in the grey economy, the value of the currency and the lack of business regulations are important factors for the movement of mobile criminal groups.

## **6 The Vietnamese case study**

The paper will now concentrate on the growth of organized crime within the Vietnamese community in the UK, with a particular focus on how well the events fit into Morselli et al’s (2010) strategic vs. emergent taxonomy, as well as a discussion of whether the push and pull factors identified by Morselli et al (2010) can account for these developments. The emergence of Vietnamese organized crime in the UK is pertinent to this discussion, because it is a relatively unusual case study; as a new criminal group, the Vietnamese have not only arrived recently but also have managed to dominate a particular criminal market. It is also relevant because the phenomenon seems to fit into the arguments of this paper, in that the Vietnamese show high degrees of both cosmopolitanism and specialization as the key protagonists are recently arrived migrants from the north of the country and they have stayed active within one criminal market, namely ‘cannabis cultivation’<sup>1</sup>. As with many other mono-ethnic criminal networks they are hard to penetrate and to conduct credible research on, so there are few studies of their activities within the UK or within the global community (Nožina, 2010; Silverstone 2010). Indeed, several studies have been conducted on the cannabis market within Canada but not on the Vietnamese (Bouchard, Alain, Nguyen 2009; Carter 2009). On the whole, the consensus from law enforcement is that their criminal networks are hard to penetrate and dismantle.

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<sup>1</sup> This is despite international law enforcement warnings to the contrary. The often repeated allegations were that the Vietnamese were going to take over the meta-amphetamine production/distribution trade.

Morselli et al (2010) maintain that the argument for international criminal groups strategically targeting criminal markets is “over-hyped” and not based on thorough empirical evidence. Broadly, my research on the actions of Vietnamese organized crime within the UK confirms this central hypothesis (ibid). There is no evidence that I am aware of that either a criminal network/organization or cartel took a strategic decision to enter the UK market. Mobile criminal groups did not initially scope the opportunities within the British market from either Canada or Vietnam, and then move criminal operatives to the UK to set up a criminal group there and then try to maintain their organization (although it is possible that individuals did make this transition). In fact, what is most striking is that most of those people who are active in the criminal marketplace lack a background in criminality, let alone group offending. They are more likely to be manual workers within Vietnam, or otherwise legitimate entrepreneurs within the UK. As predicted by Morselli et al (2010), they are drawn to the criminal market by emergent opportunities: the kinds of profits on offer, the low risk of being caught and the relative ease with which substantial profits can be earned due to the low level of skill and small investment needed to start a ‘cannabis factory’ or money laundering service.

There is a plethora of evidence from multiple sources that Vietnamese organized crime within the UK has continued to flourish in an emergent way (Silverstone 2010). As Morselli et al (2010) observe towards the end of the report, there are always criminal opportunities available for those actors willing to take risks, and especially so in the perennial demand for drugs. In the UK, as in most western countries, the pre-eminent demand for illegal drugs is currently and historically a demand for cannabis. Therefore, this permissive context is vital for understanding the subsequent criminal developments and for example anecdotally, in conversations with Vietnamese involved in cannabis cultivation, individuals are incredulous at the UK’s seemingly insatiable appetite for smoking cannabis!

The market and the demand for cannabis pre-existed any Vietnamese involvement. Nor seemingly has the arrival of the Vietnamese within the cannabis market precipitated an increase in consumption (contrary to some law enforcement allegations). Rather, if anything, the last five years have seen a gradual decline in usage. However, the Vietnamese have changed the nature of the cannabis market both in relation to the types of groups involved and the product available. Prior to their involvement, cannabis cultivation was implemented by indigenous British criminals and enthusiastic amateurs, and there was also a large amount of hashish imported. Today, it seems that these other groups still operate and have been joined by other ethnic groups (especially the Chinese), but the preference amongst cannabis smokers for herbal cannabis, as well as its ready supply, has meant that the importation of hashish resin has declined (Silverstone forthcoming).

The assertion that the group does not matter as much as the opportunities is also broadly accurate here. Pertaining to this case study, there is no evidence of a particular criminal group having or growing into a preeminent position; however, clearly the mobile skills of certain individuals were critical in spreading the criminal expertise to make the cannabis cultivation business a success. Secondly, there does seem to be something unique which pertains to the Vietnamese criminal organizations which has allowed them to expand and dominate a criminal market. As has been outlined above, there has always been a huge demand for cannabis within the UK, and there have always been numerous active criminal groups, yet none have managed to transform the cannabis market before. As explored in more detail in my work and argued in the first section, there must be something distinctive about the Vietnamese for them to manage this so successfully.

The only other caveat to this analysis of Vietnamese criminal groups as primarily ‘emergent’, is that along with the Vietnamese criminals who have moved across the UK due to displacement by law enforcement, there are also a few cases of Vietnamese criminal groups behaving in a strategic way. This is easier for them than for other criminal groups, as they operate at the wholesale level. Therefore when they move around the country, they are relatively invisible to other criminal groups on whose

territory they might be impinging<sup>2</sup>. In the course of the research projects, it is clear that some groups are very mobile, and there were examples of criminal groups with bases in London who have expanded elsewhere in the UK. There is also evidence (albeit less convincing) that some of these criminal groups have tried to expand into other European countries with less success.

Turning to the push and pull factors, these will now be reviewed in order, starting with the two push factors listed under Criminal Market research<sup>3</sup>: “increased law enforcement and increased competition from criminal groups (selection effect)”. In relation to the alleged movement from Canada to the UK of mobile criminal groups involved in the cannabis business, there is a possible impact. As law enforcement targeted “cannabis farms” (“grow ops”) in a more sustained way and the competition and predatory attacks from biker gangs increased, this could have caused Vietnamese criminals to flee, but I have not seen any evidence of this. Secondly, it is also possible that the actions of the Ministry of Public Security in Vietnam potentially pushed criminal groups out but, despite having conducted several interviews with Vietnamese law enforcement personnel, the author sees little evidence of this and the issue remains impossible to know definitively, as Vietnamese law enforcement is extremely opaque. Instead it seems in Eastern Europe the collapse of existing criminal markets and increased internecine competition caused some criminal networks to flee to the UK, but overall, these push factors offer little in explanation regarding this case study.

In relation to push factors (such as increased socio-economic status) connected to ethnic-based criminal groups, none of the push factors are relevant in relation to the movement of mobile criminal groups from Vietnam, Canada or the UK. Even though Vietnam has rapidly become wealthier since 1986, when the Communist Party of Vietnam announced the policy of ‘Doi Moi’<sup>4</sup>, there has not been a decrease in illegal migration, and in a relatively poor country, it would take some time for increased wealth to make a difference. In the UK, would these factors make a difference? Possibly, although it is the case that high status individuals who have settled here are currently involved in criminal activity (although not as much as their illegal counterparts). In relation to the new arrivals, if they were given citizenship, then their increased wealth would likely result in a decrease in criminality, as long as their smuggling debt was paid off and there were legitimate economic opportunities for them.

Pull factors refer to forces which draw criminal groups to a setting and all of the pull factors listed under criminal market research apply to the Vietnamese. Firstly, “mass demand”: as previously mentioned there is a massive demand for cannabis within the UK, which seems to be able to absorb an enormous increase in production without a lowering of price, and therefore, profit. There are some basic anomalies here, as within the period that the Vietnamese have been most active, usage has fallen and price has remained static. This has prompted law enforcement agencies to speculate that cannabis is now being grown for export, but due to its bulk, smell and the low risk profile of the Vietnamese, this is unlikely. It is more likely that government sponsored surveys do not pick up the extent of domestic consumption. At a wholesale level, where the Vietnamese are active, there has been no noticeable change in price either, and this indicates that demand remains strong.

The next pull factor is “access to supply”. Research indicates that there were already criminal brokers who had access to criminal connections within London and possibly other large cities before the boom in cannabis cultivation. They are individuals from the first or second migration from Vietnam to the UK, who have the English skills and are able to facilitate the supply of the product to other criminal groups to sell at the wholesale level. It is also worth mentioning that in this crime type there are offence facilitators, which enable easy access to supply. For cannabis cultivation, there is a need for hydroponic and other horticultural equipment. As cannabis cultivation emerged as a widespread

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<sup>2</sup> Although, in smaller criminal markets (such as Northern Ireland), they are conspicuous enough to draw the negative attention of local criminal groups.

<sup>3</sup> I have not tried to fit the case study to the push and pull factors included under the heading, “research on criminogenic conditions in legitimate settings”, as this category does not seem to be relevant to the Vietnamese.

<sup>4</sup> ‘Doi Moi’, literally meaning ‘change and newness’, and describes the basis for reform and renovation across the Vietnamese economy (IMF 2007).

activity, the sale of these goods was poorly monitored, and there was little record kept of those who bought the goods. More recently, there has been increased surveillance of both the premises and the records kept by these shops, but it is too early to know whether this has had any impact. Also, all of the equipment and indeed cannabis seeds are freely and legally available on the Internet. Again there have been some attempts to police this area, but the sheer volume of trade makes this difficult. There also needs to be relatively cheap and relatively (compared too much of Europe) large domestic abodes for rent. The prevalence of terraced housing rather than apartments is seen as another permissive factor which makes the UK a viable country to grow cannabis in. Finally, the competitive UK electricity market combined with a highly mobile population means electricity supply is plentiful and it is easy to circumnavigate any controls.

The role of “lax law enforcement” is the next pull factor to be considered. The Vietnamese operated in what can only be described as a permissive environment up until the last couple of years. This had three dimensions, the first of which relates to illegal migration. Due to the Vietnamese successfully presenting as bogus separated minors (by lying about their age), substituting passports (due to the lack of biometric passports) or even simply losing them, illegal arrival in the country was relatively easy. Even crude smuggling attempts via France and the channel tunnel, though often initially frequently unsuccessful, were effective due to the tendency for migrants to be returned to French authorities and then released. Once in the country, the macro-economic climate was ripe for illegal work. The UK has been experiencing a long boom with a demand for cheap labour within service industries. The Vietnamese found it easy to disguise themselves amongst much larger illegal migrations and consumer spending enabled an expansion of their legal businesses of choice: nail bars and restaurants. This meant easily available work and an ability to earn money which could be turned into illegal investments. Finally, on the migration side, it was relatively easy to obtain citizenship through bogus marriages, arranged in either Vietnam or within the UK<sup>5</sup>.

The second dimension is cannabis cultivation; the British police service is driven by performance indicators and closing cannabis factories has never been one. Secondly, the better resourced and pro-active police units contained within UK law enforcement rarely target cannabis as it has been classified at the lower end of a spectrum of harm. Therefore, prior to widespread media attention and the issues raised within my work, there had been little effort to target this group. This was compounded by the tendency for Vietnamese criminal groups to remain mobile and not to speak English, which creates further resourcing issues in relation to their policing. Due to their being a small minority and the British police service consistently failing to recruit from minority ethnic backgrounds, there are no Vietnamese police officers in the UK and very few covert human intelligence sources. Finally, on the cannabis cultivation side, the failure for landlords to be legally liable for the criminal activities of their tenants once they have signed a standard rental contract means that criminal landlords can co-operate with impunity with Vietnamese growers.

The third dimension is the failure to stop the laundering of criminal money or effect the confiscation of assets. The Vietnamese use a variety of methods to smuggle money back to Vietnam, such as student bank accounts, Hawala banking and couriers, and these are widely known about within the Vietnamese community. Although there has been constructive work in relation to the creation of memoranda of understanding between Vietnam and the UK governments, there has been little success in either restraining or confiscating assets. Overall, Vietnamese criminal groups experience a low risk of being caught but also, subjectively, it is worth considering the impact of this. When interviewing non-criminal Vietnamese, the author found an attitude that varied from the wistful to the outraged at how easily criminality was successfully committed. Therefore, it is important to state that not only was there lax law enforcement, but it was subjectively experienced as such.

The next pull factors to be considered are “high impunity and corruption”. Regarding impunity, there is a problem within the UK in relation to knowing how often members of Vietnamese organized crime networks have been caught, as the British police ethnic monitoring form does not distinguish between

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<sup>5</sup> The policing of most of these activities has now been improved.

Chinese and Vietnamese, except in the self-identification column which is rarely filled in. Therefore, it is impossible to give any accurate assessment of the chances the Vietnamese have of being caught. There are several other ongoing issues: the lack of investigative resources has meant that often if a cannabis factory is found, the only person who will be arrested is the “gardener” and therefore the network survives and gains a reputation for impunity. Secondly, there have been ongoing problems concerning the classification of the criminal activity, which also add to criminal group’s aura of invulnerability. In smaller police services or in services where resources are scarce, there has been a tendency to downgrade the crime and therefore reduce the need to investigate it, which can be done by classifying cannabis cultivation as ‘theft from electricity’. In the course of my research, allegations of corruption have been made but they have been impossible to corroborate.

The next two pull factors will be explored together as they have a tendency in practice to overlap: “proximity to trafficking routes, porous borders”. These issues have been explored in more detail above, and raise a long-standing issue in relation to the smuggling of illegal migrants through EU countries to the UK. Despite EU legislation, studies on illegal Vietnamese migration into the UK conclude that illegal migrants reside in another European country before arriving and are often apprehended by the authorities, but released if their final destination is the UK. In particular the failure of the French authorities to return Vietnamese migrants to Vietnam does enable the criminal networks to flourish.

The final pull factor under the heading “criminal market research” is the presence of brokers and facilitators; there are indeed brokers and facilitators within the Vietnamese community. In the author's opinion, there were definitely relationships between local criminal groups of different ethnicities and Vietnamese criminals within inner-city London boroughs. Typically, Vietnamese criminals have been known historically to associate with Chinese organized criminals, Triads (secret societies) or other Chinese criminal organizations, both in the UK and elsewhere. In this regard, there is now evidence of significant overlap between Chinese and Vietnamese networks and individuals involved in the cannabis business throughout the UK. This is in spite of their historical and in some instances, continuing political animosity. In more recent police investigations, there is evidence of skilled Vietnamese criminals being used by larger Chinese criminal groups. These arrangements are likely to have been made by brokers (who may well have legitimate business interests) in both communities. Beyond this there are definitely key individuals who broker wholesale deals for individuals and networks for the wider criminal community, although there is little publicly available information on these figures. Finally, there are also key individuals within the money-laundering business, and the few trials so far indicate that key individuals facilitate large movements of criminal money back to Vietnam.

The first pull factor under the heading of research on “ethnic based value systems” is an “individualist value system”. This is the most difficult factor to disaggregate as it is the most sociological, yet it is still helpful to ponder whether the majority of Vietnamese criminal groups are attracted to an individualist value system, considering the fact that they emanate from a socialist/communist political structure and a cultural context which is far less individualist than the western one. This is especially so regarding family life and family values and in terms of mutual obligations; there is a far stronger sense of the collective. This particular question is not one that my research has touched on but it is evident that once within the UK, the value system does act as an incentive for criminal behaviour. In the narratives of the older generations of Vietnamese (and clearly there is an element of nostalgia here) they feel that in a Mertonian sense, the Western fetishism of consumer commodities has had a detrimental effect on the aspirations of Vietnamese youth. However, this desire of the young for ostentatious consumer goods is not likely to manifest itself in the UK, where it will attract attention from law enforcement; it is more apparent in Vietnam.

The second pull factor is the legitimization of previous groups (ethnic succession theory). This does not seem to apply in this particular instance, as the Vietnamese are not replacing any other ethnic group. However, this concept can be used to challenge a tendency to homogenize under the label of

‘Vietnamese’ what is a relatively diverse community, with complex and varied historical and cultural roots and with consequent internal conflicts and tensions. In this instance currently, some parts of the more established Vietnamese community have formed a symbiotic relationship with the large illegal communities. They benefit as they can: rent houses where more recent arrivals grow cannabis, open bank accounts for them, lease businesses on their behalf, sub-let out properties for them to stay in and use them as poorly paid workers in their own legal or illegal enterprises. Meanwhile, illegal Vietnamese can gain employment and earn money quickly without interference from the authorities. The infrastructure also exists for both groups to launder money quickly and efficiently back to Vietnam. As previously mentioned more generally, the critical dividing line is citizenship, and once this is attained, there is the possibility of advancement and legitimization. However, this is by no means automatic, and within the Vietnamese community there are further divides relating to city of origin and political orientation.

The final two pull factors to be considered are the “ethnic group’s criminal reputation and local ties and kinship networks”. There is no evidence that the Vietnamese reputation is used to gain a foothold, status and power in a new country, except with the local case of the interaction between Chinese and Vietnamese networks in London where the Vietnamese have a fierce reputation. In relation to local ties and kinship networks, kinship networks are vital in constructing criminal groups or in bringing in illegal workers. There are several examples of families involved in several aspects of the cannabis business. The author has been privy to several police operations where different generations of the same family were involved.

## **7 Conclusions and Recommendations**

The final section of the paper addresses recommendations for how law enforcement officials and policy makers could use knowledge of the various push and pull factors to stem the transnational spread of organized crime groups. In relation to the push and pull factors, it might be worth considering these additional factors:

- Immediate political and cultural history of a group.
- Macro economic climate: availability of employment in the grey economy, the value of the currency, business regulation.
- State support: national or provincial support (are agencies of the state involved in providing incentives or logistical support for criminal groups?).

In the final section of Morselli et al’s (2010) paper the authors point out the futility of the so called ‘war on drugs’ and cautions that if law enforcement activity is able to displace or prevent a mobile crime group, it needs to replace the services or products that were being supplied by the group. In reference to the Vietnamese, the logical policy step to prevent the re-occurrence of criminal activity is to decriminalize cannabis as implemented in Holland and Portugal. However, for other more harmful drugs this solution is much harder to contemplate and therefore within the prohibitionist paradigm, the last part of Morselli et al’s (2010:37) report is now reviewed.

Overall, the law enforcement recommendations are well intended but seem to be overly general for policy makers. For example, “keeping the market competitive by assuring systematic checks will keep groups small and ephemeral making it more difficult for them to expand beyond local settings” is a reasonable suggestion but how realistic is this in a time of austerity? Alternatively, the criticism that “the emergence of criminal groups in legitimate settings and across a multitude of countries is marked above all by the absence of a solid government and the presence of several structural problems that require the parallel service of such groups to informally govern a portion of a population” (Ibid 2010:26) seems to be misplaced. The current criminological paradigm is that society is over-regulated and law enforcement is better resourced than ever (biometric border checks, CCTV, financial disclosure) but these intrusive technologies can prove ineffective against very crude asymmetric deceptions (Aas 2007; Garland 2002). The problem is not a lack of governance but a lack of

penetration into mobile criminal groups which, due to their mobility, cultural or linguistic differences, are invulnerable to the attention of law enforcement.

Overall, the process of including a variety of case studies within Morselli et al's (2010:35) framework is useful and supports their contention that "[i]nformation on how and why criminal groups establish themselves in new areas could potentially make a direct contribution to the development of strategies for the prevention and suppression of organized crime". However, the recommendation for law enforcement to attempt "to foresee which groups are likely to form once the present problem is recognized and targeted in an effective manner" is of less use (Ibid 2010:38). Considering the overlap between 'emergent' and 'strategic' thinking for many criminal groups and the lack of either academic or law enforcement intelligence/information on them, this suggestion may just add another level of complexity to what the authors already admit is often a difficult task. Rather, law enforcement agencies alongside other policy partners might better spend their resources concentrating on crime enablers such as, in the Vietnamese case, easily accessible hydroponic goods or the tracking of precursor elements for other illegal drugs<sup>6</sup>.

Morselli et al (2010:38) are correct in noting that "if the high brass of a police agency establishes a strategic plan to address an organized crime problem....this agency must assure that this directive is followed through across its ranks". However, in isolation this recommendation is unlikely to prove effective. At the strategic level there are longstanding deficiencies in the policing of mobile criminal groups by most national law enforcement agencies. According to the author's recent work the main issues to address in order to improve the response from law enforcement agencies are the long-observed deficiencies consequent of having multiple policing agencies with defined pyramids of information flows operating in discrete silos against mobile and often quite 'flat' criminal networks (Sheptycki 2007). The second issue is how the sharing of information ought to be improved. One answer is to increase the role of 'high policing' (referring to internal security, national security intelligence gathering and the security services). On the whole, academics expected the influence of high policing to grow in the aftermath of the cold war, as security intelligence agencies were entering domains that were traditional law enforcement territory, such as organized crime, and the ramifications and potential benefits of this could be considered (Brodeur, 2005/2007). This is contentious territory as although these agencies can provide strategic direction they often lack transparency and have been criticized for their lack of ethical practices. Thirdly, the role of community policing and its ability to access hard-to-reach mobile criminal groups from a diverse range of ethnicities should be considered. Recently there has been much written concerning the new initiatives to make the police at one with the local communities they police (Barnes and Eagle, 2007; Innes, 2007). In the UK this has included several initiatives, from neighbourhood policing to police community support officers and the advent of independent advisory groups. This can be seen as a directly oppositional strategy to those who advocate the wider use of higher policing and therefore the relative merits and the relative influence of either approach should be considered by policy makers.

Finally, Morselli et al (2010:39) recognize the importance of the private sector and recommend "improving private sector quality". However, it could be argued that their recommendations do not go far enough and the issue of privatization should be addressed in terms of whether it would be cost-efficient and laudable if the large corporations could be persuaded to invest in the policing of mobile crime groups. In the UK this approach has been pioneered by Federation Against Copyright Theft (FACT). FACT was founded by the major film companies to combat film piracy and has an intelligence unit which facilitates the investigation and prosecution of those involved in this type of crime. In relation to cannabis cultivation the private industries to include are the electricity and gas suppliers and, in relation to money laundering, the help of companies such as Western Union would be required. Overall, if the focus is correctly on the longstanding contexts which enable 'emergent' mobile crime groups, the key to being effective is moving away from traditional policing-led

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<sup>6</sup> The Serious Organised Crime Agency (SOCA) has a crime techniques department which concentrates on developing new intervention techniques, to disrupt and deny criminal opportunities worldwide.

initiatives and moving towards a strategically focused, multi-agency crime prevention approach instead.



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